

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 10 June 2022

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’)**

Confidential
**with Confidential *ex parte* Annexes A, A1, A2 only available to the CLRV and
Registry, and Confidential Annexes A3, A4.**

**Common Legal Representative of Victims’ Request for Reconsideration of the
“Decision terminating the appointment of counsel”**

Source: Common Legal Representative of Victims

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Mr Karim A. A. Khan QC
Ms Nazhat Shameem Khan
Mr Julian Nicholls

Counsel for the Defence

Dr Cyril Laucci, Lead Counsel
Mr Iain Edwards, Associate Counsel

Legal Representatives of the Victims

Ms Natalie von Wistinghausen

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

Other

Mr Nasser Amin Abdallah

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Mr Pieter Vanaverbeke

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

1. The Common Legal Representative of Victims ("CLRV") respectfully requests reconsideration of the Trial Chamber's Decision of 5 May 2022,¹ which terminated the appointment of former Common Legal Representative of Victims Mr Nasser Amin Abdallah.² The legal and factual basis of this request is set out in full in the annexed signed submission from Mr Abdallah,³ with four accompanying sub-annexes.
2. The CLRV recalls and reiterates her assurance to the Trial Chamber communicated on 28 April 2022, "that the travel ban [imposed on Mr Abdallah by Egyptian authorities] has at no time affected the effective representation" of the participating victims and "will not, if it happened for some more time".⁴
3. The present filing is classified as confidential, as it refers to a confidential and *ex parte* decision. Annexes A, Ax, and Ax are classified as confidential and *ex parte* CLRV and Registry only, as they contain sensitive personal information related to Mr Abdallah. A confidential redacted version of Annex A, with limited redactions applied, will also be filed.

Respectfully submitted,



Natalie v. Wistinghausen

Common Legal Representative of Victims

Dated this 10 June 2022

At The Hague, the Netherlands

¹ Decision terminating the appointment of counsel, confidential *ex parte*, 5 May 2022, ICC-02/05-01/20-683-Conf-Exp ("Decision").

² On 19 October 2021, the Trial Chamber "appoint[ed] Ms von Wistinghausen and Mr Abdalla to work as a single team of CLRs to represent victims throughout the trial proceedings". Decision on victims' participation and legal representation in trial proceedings, 19 October 2021, ICC-02/05-01/20-494, para. 16(i).

³ Confidential *ex parte* Annex A.

⁴ CLRV Ms von Wistinghausen's email to the Trial Chamber, 28 April 2022 (included in Annex 2 to the Decision, confidential *ex parte*).