



Original: English

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

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 redacted version of

Decision on requests for leave to file *amicus curiae* 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**

☒ **Amicus Curiae**

The General Coordination Committee of the
IDPs and Refugee Camps in Sudan

[REDACTED]

Rights for peace, REDRESS, Darfur Women
Action Group Uganda, Darfur Network for
Human Rights, and Queen's University
Belfast Human Rights Centre
i-ACT

☒ **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 6 October 2025, Trial Chamber I (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’).¹
2. On 9 December 2025, the Chamber sentenced Abd-Al-Rahman to a joint sentence of 20 years for the crimes committed.²
3. On the same day, the Chamber ordered the parties and participants to file submissions on reparations and invited interested persons or organisations, particularly with local expertise to request leave to make submissions on reparations by 26 January 2026.³
4. On 23 December 2025, the General Coordination Committee of the IDPs and Refugee Camps in Sudan (‘GCC’) requested leave to submit observations on reparations.⁴
5. On 26 January 2026, [REDACTED];⁵ Rights for peace (‘RfP’), REDRESS, Darfur Women Action Group Uganda (‘DWAG Uganda’), Darfur Network for Human Rights (‘DNHR’) and Queen’s University Belfast Human Rights Centre, (‘HRC’) (‘REDRESS *et al.*’);⁶ and i-ACT⁷ requested leave to submit observations on reparations.⁸

¹ Trial Judgment, ICC-02/05-01/20-1240.

² Sentencing Judgment, ICC-02/05-01/20-1281-Conf (with one confidential annex). Public redacted versions were notified on the same day, ICC-02/05-01/20-1281-Red and ICC-02/05-01/20-1281-Anx-Red.

³ Order for submissions on reparations, ICC-02/05-01/20-1282 (hereinafter: ‘Order’).

⁴ Request for leave to submit amicus curiae observations on reparations issues, ICC-02/05-01/20-1289 (‘the GCC request’).

⁵ Request for leave to submit amicus curiae observations on reparations issues, ICC-02/05-01/20-1300-Conf (with one confidential annex) (hereinafter: ‘[REDACTED]’).

⁶ Corrected version of Request for leave to submit amicus curiae observations on reparation pursuant to article 75 of the Statute and Rule 103 of the Rules of Procedure and Evidence dated 26 January 2026 No. ICC-02/05-01/20-1301-Conf-Corr, 29 January 2026 (hereinafter: ‘REDRESS *et al.* request’).

⁷ Request for Leave to Submit Amicus Curiae Observations on Reparations Issues, ICC-02/05-01/20-1302 (notified on 27 January 2026) (hereinafter: ‘i-ACT request’). The Chamber clarifies that although the request was notified one day after the deadline, the Chamber will nonetheless take it into consideration.

⁸ The Chamber notes that no responses were received on the requests.

II. ANALYSIS

A. The *amici curiae* requests

6. The Chamber notes the GCC's intention to submit observations on all of the relevant issues identified by the Chamber in the Order and additional matters, namely: (i) the relevance of prioritisation; and (ii) the evolution of the harm suffered by the victims in the case.

7. The Chamber acknowledges [REDACTED] request to submit observations, from its feminist study, on the following: (i) reparations priorities for women and girls impacted by the crimes for which Abd-Al-Rahman was convicted; (ii) the evolution of the harm suffered and their intergenerational impact; and (iii) the individual and collective forms of reparations which are gender-just and context-sensitive. The Chamber notes that [REDACTED] to assist the Chamber in determining the most effective use of limited funds to achieve genuine redress and repair.

8. The Chamber notes the intention of REDRESS *et al.* and i-ACT to make observations on matters relevant to six issues, namely: (i) legal and factual issues relevant to the identification of eligible victims; (ii) prioritisation of victims; (iii) the types and extent of the harm suffered; (iv) factual presumptions; (v) types and modalities of reparations; and (vi) additional information.

B. Determination by the Chamber

9. The Chamber notes that according to Rule 103(1) of the Rules, it may grant leave to an organisation or person to submit observations on any issue that the Chamber considers appropriate. In line with the Court's jurisprudence, the Chamber shall evaluate any request to make such observations by assessing whether the observations proposed are desirable for the proper determination of the case.⁹ The Chamber further notes that neither the Common Legal Representatives of Victims nor the Defence have opposed the requests for leave submitted by the applicants.

