



Original: English

No.: ICC-02/05-01/20
Date: 23 October 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

Prosecution's response to "Requête en vertu de la Norme 37-2 du Règlement de la Cour"

Source: Office of the Prosecutor

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

The Office of the Prosecutor Mr Karim A. A. Khan KC Ms Nazhat Shameem Khan Mr Julian Nicholls	Counsel for the Defence Mr Cyril Laucci Mr Iain Edwards
Legal Representatives of the Victims Ms Natalie von Wistinghausen Mr Anand Shah	Legal Representatives of the Applicants
Unrepresented Victims	Unrepresented Applicants (Participation/Reparation)
The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
States Representatives	Amicus Curiae
REGISTRY	
Registrar Mr Osvaldo Zavala Giler	Counsel Support Section
Victims and Witnesses Section Mr Nigel Verrill	Detention Section
Victims Participation and Reparations Section Mr Philipp Ambach	Other

I. SUBMISSIONS

1. The Prosecution takes no position on the Defence “Requête en vertu de la Norme 37-2 du Règlement de la Cour” (“Request”) to further extend the page limit for the Final Brief from 250 pages to 370 pages.¹ Should any extension be granted, then as a matter of basic fairness, the Prosecution submits it should receive the same page limit as the Defence.

2. The Prosecution deplores the misrepresentation of the role of the Common Legal Representative for the Victims (“CLR”) as a “second prosecutor”.² Throughout the trial, the CLR has acted in accordance with her mandate under article 68(3) of the Rome Statute. This is yet another abhorrent attempt to manufacture an impression of unfairness where there is none.

II. CONCLUSION

3. For the above reasons, the Prosecution does not take a position on the Request, but if granted, requests the same page extension as the Defence.



Karim A. A. Khan KC
Prosecutor

Dated this 23rd day of October 2024

At The Hague, The Netherlands

¹ Requête en vertu de la Norme 37-2 du Règlement de la Cour, [ICC-02/05-01/20-1194](#) (“Request”).

² [Request](#), para. 14 (translated from French).