



Original: English

No. ICC-02/05-01/20 A2 A3

Date: 11 March 2026

THE APPEALS CHAMBER

Before:

**Judge Erdenebalsuren Damdin, Presiding
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi 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 document

**Decision on the modalities of victim participation in the sentencing appeals
proceedings**

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**

☐ **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**

The Appeals Chamber of the International Criminal Court,

In the appeals of Mr Ali Muhammad Ali Abd-Al-Rahman and the Deputy Prosecutor against the decision of Trial Chamber I entitled “Sentencing Judgment” of 9 December 2025 (ICC-02/05-01/20-1281-Red),

Renders, pursuant to article 68(3) of the Statute and regulation 86(8) of the Regulations of the Court, the following

DECISION

1. The legal representative of victims may file observations on the appeal briefs of Mr Ali Muhammad Ali Abd-Al-Rahman and the Deputy Prosecutor against the “Sentencing Judgment” within 60 days of notification of the same.
2. The observations referred to in the preceding paragraph shall not exceed 50 pages.
3. The Defence of Mr Ali Muhammad Ali Abd-Al-Rahman and the Deputy Prosecutor may respond to the above-mentioned observations in the manner and within the time limit to be set by the Appeals Chamber in due course.

REASONS

1. On 6 October 2025, Trial Chamber I (hereinafter: “Trial Chamber”) convicted Mr Ali Muhammad Ali Abd-Al-Rahman (hereinafter: “Mr Abd-Al-Rahman”) of war crimes and crimes against humanity.¹
2. On 9 December 2025, the Trial Chamber sentenced Mr Abd-Al-Rahman to 20 years of imprisonment (hereinafter: “Sentencing Judgment”).²

¹ [Trial Judgment](#), ICC-02/05-01/20-1240 with public Annexes [A](#), [C](#) and [D](#) and confidential [Annex B](#) (a public redacted version was filed on the same day, ICC-02/05-01/20-1240-AnxB-Red).

² [Sentencing Judgment](#), ICC-02/05-01/20-1281-Conf (a public redacted version was filed on the same day, ICC-02/05-01/20-1281-Red) with confidential [Annex](#) (a public redacted version was filed on the same day, ICC-02/05-01/20-1281-Anx-Red).

3. On 8 and 9 January 2026 respectively, the Defence of Mr Abd-Al-Rahman (hereinafter: “Defence”)³ and the Deputy Prosecutor (hereinafter: “Prosecutor”)⁴ filed notices of appeal against the Sentencing Judgment.

4. On 10 March 2026, the Defence⁵ and Prosecutor⁶ filed their appeal briefs.

5. In line with the approach to victims’ participation adopted in the appeal brought by the Defence against the Trial Judgment,⁷ and considering the issues on appeal in the present proceedings, the Appeals Chamber deems it appropriate to allow the legal representative to file observations on the appeal briefs of the Defence and the Prosecutor against the “Sentencing Judgment” which shall not exceed 50 pages. The Appeals Chamber will allow the Defence and the Prosecutor to respond to the victims’ observations in the manner and within the time limit to be set by the Appeals Chamber in due course.

Done in both English and French, the English version being authoritative.



Judge Erdenebalsuren Damdin
Presiding

Dated this 11th day of March 2026

At The Hague, The Netherlands

³ [Defence Notice of Appeal Pursuant to Article 81\(2\) of the Rome Statute](#), ICC-02/05-01/20-1290.

⁴ [Prosecution notice of appeal](#), ICC-02/05-01/20-1291.

⁵ [Defence Sentencing Appeal Brief](#), ICC-02/05-01/20-1312-Conf (a public redacted version was filed on the same day, ICC-02/05-01/20-1312-Red), with [Annex](#), ICC-02/05-01/20-1312-Anx.

⁶ [Prosecution Appeal Brief \(Sentencing\)](#), ICC-02/05-01/20-1313, with [Annex A](#), ICC-02/05-01/20-1313-AnxA.

⁷ [Decision on the modalities of victim participation](#), 23 January 2026, ICC-02/05-01/20-1299 (A).