⁹ Trial Chamber VI, *The Prosecutor v. Bosco Ntaganda*, Decision on request for leave to submit Amicus Curiae observations, 7 January 2020, ICC-01/04-02/06-2460, para. 5; Appeals Chamber, *The Prosecutor v. Thomas Lubanga Dyilo*, Decision on "Motion for Leave to File Proposed Amicus Curiae Submission of the International Criminal Bar Pursuant to Rule 103 of the Rules of Procedure and Evidence", 22 April 2008, ICC-01/04-01/06-1289 (OA11), para. 8; Trial Chamber IX, *The Prosecutor v. Dominic Ongwen*, Decision on the requests for leave to submit amicus curiae observations, 17 June 2021, ICC-02/04-01/15-1860, para. 8; Trial Chamber X, *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, Decision on the requests for leave to submit amicus curiae observations, 11 March 2025, ICC-01/12-01/18-2689, para.3.

10. As to the expertise of the organisations listed above, collectively referred to as the Applicants, the Chamber notes that, in line with paragraph 6(d) of the Order, the Applicants have: (i) international and local knowledge in reparations processes as well as work experience in conflict affected communities;¹⁰ (ii) documenting and preserving the international human rights violations of Sudanese communities and women;¹¹ (iii) working with survivors of conflict-related sexual and gender based violence, affected communities, human rights defenders and civil society partners in Sudan and South Sudan;¹² (iv) gender equality and peacebuilding;¹³ (v) promotion and protection of human rights in Darfur;¹⁴ (vi) support to conflict-affected Darfuri refugee children in Chad;¹⁵ and (vii) implementation of reparation programmes.¹⁶

11. In addition, the Applicants have prior experience engaging with the Court on matters relevant to reparations, including: (i) submitting observations on issues related to reparations in previous cases;¹⁷ (ii) facilitating dialogue between the Court and internally displaced persons in refugee camps as well as facilitating meetings with the Office of the Prosecutor during visits to Darfur;¹⁸ and (iii) sharing evidence with the Court.¹⁹

12. Consequently, the Chamber considers that the applicants are in a position to assist the Chamber in its determinations on the issues outlined in the Order as relevant to the reparations proceedings in the Abd-Al-Rahman case. The Chamber emphasises that the Applicants' observations must be limited to the temporal and geographical scope of the Trial Judgment. Accordingly, observations on the harm suffered, should be limited to the victims of crimes for which Abd-Al-Rahman was convicted. Further, the Chamber emphasises that the observations made must be concise, concrete and reflect the particular circumstances of the victims in this case. In particular, the Chamber would benefit from observations on the types and modalities of reparations that are practically feasible.

¹⁰ The GCC request, ICC-02/05-01/20-1289, para.2; REDRESS *et al.*, ICC-02/05-01/20-1301-Conf-Corr paras 6, 7 and 9; and i-ACT request, ICC-02/05-01/20-1302, para.2.

¹¹ [REDACTED] request, ICC-02/05-01/20-1300-Conf, para.2.

¹² [REDACTED] request, ICC-02/05-01/20-1300-Conf, para.12; REDRESS *et al.* request, ICC-02/05-01/20-1301, paras 6 and 8.

¹³ REDRESS *et al.* request, ICC-02/05-01/20-1301-Conf-Corr, para. 8.

¹⁴ REDRESS *et al.* request, ICC-02/05-01/20-1301-Conf-Corr, para.10.

¹⁵ i-ACT request, ICC-02/05-01/20-1302, paras 5-7.

¹⁶ REDRESS *et al.* request, ICC-02/05-01/20-1301-Conf-Corr, para. 5.

¹⁷ REDRESS *et al.* request, ICC-02/05-01/20-1301-Conf-Corr, paras 5, 9 and 10.

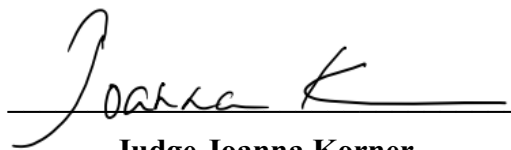
¹⁸ The GCC request, ICC-02/05-01/20-1289, paras 2 and 5.

¹⁹ REDRESS *et al.* request, ICC-02/05-01/20-1301-Conf-Corr, paras 9-10.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

GRANTS the following organisations leave to make *amicus curiae* submissions of up to 20 pages (in a single filing as grouped below), on the issues identified in paragraph 6(d), by 4 May 2026:

- a. GCC;
- b. [REDACTED];
- c. RfP, REDRESS, DWAG Uganda, DNHR and HRC; and
- d. i-Act.



Judge Joanna Korner

Presiding Judge



Judge Reine Alapini-Gansou



Judge Althea Violet Alexis-Windsor

Dated this 11 February 2026

At The Hague, The Netherlands