



Original : English

N°: ICC-02/05-01/20
Date: 23 December 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
With Confidential Annexes 1 to 5 and
Public Redacted Annexes 1, 4 and 5

Tenth Registry Quarterly Report on Decisions issued by way of e-mail from
1 February to 30 April 2024

Source : Registry

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
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 Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry submits with the present report and its 5 annexes, the public redacted and confidential versions of email decisions pursuant to the “Directions on the conduct of proceedings”¹ (“Directions”), issued on 4 October 2021 by Trial Chamber I (“Chamber”).²

II. Procedural History

2. On 4 October 2021, the Chamber issued the Directions instructing the Registry to file all email decisions on the case record in quarterly reports starting 1 November 2021.³
3. The Chamber directed the parties and participants to: i) frame their requests made by email in a way that make their publicity possible; and ii) indicate in the email when emails cannot be made public at all.⁴

III. Classification

4. Pursuant to regulation 23bis(1) of the Regulations of the Court, some of the annexes are classified as “confidential” because they refer to sensitive information that should not be disclosed to the public.

¹ Trial Chamber I, Directions on the conduct of proceedings, ICC-02/05-01/20-478, 4 October 2021.

² *Ibid.*, para. 74.

³ *Ibid.*

⁴ *Ibid.*, para 75.

IV. Applicable law

5. For the purpose of the present submission, the Registry considered articles 64(7), 64(10) and 67(1) of the Rome Statute and rule 137 of the Rules of Procedure and Evidence.

V. Submissions

6. In the Directions, the Chamber provided criteria for the application of the redactions to the email decisions. The Registry was instructed *inter alia* to apply redactions to i) names of Chambers staff members, where applicable; ii) names of Registry staff members, if deemed necessary by the Registry; and iii) any personal email address or other private or personal information. The Registry shall consult the participants on the redactions applied.⁵
7. In order to enable the parties and participants to suggest specific additional redactions, Registry liaised with the Prosecution, the Defence, the Common Legal Representatives of Victims ("CLRVS"), and relevant sections of the Registry.⁶ The Victims and Witnesses Unit ("VWU") proposed additional redactions to Annex 5.⁷ No further redactions were proposed by the Prosecution, Defence, or CLRVS.⁸
8. In accordance with the Chamber's instructions, the confidential classification of annexes 2 and 3 were maintained.⁹

⁵ *Ibid*, para. 75.

⁶ Emails sent by the Courtroom Officer/Associate Legal Officer on 23 May 2024 at 11:33, 11:34, and 11:35.

⁷ Email sent by the VWU on 23 May at 11:45.

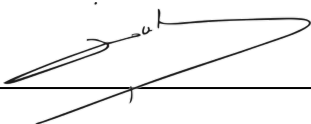
⁸ Email sent by the Prosecution on 16 August 2024 at 15:18, CLRVS on 28 June 2024 at 15:20 and Defence on 20 November 2024 at 17:36.

⁹ Emails sent by Trial Chamber I on 25 November 2024 at 09:45 and 17 December 2024 at 12:34.

9. Accordingly, the Registry applied redactions to emails set forth in the following 3 annexes:

- **Annex 1:** FW: Scheduling for the hearing of witness D-0026, dated 19 March 2024 at 10:15;
- **Annex 4:** RE: Reading of R68(3) summary of evidence for Witness D-35, dated 19 April 2024 at 12:08; and,
- **Annex 5:** FW: Witness D-35 preparation: Request for small derogation to the Familiarization Protocol, dated 19 April 2024 at 13:41.

10. In addition to the public redacted annexes listed above, the Registry simultaneously submits the 5 annexes in their confidential classification.

A handwritten signature in black ink, appearing to read 'M. Dubuisson', is written over a horizontal line.

Marc Dubuisson
Director, Division of Judicial Services
On behalf of Osvaldo Zavala Giler, Registrar

Dated this 23 December 2024

At The Hague, The Netherlands