

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: **ICC-02/05-01/20**

Date: **26 January 2026**

TRIAL CHAMBER I

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

SITUATION IN DARFUR, SUDAN

THE PROSECUTOR V. ALI MUHAMMAD ALI ABD AL-RAHMAN ('ALI KUSHAYB')

PUBLIC

Request for Leave to Submit Amicus Curiae Observations on Reparations Issues

Source: i-ACT

Document 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
Adam Regal, Spokesperson for the General
Coordination Committee of the IDPs and
Refugee Camps in Sudan
Abdalbasit Mohamed & Mikel
Delagrangé, The Wayamo Foundation

Trust Fund for Victims

REGISTRY

Registrar
M. Zavala Giler, Osvaldo

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and
Reparations Section**

Other

I. Introduction

1. i-ACT hereby respectfully requests leave to submit *amicus curiae* observations on issues related to reparations for victims in this case, pursuant to the Chamber's Order of 9 December 2025 (the "Order").¹
2. i-ACT is a non-governmental "organization... with local expertise" as contemplated by the Order.² It works with conflict-affected communities to co-create, facilitate, and expand programs that meet the needs of those communities based on their members' own priorities, challenges, and hopes.³ As part of these efforts, i-ACT has worked with Darfuri refugee communities for more than 15 years. It has worked with Darfuri refugee communities to co-create trauma-informed programming; helped supply critical services; and supported this Court's work in the Darfur situation.

II. Applicable Law

3. At any stage of a proceeding before the Court, a Chamber may "if it considers it desirable for the proper determination of the case, invite or grant leave to a State, organization or person to submit, in writing or orally, any observation on any issue that the Chamber deems appropriate."⁴ A Chamber's determination of whether to grant an applicant leave to participate as an *amicus* is within its judicial discretion. In exercising that discretion, other Chambers have liberally granted requests for leave to submit *amicus* observations.
4. For example, Chambers considering requests for leave to submit *amicus* observations on reparations issues like those described in the Order have granted leave on the basis that the requestors, *inter alia*, were "in contact with victims of the conflict";⁵ had "expertise and working experience in relation to victims and war affected communities" in the region covered by a particular case;⁶ had "experience engaging with the Court on victims related matters" such as having "supported the Court by mobilizing victims and witnesses to

¹ *Prosecutor v. Abd-Al-Rahman*, Case No. ICC-02/05-01/20, [Order for Submissions on Reparations](#), 9 December 2025, para.6(d).

² Order, para.6(d).

³ <https://www.iact.ngo/about-us>.

⁴ [Rules of Procedure and Evidence](#), Rule 103(1).

⁵ *Prosecutor v. Yekatom and Ngaïssona*, Case No. ICC-01/14-01/18, [Decision on the requests for leave to make amicus curiae submissions](#), 16 December 2025, para.12.

⁶ *Prosecutor v. Ongwen*, Case No. ICC-02/04-01/15, [Decision on the requests for leave to submit amicus curiae observations](#), 17 June 2021, para.10. See *Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, Case No. ICC-01/12-01/18, [Decision on the requests for leave to submit amicus curiae observations](#), 11 March 2025, para.5.

participate in the proceedings”;⁷ or “[had] offices and [implemented] project activities” in the case region.⁸

III. i-ACT’s Local Expertise

5. i-ACT has worked to support Darfuri victims for many years, including particularly vulnerable victims such as children affected by the conflict. It further consulted with its contacts in the community before filing this Request. Thus, it is “in contact with victims of the conflict” and has developed “expertise and working experience in relation to victims and war affected communities.”⁹
6. i-ACT was established because of its founders’ trips to Darfuri refugee camps in Chad.¹⁰ Since 2010, i-ACT has helped provide Darfuri refugees with educational and experiential programming and provided thousands of meals per week to Darfuri refugee children living in those camps.¹¹ i-ACT’s programming has all been created from needs identified by members of the refugee community themselves.
7. For instance, i-ACT operates the ‘Little Ripples’ program, which nurtures the cognitive, social, and emotional development of conflict-affected children in Darfuri refugee communities in Chad; and the Refugees United Soccer Academy, which provides opportunities to Darfuri refugee children in twelve camps in Chad.¹²
8. i-ACT has also engaged with and mobilized victims in the context of the ICC’s investigations in Darfur¹³ through its team members in Chad. For example, i-ACT received the Clooney Foundation’s Justice for Survivors Award for working with the Clooney Foundation to collect the evidence it used in representing victims in this trial.¹⁴
9. i-ACT consulted with its contacts in Darfuri refugee communities in Chad again after the Chamber issued its Order. i-ACT sought to confirm they would approve of i-ACT submitting observations on reparations issues and received such confirmation.

⁷ Id.

⁸ *Prosecutor v. Ntaganda*, Case No. ICC-01/04-02/06, [Decision on request for leave to submit Amicus Curiae observations](#), 17 January 2020, para. 6.

⁹ See para.4 above (citations omitted).

¹⁰ <https://www.iact.ngo/about-us>.

¹¹ <https://www.iact.ngo/locations/chad>.

¹² <https://www.iact.ngo/programs>.

¹³ E.g. *Prosecutor v. Ongwen*, Case No. ICC-02/04-01/15, [Decision on the requests for leave to submit amicus curiae observations](#), 17 June 2021, para.10.

¹⁴ <https://cfj.org/news/global-justice-defenders-honored-in-clooney-foundation-for-justices-inaugural-albie-awards-in-new-york/>; <https://www.youtube.com/watch?v=BZ77EB4UwQ8>.

IV. Scope of Requested Submissions

10. If leave is granted, i-ACT's observations will reflect its own expertise gleaned over two decades of work in the Darfur region and incorporate the views and observations that have been shared with it by its team members in Chad. i-ACT will not serve as the legal representative of any victims in this case.

11. i-ACT's observations will address only a subset of the topics outlined by the Chamber in its Order. Specifically, i-ACT will limit itself to submitting observations related to:

- Factual and legal issues related to the identification of victims who may be eligible to benefit from reparations in this specific case;
- Issues related to the prioritisation of victims or groups of victims in the reparations process;
- The type and extent of harm suffered by victims eligible to benefit from reparations in this case;
- Types and modalities of reparations that may be appropriate to address that harm;
- Issues related to factual presumptions; and
- Other information relevant to the adjudication of reparations issues in this case.¹⁵

V. Conclusion

12. For the reasons set forth above and pursuant to Rule 103(1), i-ACT respectfully requests leave to submit *amicus curiae* observations in the reparations proceedings in this case, limited to the issues set forth above.



Arthur Traldi on behalf of i-ACT

26 January 2026

¹⁵ [Order](#), para.6(a).