

**Cour
Pénale
Internationale**



**International
Criminal
Court**

dedani: frangul enaze

#: ICC-02/05-01/07
TariRi: 2007 w. 4 ivnisi

winaswari saqmeTwarmoebis palata I

ganxilavs: mosamarTle akua kueniehia, kolegiis Tavmjdomare
mosamarTle klod jorda
mosamarTle silvia Staineri

registratori: b-ni bruno kaTala

darfurSi, sudanSi Seqmnili situacia
saqmeSi
prokurori ahmad muhammad harunis («ahmad harunis»)
da ali muhamed al abd-al-rahmanis («ali quSaibis») winaaRmdeg

sajaro dokumenti

moTxovna romis statutis wevri qveynebisadmi
ali quSaibis daptimrebis da gadacemis Sesaxeb

prokuratura

b-ni luis moreno okampo, prokurori
q-ni fatu bensuda, prokuroris TanaSemwe
b-ni endriu kaili, mTavari bralmdebeli

sisxlis samarTlis saerTaSoriso sasamarTlos (SemdgomSi "sasamarTlo") **registratori**;

mxedvelobaSi iRebs ra gaerTianebuli erebis organizaciis uSiSroebis sabWos 2005 wlis 31 martis #1593 rezoluciiT mowerilobas "sasamarTlos" prokurorisadmi darfurSi arsebuli mdgomareobis Sesaxeb;

mxedvelobaSi iRebs ra winaswari saqmeTwarmoebis I palatis (SemdgomSi "palata") 2007 wlis 27 aprilis gadawyvetilebas gaices ahmad muhamad harunis ("ahmad harunis") da ali muhamad abd-al-rahmanis ("ali quSaibis") dapetimrebis orderi, riTac "sasamarTlos" registrators daevala, Tanaxmad *samarTalwarmoebis da mtkicebulebaTa reglamentis 176-e muxlisa*, moemzadebina da gadaegzavna *romis statutis* (SemdgomSi "statuti") wevri qveynebisaTvis moTxovnebi ahmad harunis da ali quSaibis dapetimrebis da gadacemis Sesaxeb;¹

mxedvelobaSi iRebs ra, rom ali quSaibis dapetimrebis orderi gaica "palatis" mier 2007 w. 27 aprils Tanaxmad "statutis" 58-e muxlisa;²

mxedvelobaSi iRebs ra "statutis" me-19, me-20, 57-e, 59-e, me-60, 67-e, 87-e, 89-e, 91-e da 97-e muxlebs, *samarTalwarmoebis da mtkicebulebaTa reglamentis 21-e, 117-119-e, 176-e, 184-e da 187-e muxlebs* da "sasamarTlos reglamentis" 31-e, 76-e da 111-e debulebebs;

iTvaliswinebs ra, rom "statutis" 89(1) muxli adgens, rom "sasamarTlos" ufleba aqvs mosTxovos nebismier qveyanas piris dapetimreba da gadacema, romlis teritoriazec SesaZloa aRmoCndes xsenebuli piri;

¹ ICC-02/05-01/07-1.

² ICC-02/05-01/07-3.

moiTxovs, rom Tanaxmad 2007 w. 27 aprilis gadawvyvetilebisa da dapatmrebis orderisa dapatimrebulni da gadacemulni iqnan Semdegi pirebi:

