

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

*No.: ICC-02/05-01/20*  
Date: 11 February 2026

**THE APPEALS CHAMBER**

**Before:** Judge Erdenebalsuren Damdin, Presiding  
Judge Luz del Carmen Ibañez Carranza  
Judge Solomy Bossa  
Judge Gocha Lordkipanidze  
Judge Keebong Paek

**SITUATION IN DARFUR, SUDAN**

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

**Public**

**CLRv Response to the Prosecution Request for Extension of Time**

**Source:** Common Legal Representative of Victims

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

☐ 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

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**Registrar**

M. Zavala Giler, Osvaldo

☒ Counsel Support Section

☒ Victims and Witnesses Section

☐ Detention Section

☒ Victims Participation and  
Reparations Section

☐ Other

1. The Common Legal Representative of Victims (“CLR V”) hereby responds to the request by the Office of the Prosecution (“OTP”) seeking an extension of time limit<sup>1</sup> to respond to the Defence Appeal Brief against the Judgement issued on 6 October 2025<sup>2</sup> (“Request”).
2. The CLR V does not oppose the Request and deems that good cause exists within the meaning of regulation 35(2) of the Regulations of the Court (the “Regulations”), considering that the Defence was granted an extension of 80 pages for the Appeal Brief and raised 61 grounds of appeal. As underlined by the OTP, the Defence Appeal Brief raises complex and lengthy issues, which further constitutes good cause for an extension of time.
3. Should the Appeals Chamber be minded granting the Request, the CLR V respectfully asks to be afforded the same extension of time to file her observations in response to the Defence Appeal Brief.
4. The CLR V is equally facing a substantial workload. In accordance with regulation 59(1) of the Regulations and the Decision on the modalities of victim participation,<sup>3</sup> the CLR V has 60 days to respond to the Defence Appeal Brief (until 7 April 2026 contrary to the Defence Response<sup>4</sup>), while simultaneously preparing observations on reparations.<sup>5</sup> These observations go to the heart of the CLR V’s mandate and require extensive and ongoing consultations with clients and field work during the coming weeks.
5. In the *Yekatom and Ngaïssona* case, the Appeals Chamber granted the Legal Representative of Victims the same deadline as the OTP to respond to the Defence Appeal Brief, following a request for an extension of time by the OTP<sup>6</sup> and the LRV’s Response to the OTP Request for extension of time limit.<sup>7</sup> This was based on a similar rationale as in the present case, specifically the complexity of the issues raised on appeal by the Defence and the concurrent reparations proceedings.<sup>8</sup>

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<sup>1</sup> ICC-02/05-01/20-1304.

<sup>2</sup> ICC-02/05-01/20-1303-Red (“Appeal Brief”).

<sup>3</sup> ICC-02/05-01/20-1299.

<sup>4</sup> ICC-02/05-01/20-1306.

<sup>5</sup> ICC-02/05-01/20-1282.

<sup>6</sup> *The Prosecution v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, Prosecution request for an extension of time to respond to the Defence appeal briefs, ICC-01/14-01/18-2850.

<sup>7</sup> *The Prosecution v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, Victims’ Response to the “Prosecution request for an extension of time to respond to the Defence appeal briefs” (ICC-01/14-01/18-2850), ICC-01/14-01/18-2853

<sup>8</sup> *The Prosecution v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, Decision on the “Prosecution request for an extension of time to respond to the Defence appeal briefs”, ICC-01/14-01/18-2858; *The Prosecution v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, Decision on the modalities of victim participation, ICC-01/14-01/18-2859.

Respectfully submitted,



Natalie v. Wistinghausen  
Common Legal Representative of Victims

Dated this 11 February 2026

At Berlin, Germany