

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 13 May 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

Request relevant to the Trust Fund for Victims’ Observations on Reparations

Source: Trust Fund for 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**

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
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☒ **Amicus Curiae**

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☐ **Counsel Support Section**

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☒ **Victims Participation and Reparations
Section**

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I. Background

1. On 6 October 2025, Trial Chamber I (the ‘Trial Chamber’), delivered its judgment pursuant to Article 74 of the Rome Statute, convicting Mr Abd-Al-Rahman of 27 counts of crimes against humanity and war crimes (‘Trial Judgment’).¹ On 9 December 2025 Mr Abd-al-Rahman was sentenced to 20 years of imprisonment. Both judgments are currently under appeal.

2. On 9 December 2025, the Chamber issued an order by which the judicial reparations phase in the case commenced. The Chamber instructed the Trust Fund for Victims (‘TFV’), *inter alia*, to make submissions on reparations.²

3. On 30 March 2026, the common legal representative for victims (the ‘CLRV’), filed a request seeking an extension of time limit and extension of page limit to file her submissions.³

4. On 2 April 2026, the Chamber issued a decision (‘2 April 2026 Decision’) granting an extension of the page limit and the time limit for the parties, the Registry, and the TFV to file their respective submissions on reparations, thus amending the deadline from 4 May 2026 to 4 June 2026.⁴ In this decision, the Trial Chamber also extended until 3 July 2026 the time period for the parties to respond to the various submissions on reparations by 3 July 2026, giving the TFV and VPRS the opportunity to respond. The Trial Chamber also scheduled a hearing on reparations to be held on 8 September 2026.

II. Request for a variation of the time limit

5. The TFV notes that it has been requested to submit two rounds of written observations, in June and July 2026, as well as oral observations at the hearing scheduled for September 2026. For the reasons set out in this filing, which in the TFV’s submission establish good cause pursuant to Regulation 35(2) of the Regulations of the Court (‘RoC’), the TFV respectfully requests the Trial Chamber to permit it to submit only one set of written observations, by 3 July 2026, in addition to participating in the hearing on reparations scheduled for 8 September 2026.

6. The Chamber may vary time limits where good cause is shown and where doing so would not prejudice the fairness or expeditiousness of proceedings. The present request satisfies

¹ Trial Judgment, 6 October 2025, [ICC-02/05-01/20-1240](#), with public Annexes [A](#), [C](#) and [D](#) and confidential and public redacted Annex B.

² Order for submissions on reparations, 9 December 2025, [ICC-02/05-01/20-1282](#).

³ CLRV Request for a limited extension of time to submit her Observations on Reparations and for a limited extension of pages, 30 March 2026, ICC-02/05-01/20-1316-Conf; No public redacted version has been filed to date.

⁴ Decision on the CLRV request for extension of time and extension of page limit and scheduling a hearing before the Chamber, 2 April 2026, ICC-02/05-01/20-1317-Conf, A public redacted version was filed on the same date, [ICC-02/05-01/20-1317-Red](#).

both criteria because (i) the TFV's proposed filing date remains within the existing procedural calendar established by the Chamber, (ii) no hearing date would be affected, and (iii) the proposed sequencing would avoid duplication and assist the Chamber by ensuring that the TFV's observations are focused on matters within its institutional expertise.

7. In previous cases at the judicial reparations phase, the parties and participants, including the TFV, submitted observations on reparations in the first round of filings.

8. In the cases of the *Prosecutor v. Bosco Ntaganda* and the *Prosecutor v. Dominic Ongwen*, the initial round of submissions also addressed the principles of reparations.⁵ The TFV relied accordingly in these observations on its expertise based on earlier reparations cases and TFV programmes.⁶ The TFV notes that separate observations on principles of reparations have not been requested by the Trial Chamber in this case.

9. In the more recent proceedings in the cases of the *Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud* and the *Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, the first round of observations also enabled the TFV to communicate the plight of victims, in line with regulation 20 of the Regulations of the Trust Fund for Victims, as well as to contribute to issues pertinent to the reparations order, including where appropriate, the number of victims and the harm they suffered.⁷

10. These observations during the first round of submissions relied on the TFV's specific experience in the relevant situations derived from its prior engagement in the country or region through programmes for the benefit of victims pursuant to regulation 50(a) of the Regulations of the Trust Fund for Victims ('programmes for the benefit of victims'), as well as in-depth consultations conducted with the victims of that case during the judicial reparations phase, including in collaboration with the Registry.⁸

11. The TFV notes that the *Situation in Darfur* is the first situation in which the TFV does not have access to locations of residence of the vast majority of the victim population. In

⁵ See *Ntaganda* Trust Fund for Victims' observations relevant to reparations, 28 February 2020, [ICC-01/04-02/06-2476](#); *Ongwen*, TFV Observations on Reparations, 6 December 2021, [ICC-02/04-01/15-1920](#).

