



Original: English

**No. ICC-02/05-01/20
Date: 9 December 2025**

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 for submissions on reparations

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

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**

☒ **Legal Representatives of the Victims**
Common Legal Representative of Victims

☐ **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**
Competent authorities of the Republic of Sudan

☐ **Amicus Curiae**

☒ **Trust Fund for Victims**

REGISTRY

Registrar
Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☒ **Victims Participation and Reparations Section**

☐ **Other**

I. PROCEDURAL HISTORY

1. On 3 October 2022, Trial Chamber I (the ‘Chamber’) instructed the Registry to carry out the mapping of all potentially eligible beneficiaries of reparations in the present case.¹
2. On 6 October 2025, the Chamber delivered its judgment pursuant to Article 74 of the Rome Statute (the ‘Statute’), convicting Abd-Al-Rahman of 27 counts of crimes against humanity and war crimes (the ‘Trial Judgment’).²
3. On 4 November 2025, the Registry filed its Victim Mapping Report (the ‘Mapping Report’).³
4. At the time the Trial Judgment was issued, 1,592 victims were authorised to participate in the proceedings pursuant to Rule 68(3) of the Rules of Procedure and Evidence (the ‘Rules’) through the Common Legal Representative for Victims (the ‘CLRV’).⁴
5. The Chamber notes that significant information relevant to the five elements of the reparations order is already available in the case record. Having considered the interests of the victims and the convicted person and noting that the crimes of which Abd-Al-Rahman is convicted took place more than 20 years ago, the Chamber considers that the reparations proceedings should advance as efficiently and expeditiously as possible, avoiding unnecessary delays.
6. Accordingly, to ensure the fair and expeditious conduct of the reparations proceedings in the present case, the Chamber issues the following directions:

¹ Second decision on the admission of victims to participate in trial proceedings, ICC-02/05-01/20-761, paras 15-19.

² Trial Judgment, ICC-02/05-01/20-1240.

³ Registry Victim Mapping Report, ICC-02/05-01/20-1256-Conf (with confidential Annex I, III and IV, and confidential *ex parte* Annex II). A corrected and public redacted version thereof were notified on 19 and 24 November 2025, respectively, ICC-02/05-01/20-1256-Conf-Corr and ICC-02/05-01/20-1256-Corr-Red.

⁴ Fourteenth decision on the admission of victims to participate in trial proceedings, 21 March 2025, ICC-02/05-01/20-1230, para. 2.

a) The CLRV, the Defence, the Registry and the Trust Fund for Victims (the ‘TFV’) are instructed to make submissions, of up to 50 pages each, by Monday 4 May 2026, at the latest, on any or all of the following issues, namely:

- i. the estimated total number of eligible direct and indirect victims identified in the Mapping Report;
- ii. any factual or legal issues relevant to the identification of eligible victims;
- iii. any victims or groups of victims identified in the Mapping Report, or by the parties and participants, who may require prioritisation in the reparations process;
- iv. observations on the specification of the types and extent of the harm suffered by the victims identified in the Mapping Report;
- v. whether recourse to factual presumptions should be considered;
- vi. types and modalities of reparations appropriate to address the harm suffered by the victims of the crimes of which Abd-Al-Rahman was convicted;
- vii. estimates as to the costs to repair the harm suffered by the victims in light of the appropriate modalities for repairing them;
- viii. information as to whether the victims of the crimes of which Abd-Al-Rahman was convicted have received any form of compensation or reparations for the harm suffered as a result of these crimes;
- ix. any considerations the Chamber should take into account when assessing Abd-Al-Rahman’s liability for reparations; and
- x. any additional information relevant to reparations.

- b) The Prosecution is invited to make submissions, of up to 20 pages, on any of the issues listed above, by 4 May 2026. The Chamber notes that while the Prosecution is not a party to the reparations proceedings, it has a clear understanding of the parameters of the crimes of which Abd-Al-Rahman was convicted;
- c) The authorities of the Government of Sudan are invited to make submissions, of up to 20 pages, on any of the issues listed above, by 4 May 2026;
- d) Any persons or organisations, particularly with local expertise, interested in making submissions on the specific issues mentioned above, are invited to request leave from the Chamber, pursuant to Article 75 of the Statute and Rule 103 of the Rules, by 26 January 2026. If the Chamber decides to grant any of these applications, these submissions should not exceed 20 pages and will have to be filed by 4 May 2026;
- e) The Registry, assisted, *inter alia*, by the information that may be provided by the Prosecution, is requested to submit, by 4 May 2026, a report on Abd-Al-Rahman's current financial situation.

7. The CLRV and the Defence may respond to any of the submissions above by 4 June 2026. This response shall not exceed 20 pages.

8. The Chamber stresses the need for full collaboration and cooperation between the CLRV, the Defence, the Prosecution, the Registry and the TFV, so that the proceedings may benefit from their combined knowledge, expertise, and experience in assisting victims and dealing with reparations and to ensure the efficient and effective conduct of the reparation proceedings.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

INSTRUCTS the CLRV, the Defence, the Registry, and the TFV to make submissions, of up to 50 pages, on any or all of the issues referred to in paragraph 6(a) above, by 4 May 2026;

INVITES the Prosecution to make submissions, of up to 20 pages, in accordance with paragraph 6(b) above, by 4 May 2026;

INVITES the authorities of the Government of Sudan to make submissions, of up to 20 pages, in accordance with paragraph 6(c) above, by 4 May 2026;

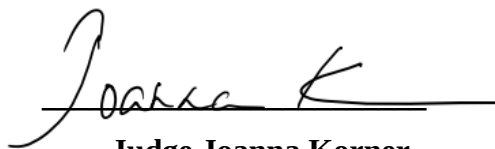
INVITES interested persons or organisations, particularly with local expertise, to request leave to make submissions, in accordance with paragraph 6(d) above, by 26 January 2026;

INSTRUCTS the Prosecution to transmit to the Registry any information relevant to Abd-Al-Rahman's current financial situations by 12 January 2026;

INSTRUCTS the Registry to review Abd-Al-Rahman's current financial situation and report back to the Chamber by 4 May 2026;

INVITES the CLRV and the Defence to respond to the submissions on reparations, in a response not exceeding 20 pages, by 4 June 2026; and

ENCOURAGES the CLRV, the Defence, the Prosecution, the Registry and the TFV to work in full collaboration and cooperation with each other in order to facilitate the efficient and effective conduct of the reparation proceedings.

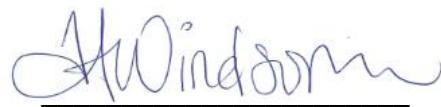


Judge Joanna Korner

Presiding Judge



Judge Reine Alapini-Gansou



Judge Althea Violet Alexis-Windsor

Dated this 9 December 2025

At The Hague, The Netherlands