

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 08 April 2026

TRIAL CHAMBER I

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

SITUATION IN DARFUR, SUDAN

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

Public Document

**Public redacted version of 'Request for leave to submit amicus curiae observations
on reparations issues' as filed on 26 January 2026 - ICC-02/05-01/20-1300-Conf**

Source: [REDACTED], with Global Legal Action Network

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**
[REDACTED]
Dearbhla Minogue, Charlotte Andrews-
Briscoe and Kirsty Sutherland for Global
Legal Action Network
☒ 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. In accordance with paragraph 6(d) of Trial Chamber I's *Order for submissions on reparations* (ICC/02/05-01/20-1282), [REDACTED], with the assistance of the Global Legal Action Network ('GLAN'), respectfully requests the leave of the Chamber to submit *amicus curiae* observations relevant to reparations considerations in *The Prosecutor v. Ali Muhammad Ali Abd Al-Al-Rahman* pursuant to Article 75 of the Rome Statute ('Statute') and Rule 103(1) of the International Criminal Court's Rules of Procedure and Evidence ('RPE').

II. EXPERTISE

[REDACTED]

2. [REDACTED] is a justice and human rights initiative that investigates, documents and preserves lived experiences of Sudanese communities affected by international human rights violations, conflicts, displacement and injustices. It seeks to contribute to long term justice and peace in Sudan by building a transitional justice project that is based on the legitimization and ownership of grassroots level communities and bodies. [REDACTED] seeks to ensure that female experiences are properly captured and acknowledged; therefore, all programmatic and operational interventions rely on a framework that analyses how gender as a construct materialises in the occurrence, documentation as well as prevention of human rights violations and abuses.
3. [REDACTED]'s project uses open and closed source content to investigate events of violence, and produces written, audio and visual humanised storytelling content as tools for public memory-making and accountability seeking. [REDACTED] prioritises collaboration and partnership with grassroots and civil society organisations, and since its inception in 2021, the project has worked with youth and feminist local bodies around 10 states in Sudan, with particular focus in Darfur, and has produced 10 investigative and analytical reports, 5 of which were also relevant to human rights violations in the Western region of Sudan, Darfur. The project invests time and resources in developing robust methodological frameworks that allow it to produce credible research. Throughout the past 5 years, [REDACTED] has trained more than 10 Sudanese youth and feminist local bodies in the work of documenting human rights violations, ensuring that this work is performed both ethically and safely.

Global Legal Action Network

4. Global Legal Action Network is an independent non-profit organisation comprising expert lawyers and investigators. It supports local actors in their pursuit of legal action against individuals and other powerful actors involved in the commission of serious human rights violations. In this capacity, and for the purposes of this proposed intervention, GLAN is supporting [REDACTED]'s important and impactful work.

III. PROCEDURAL HISTORY

5. On 03 October 2022, the Chamber instructed the Registry to carry out the mapping of all potentially eligible beneficiaries of reparations in the present case.
6. On 06 October 2025, the Chamber issued its *Trial Judgment* pursuant to Article 74 of the Rome Statute, in which it found Mr Abd-Al-Rahman ('Ali Kushayb') guilty of 27 counts of crimes against humanity and war crimes committed in Darfur, Sudan, between August 2003 and April 2004. These included convictions for the crime against humanity of rape under Articles 7(1)(g) and 25(3)(b) of the Statute (Count 8) and the war crime of rape under Article 8(2)(e)(vi) of the Statute (Count 9) perpetrated against Fur women and girls during the Kodoom and Bindisi operation. Therein, the Chamber emphatically recognised that the list of women and girls contained in Annex 1 to the Trial Judgment is non-exhaustive.
7. On 04 November 2025, the Registry filed its Victim Mapping Report. The public redacted version (ICC-02/05-01/20-1256-Corr-Red) was issued on 21 November 2025.
8. On 09 December 2025, the Chamber issued its *Sentencing Judgment* (ICC-02/05-01/20-1281-Red), sentencing Mr Abd-Al-Rahman to 20 years' imprisonment.
9. Also on 09 December 2025, the Chamber issued its *Order for submissions on reparations*, inviting '[a]ny persons or organisations, particularly with local expertise' to request leave to provide submissions by 26 January 2026.

IV. APPLICABLE LAW

10. Article 75(1) of the Statute provides, in pertinent part, that:

1. The Court shall establish principles relating to reparations to, or in respect of victims, including restitution, compensation and rehabilitation; and [...]

3. Before making an order under this article, the Court may invite and shall take account of representations from or on behalf of the convicted person, victims, other interested persons of interested States.

11. Rule 103(1) provides that ‘at any stage of the proceedings, a Chamber may, if it considers it desirable for the proper determination of the case, invite or grant leave to a State, organisation or person to submit, in writing or orally, any observation on any issue that the Chamber deems appropriate.’