- saxeli: ali muhamad ali abd-al-rahmani ("ali quSaibi", romelic SesaZloa gamoiTqmodes aseve, rogorc ali qoSeibi, ali quCibi, ali mohamedi, ali qoSebi, qoSibi an ali qoSifi);
- asaki: iTvleba, rom unda iyos 50 wlamde;
- erovneba: iTvleba, rom unda iyos sudaneli;
- Tanamdeboba: iTvleba, rom unda iyos tomis beladi da "saxalxo Tavdacvis jaris" (SemdgomSi "sTj") wevri. aseve iTvleba, rom unda yofiliyo vadi salihis mTeli regionis "aqid al-ogada" (polkovnikTa polkovniki) darfurSi. aseve iTvleba, rom unda yofiliyo miliciis/"janjavidis" erT-erT meTaurus;
- mdebareoba: iTvleba, rom dReisaTvis unda iyos dapatimrebuli sudanis policiis mier Tanaxmad sudanis organoebis mier 2005 w. aprilSi gacemuli dapatimrebis orderisa, romelic aRsrulda 2006 w. 28 noembers;
- braldeba: Tanaxmad "statutis" me-8 muxlisa, bralad edeba samxedro danaSaulebis Cadena 2003 w. agvistodan 2004 w. martamde, aseve, Tanaxmad "statutis" me-7 muxlisa, bralad edeba kacobriobis winaaRmdeg danaSaulebis Cadena 2003-2006 ww. darfuris regionSi;

dapatimrebis da gadmocemis SemTxvevaSi:

moiTxovs, rom uzrunvelyofili iqnas ali quSaibis usafrTxoeba misi "sasamarTlos" registratorisaTvis sablood gadacemamde;

moiTxovs, Tanaxmad "statutis" 87(4) muxlisa, rom nebismieri informacia, romelic xelmisawvdomi Seiagneba winamdebare moTxovnasTan dakavSirebiT, warmodgenili

iqnas ise, rom daculi iyos dazaralebulTa, savaraudo mowmeTa da maTi ojaxis wevrebis usafTxoeba da fizikuri Tu fsiqikuri xelSeuxebloba;

moiTxovs, rom "sasamarTlos" ecnobos ali quSaibis mier qveynis sasamarTlosadmi "statutis" 59(3) an 89(2) muxlis Sesabamisad nebismieri mimarTvis Taobaze;

moiTxovs, rom "sasamarTlos" ecnobos, Tanaxmad "statutis" 91(2) muxlisa, nebismieri dokumentis, gancxadebis Tu informaciis Taobaze, garda dpatimrebis orderis da TandarTuli fotoebisa, Tu aRniSnuli saWiro iqneba gadmocemis procesis moTxovnebis dakmayofilebisaTvis;

moiTxovs, rom "sasamarTlos" ecnobos, Tanaxmad "statutis" 97-e muxlisa, im nebismieri problemis Taobaze, ramac SesaZloa xeli SeuSalos an Seaferxos winamdebare moTxovnis aRrulebas;

moiTxovs, rom "sasamarTlos" ecnobos, Tanaxmad "statutis" 89(4) muxlisa, im nebismieri problemis Taobaze, ramac SesaZloa gamoiwvios winamdebare moTxovnis gviani aRruleba;

moiTxovs, rom "sasamarTlos" registrators dauyonebliv ecnobos, Tanaxmad *samarTalwarmoebis da mtkicebulebaTa reglamentis* 184-e muxlisa, Tu ali quSaibi xelmisawvdomi iqneba gadacemisaTvis;

moiTxovs, rom ali quSaibi gadaeces "sasamarTlos" mqasimalurad operatiulad mas Semdeg, rac gaicema misi gadacemis brZaneba;

Seaxsenebs "statutis" 59-e muxliT gansazRvruli proceduris dacvis valdebulebas;

Tan urTavs winamdebare moTxovnas, Tanaxmad "statutis" 87-e da 91-e muxlebis, *samarTalwarmoebis da mtkicebulebaTa reglamentis* 187-e muxlis da "*sasamarTlos reglamentis*" 111-e debulebisa, Semdeg dokumentebs inglisur da arabul enebze:

- i) 2007 w. 27 aprils gacemuli ali quSaibis dapetimrebis orderis asli, romelsac Tan erTvis misi foto (danasTi 1);
- ii) "statutis" da *samarTalwarmoebis da mtkicebulebaTa reglamentis* Sesabamisi debulebebis aslebs im enebze, romlebzec saubrobs da romlebic srulad esmis ali quSaibs (danasTi 2).

**registratoris saxeliT,
mark dubuisoni,
sasamarTlo samsaxurebis ganyofilebis gamge**

daTariRebulia 2007 w. 4 ivnisiT

haaga, niderlandebi