

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: *English*

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

Date: 12 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

Defence Response to Amici Curiae’s Applications for Leave to Appear

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 Osvaldo Zavala Giler

☒ Counsel Support Section

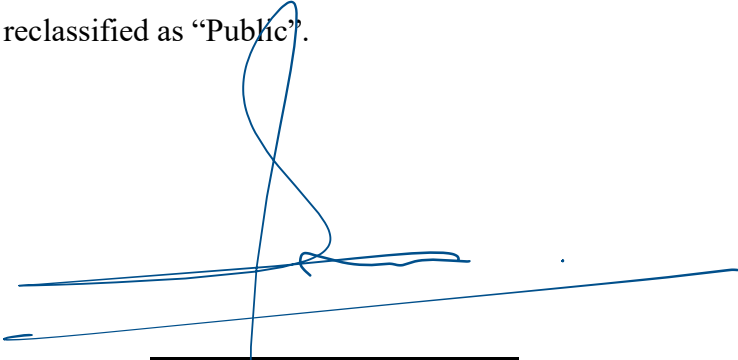
☐ Victims and Witnesses Unit

☐ Detention Section

☒ Victims Participation and Reparations
Section

☐ Other

1. The Defence is in receipt of the various applications made by designated *amici curiae* for leave to appear at the Reparations Hearing of 8 September 2026.¹
2. As found by the Honourable Appeals Chamber in *Lubanga*, “[t]he reparations scheme provided for in the Statute is not only one of the statute’s unique features. It is also a key feature. The success of the Court is, to some extent, linked to the success of its system of reparations.”²
3. Victims have awaited reparations for too long, despite the Defence’s efforts to have these addressed earlier.³ The Reparations Hearing is a long awaited one. It will be an important moment in the life of the Court. It is an even more crucial one for victims. It shall be given as much solemnity as the Court can offer and should be the opportunity for a thorough and open discussion on the principles of reparations that will assist the Trial Chamber in its determination on the matter.
4. The Defence is thus in favour of all *Amici Curiae*’s attendance and participation at the Reparations Hearing.
5. Pursuant to Regulation 23bis(1) of the Regulations of the Court, the present Response is public. The Defence has noted that one of the applications was filed under the classification “Confidential”, without providing a justification for that classification. The Defence does not include the details of that confidential application in its Response, but is of the view that the judicial debate on reparations should be as public and transparent as possible for the benefit of all victims. Absent a proper justification for its classification as confidential, the Defence is of view that it should be reclassified as “Public”.



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

Dated this 12 May 2026

At The Hague, The Netherlands.

¹ [ICC-02/05-01/20-1325](#); ICC-02/05-01/20-1329-Conf; [ICC-02/05-01/20-1333](#).

² [ICC-01/04-01/06-3129-AnxA](#), para. 3.

³ [ICC-02/05-01/20-98](#).