



Original: English

**No. ICC-02/05-01/20
Date: 25 September 2024**

TRIAL CHAMBER I

Before: Judge Joanna Korner, Presiding Judge
Judge Reine Alapini-Gansou
Judge Althea Violet Alexis-Windsor

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
*THE PROSECUTOR v. ALI MUHAMMAD ALI ABD-AL-RAHMAN ('ALI
KUSHAYB')***

Public

Order regarding the final briefs and closing statements

To be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor Karim A.A. Khan Nazhat Shameem Khan Julian Nicholls	Counsel for the Defence Cyril Laucci Iain Edwards
Legal Representatives of Victims Natalie von Wistinghausen Anand Shah	Legal Representatives of Applicants
Unrepresented Victims	Unrepresented Applicants for Participation/Reparations
The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
States Representatives	<i>Amicus Curiae</i>
REGISTRY	
Registrar Osvaldo Zavala Giler	Counsel Support Section
Victims and Witnesses Unit	Detention Section
Victims Participation and Reparations Section	Other

1. On 11 December 2023, Trial Chamber I (the ‘Trial Chamber’) in its third directions on the conduct of proceedings provided, *inter alia*, guidance as to the general timeline for the final briefs and the closing statements.¹
2. On 12 June 2024, the Chamber amended the deadlines for the final briefs and closing statements.²
3. On 18 June 2024, the Prosecution and the Common Legal Representative for Victims (the ‘CLRv’) confirmed that they would not seek the Chamber’s leave to present rebuttal evidence.³
4. In a joint email sent on 11 September 2024, the Defence, the Prosecution and the CLRv proposed dates regarding the filing of their respective final briefs and the hearing of the closing statements.⁴
5. On 13 September 2024, the Defence requested the reconsideration of the Chamber’s decision of 4 September 2024 relating to witness D-0028 (the ‘Request for Reconsideration’).⁵
6. On the same date, the Defence informed the Chamber, the Prosecution and the participants of the closure of its evidence, subject to the Chamber’s ruling on the Request for Reconsideration.⁶
7. On 24 September 2024, the Chamber granted the Defence’s Request for Reconsideration, and concluded that the closure of the Defence’s evidence became effective as of the notification of said decision.⁷
8. Noting the parties’ and participants’ joint email on the proposed timeline of the filing of final briefs and closing statements, and having decided on the submission into evidence of all materials submitted in the present case as of 24 September 2024,⁸ the Chamber, in accordance with Rule 141(1) of the Rules of Procedure and Evidence, hereby declares the

¹ Third directions on the conduct of proceedings, 11 December 2023, ICC-02/05-01/20-1046, para. 12.

² Transcript of hearing, 12 June 2024, ICC-02/05-01/20-T-159-CONF-ENG, p. 18, line 22 to p. 19, line 2.

³ Email from the Prosecution, at 12:48; Email from the CLRv, at 16:43.

⁴ Email from the Defence, the Prosecution and the CLRv, at 12:25.

⁵ Requête aux fins de reconsidération de la Décision ICC-02/05-01/20-1182-Conf, ICC-02/05-01/20-1187-Conf. A public redacted version was notified on the same date, ICC-02/05-01/20-1187-Red.

⁶ CLÔTURE DE LA PRÉSENTATION DE LA DÉFENSE, ICC-02/05-01/20-1188-Conf. A public redacted version was notified on the same date, ICC-02/05-01/20-1188-Red.

⁷ Decision on the Defence’s request for reconsideration of the Decision on the Defence’s renewed request for admission of prior recorded testimony of Witness D-0028 under Rule 68(2)(c), ICC-02/05-01/20-1190-Conf. A public redacted version was filed on the same date, ICC-02/05-01/20-1190-Red (hereinafter: ‘Decision on the Reconsideration Request’).

⁸ Decision on the Reconsideration Request, ICC-02/05-01/20-1190-Red, para. 25.

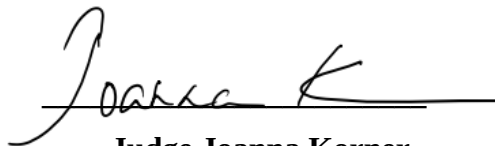
submission of evidence in the present case closed. This is without prejudice to the Chamber's discretion under Article 69(3) of the Rome Statute to, at any stage, request the submission of additional relevant evidence where it considers it necessary for the determination of the truth.

9. Accordingly, the parties and participants are instructed to file their final briefs on 4 November 2024 and the hearing for the closing statements will be held from 11 to 13 December 2024.

For the foregoing reasons, the Chamber hereby:

ORDERS the parties and participants to file their final briefs on **4 November 2024**; and

DECIDES that the closing statements will be heard from **11 to 13 December 2024**.

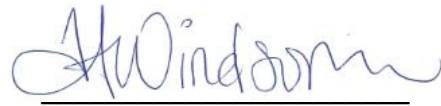


Judge Joanna Korner

Presiding Judge



Judge Reine Alapini-Gansou



Judge Althea Violet Alexis-Windsor

Dated this 25 September 2024

At The Hague, The Netherlands