

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Defence Notice of Intent to Reply

Source: Defence for Mr Ali Muhammad Ali Abd-Al-Rahman

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

Registrar

Mr Zavala Giler, Osvaldo

☒ Counsel Support Section

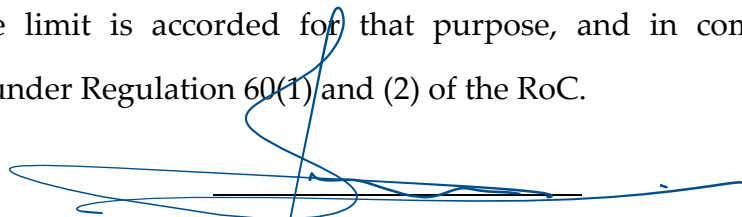
☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and Reparations
Section

☐ Other

1. Pursuant to Regulation 60 of the Regulations of the Court ("RoC"), the Defence for Mr Ali Muhammad Ali Abd-Al-Rahman ("Defence") hereby informs the Honourable Appeals Chamber ("Appeals Chamber"), the Office of the Prosecutor ("OTP") and the Distinguished Legal Representatives of Victims ("LRV") of its intent to file a reply to the OTP's Response¹ and LRV's Observations² on Appeal A notified on 17 April 2026.
2. As anticipated and relied upon in the OTP's application for an extension of time limit, the Appeal raises complex and novel issues of jurisdiction and legality, assessment of evidence, fair trial, persecution, and Sudanese law.³ A Reply is necessary in the interests of justice, in order to provide the Appeals Chamber with full and complete submissions to assist in its deliberation.
3. The Defence is cognisant of the approach followed in the *Yekatom and Ngaïssona* case where the Appeals Chamber set a time limit for applications for leave to reply and responses thereto,⁴ after a Defence team applied for leave to a reply.⁵ In the event the Appeals Chamber considers taking the same approach in the present case, the Defence provides notice of its intent to file a reply with leave of the Appeals Chamber, within whatever time limit is accorded for that purpose, and in compliance with the requirements under Regulation 60(1) and (2) of the RoC.



Mr Cyril Laucci
Counsel for Mr Ali Muhammad Ali Abd-Al-Rahman

Dated this 20 April 2026, at The Hague, The Netherlands.

¹ [ICC-02/05-01/20-1320-Conf A.](#)

² [ICC-02/05-01/20-1321-Conf A.](#)

³ [ICC-02/05-01/20-1304 A A3](#), para. 3.

⁴ [ICC-01/14-01/18-2894 A A2 A3](#), para. 10.

⁵ [ICC-01/14-01/18-2892 A A2 A3](#).