V. SUMMARY OF PROPOSED OBSERVATIONS

Objective

12. [REDACTED] seeks leave to submit the findings of its Study on Women’s Reparations Priorities in [REDACTED] Camp. The proposed submission will provide the ICC with a survivor-led, feminist qualitative report documenting the reparations priorities of women affected by the crimes committed by Mr Abd-Al-Rahman, examining the evolution of the harms suffered and their intergenerational impacts. The project’s focus on women’s agency, lived experiences, and visions of justice, will ensure that their important – but often unheard – voices directly inform the Chamber’s reparations and victim participation processes.

13. [REDACTED]’s conceptual rationale acknowledges that legal accountability is one important feature of justice. Utilising a transitional justice programmatic approach, its project seeks to understand the intersection between legal accountability, truth seeking, reparations, and, *inter alia*, institution building, not as justice pillars working in silos, but as interrelated processes that must move in harmony.

14. Throughout the past five years, the project has conducted more than 30 community-based discussions focused on how Sudanese people, and especially those who experienced compounded human rights violations and repeated/renewed waves of forced displacement, perceive and imagine justice.

These discussions were managed in ways that allowed both for reflective sharing and practical reasoning in identifying what is – and is not – possible to achieve within the current legal and political infrastructures persisting in Sudan. The project has naturally gained locally-sensitive experience and capacity through research processes that are ethically sound and coherent, conflict sensitive, relevant and precise, while counselling realistic expectations and centering mutual participation and non-extractive data collection.

15. The details of the project and its methodology are annexed hereto for the benefit of the Chamber. For reasons of security, this is provided confidentially.

Scope and Participants

16. The study will focus on the evolution of harm experienced by women from [REDACTED] Camp, representing diverse age cohorts: adolescent girls (12–17 in 2003–2004), young women (18–30), older women (31–64), and elderly women (65+), with inclusion of survivors of sexual and gender-based violence (SGBV), women with disabilities, and women from historically targeted ethnic groups ([REDACTED]) whose experiences fall within the scope of the *Trial Judgment* findings on criminality. A small number of younger women will be included to capture intergenerational impacts, including children born of rape or raised in displacement. Participants will be verified through a triangulated approach using [REDACTED], event-history screening, and documentation where available.

Methodology

17. Data will be collected through interviews, with analysis guided by the ICC reparations typology: individual compensation, collective reparations, rehabilitation, restitution, symbolic measures, and guarantees of non-repetition. A feminist-informed lens will be applied to interpret women's priorities, emphasising:
 - Care, healing, and psychosocial recovery.
 - Safety and protection under ongoing RSF control.
 - Redress for sexual and gender-based violence.
 - Economic autonomy, access to land, and livelihoods.
 - Symbolic recognition and acknowledgment of suffering.
18. The analytical strategy combines deductive coding (ICC categories) with inductive, feminist-informed codes, integrating intersectional factors such as age, ethnicity, disability, and displacement status. Cross-cutting themes will

highlight structural inequalities, intergenerational harm, and women's agency under conflict conditions.

Expected Output

19. In the event that leave is granted, [REDACTED] will provide a detailed, evidence-based submission documenting the true, ongoing and intergenerational harms endured by women and girls as a consequence of the crimes committed over twenty years ago, and such women's reparations priorities, differentiating between immediately feasible measures and aspirational goals. The submission will articulate both individual and collective forms of reparations, providing actionable insights for the Chamber to ensure gender-just and context-sensitive reparations. A methodological annex will accompany the submission, detailing survivor participation, care and non-retraumatisation practices, with attention to power dynamics.
20. Recognising Mr Abd-Al-Rahman's indigent status, the fiscal limitations facing the Trust Fund for Victims, and the practical scope of the Court's influence on the application of reparations, GLAN intends to support [REDACTED]'s submissions through the commission of relevant independent expert reports from suitably qualified reconstruction and development economists. In this regard, it is noted that the International Monetary Fund has had to suspend its Sudan debt-relief and debt-reform programming, and that Sudanese and international estimates as to the financial costs of restoring Sudan's infrastructure run to hundreds of billions of US dollars. It is anticipated that expert reconstruction and development reports would assist the Chamber in determining the most effective use of limited funds in such a way that genuine redress and repair can be achieved – without creating or exacerbating social division – for the highest number of the estimated 3.5 million victims of the crimes prompting the United Nations Security Council referral leading to the prosecution of Mr Abd-Al-Rahman.

VI. CONCLUSION

21. The proposed submission will seek to assist the Chamber in its reparations assessment by providing survivor-led, gender-sensitive evidence, capturing the multidimensional, intersectional, and intergenerational impacts of Mr Abd-Al-Rahman's crimes. In so doing, it would support the Court in operationalising

reparations that are meaningful, equitable, and transformative for women and all affected communities in Darfur.

22. For the reasons set out above, and pursuant to Rule 103(1) of the RPE, [REDACTED], with Global Legal Action Network, accordingly respectfully request that the Chamber grant leave to submit written observations as described herein.

[REDACTED]

[REDACTED], Project Manager
on behalf of
[REDACTED]



GLOBAL LEGAL ACTION NETWORK

Dearbhla Minogue, Senior Lawyer
on behalf of
Global Legal Action Network

Dated this 8th day of April 2026

At Cairo, Egypt and London, United Kingdom