⁶ *Ntaganda* Order setting deadlines in relation to reparations, 5 December 2019, [ICC-01/04-02/06-2447](#); *Ongwen* Order for Submissions on Reparations, 6 May 2021, [ICC-02/04-01/15-1820](#);

⁷ *Al Hassan* Trust Fund for Victims' Observations relevant to Reparations with Annexes [A](#), [D](#) and [E](#) and Confidential Annexes B and C, 16 June 2025, [ICC-01/12-01/18-2737](#), paras 46-47; See also *Yekatom and Ngaïssona* TFV Observations Relevant to Reparations with Public Annexes [A](#) and [B](#), 15 April 2026, ICC-01/14-01/18-2907-Conf, paras 8, 83. Reference to plight of victims; *Al Hassan* reference to numbers.

⁸ *Yekatom and Ngaïssona* TFV Observations Relevant to Reparations with Public Annexes [A](#) and [B](#), 15 April 2026, ICC-01/14-01/18-2907-Conf, paras.9-11; *Al Hassan* Trust Fund for Victims' Observations relevant to Reparations with Annexes [A](#), [D](#) and [E](#) and Confidential Annexes B and C, 16 June 2025, [ICC-01/12-01/18-2737](#), paras.7-8..

addition, the engagement of the TFV with victims in this situation commenced only in December 2025 as a result of the start of the judicial reparations phase.

12. The TFV notes, that both the CLRV and the Registry have, over the past years, maintained extensive and direct engagement with victims in the *Situation in Darfur*, including through missions to Chad, and therefore possess first-hand knowledge of their plight and, in particular, the harm they suffered. Following the instructions of the Trial Chamber in its order of 9 December 2025 for an “efficient and effective conduct of the reparation proceedings” and its call for “full collaboration and cooperation” amongst the parties and participants,⁹ the TFV has intensively engaged, in particular with the CLRV and the Victims Participation and Reparations Section (‘VPRS’).

13. Meaningful and representative consultations with victims and other stakeholders, as conducted in other cases, requires prior engagement with victims and sufficient familiarity with the specificities of the affected communities as well as access to victims. In the present case, developing such consultation methodologies requires additional efforts due to the inaccessibility of the region. Such consultations therefore require more time than can be afforded within the timeframe of the judicial reparations phase. Nevertheless, the TFV has from February 2026 engaged in intensive consultations with victims and various other stakeholders. Beyond that, it has begun preparing a methodology for future more comprehensive consultations specific to a situation where victims cannot be easily accessed. The outcome of any such representative and comprehensive consultations will continue to inform the reparations process beyond the judicial reparations phase.

14. In this regard, the TFV considers that, in the specific circumstances of this case, both the CLRV and the Registry are best suited to inform the Trial Chamber of victims’ needs and desires, the harm they suffered and their current circumstances and requests. The TFV considers that the proceedings in this case would thus benefit from the TFV observations being informed by, and constructively building on the submissions of other parties and participants.

15. In the particular circumstances of the present case, the TFV’s participation would be most useful to the Chamber if its observations are filed after the submissions of the CLRV and the Registry, thereby enabling the TFV to focus on costs for modalities of reparations and implementation-oriented matters, such as sequencing and prioritisation, within its institutional expertise and to avoid unnecessary duplication concerning victims’ circumstances and harm.

⁹ Order for submissions on reparations, 9 December 2025, [ICC-02/05-01/20-1282](#), para.8.

16. The TFV further acknowledges that parties may wish to respond to its observations. The TFV considers that such an opportunity may appropriately be afforded during the reparations hearing scheduled for 8 September 2026, subject to any further directions the Trial Chamber may consider necessary. This would not place the parties or participants in a different position than under the current procedural schedule, under which they likewise would not have had an opportunity to respond in writing to a second written set of observations filed by the TFV.

III. Relief sought

17. For the foregoing reasons, the TFV submits that there is good cause for a variation of the time limit pursuant to regulation 35(2) RoC and that the variation sought will not affect the Trial Chamber's overall schedule for reparations in the present case. The TFV therefore respectfully requests the Trial Chamber to grant this request and authorise it to submit its written observations on reparations by 3 July 2026.



Deborah Ruiz Verduzco
Executive Director, Trust Fund for Victims

Dated this 13th of May 2026
At The Hague, The Netherlands