

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: *ICC-02/05-01/20*
Date: **17 September 2026**

TRIAL CHAMBER I

Before: Judge Joanna Korner, Presiding Judge
Judge Reine Adélaïde Sophie 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 Redacted Version
With Public Redacted Version of Annexes 1, 2B and 3B**

**Public Redacted Version of “CLRv updated annexes in support of the CLRv
Submissions on Reparations”, 16 September 2026, ICC-02/05-01/20-1363-Conf**

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**

☒ **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
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☒ **Victims Participation and Reparations
Section**

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Trust Fund for Victims

A- Introduction

1. As indicated during the reparations hearing on 8 September 2026,¹ the CLRV wishes to submit updated material resulting from her continuous consultations with the participating victims as well as from new developments in other cases at the Court that are currently in the reparations phase.

B- Updated version of ICC-02/05-01/20-1344-Anx1

2. The CLRV submitted Annex 1 to her Observations on Reparations,² which provides an overview of the implementation of reparations achieved to date, and the estimated timelines for completion in other cases at the ICC. This information is meant to be supportive of her arguments regarding the need to develop effective and tailored identification, eligibility and notification processes for the present case, as well as to underscore the impact that the significant increase in the number of potential beneficiaries of reparations in other cases has had on the efficiency and meaningfulness of the Court's current reparations framework.

3. Considering that there have been updates in other cases, notably *Ongwen*, *Ntaganda* and *Al Hassan* cases, the CLRV submits an updated Annex 1.³

C- Updates on the Reparations Questionnaire (1344-Anx2B) and the Women Questionnaire (1344-Anx3B)

4. As the Chamber is now aware, the CLRV has been circulating a detailed questionnaire on reparations to her clients to assist her in meaningfully consulting with them. This approach was adopted with a view to providing the Chamber with a comprehensive picture of the participating victims' views and concerns on reparations. Since April 2026, the CLRV has received a significant number of responses to both the general reparations questionnaire for participating victims only and the specific questionnaire for women, for which the majority are not her clients, but members of the wider victims community from affected localities. In her Observations on Reparations dated 4 June 2026, the CLRV indicated that she would continue to receive responses to both questionnaires and would update the Chamber on her progress, particularly during the hearing on reparations scheduled for 8 September 2026.⁴

5. As of 2 June 2026, 445 responses to questionnaires were received from Darfur, and 49 responses to questionnaires were received from Chad. Regarding the questionnaire for women, the CLRV had received 21 responses. These were respectively Annex 2B and Annex 3B.⁵

¹ ICC-02/05-01/20-T-168-CONF-ENG, p. 7, lines 17-20.

² CLRV Submissions on Reparations, ICC-02/05-01/20-1344-Anx1.

³ Updated Annex 1 of ICC-02/05-01/20-1344-Anx1.

⁴ CLRV Submissions on Reparations, ICC-02/05-01/20-1344, para. 36.

⁵ CLRV Submissions on Reparations, ICC-02/05-01/20-1344-Anx 2B and ICC-02/05-01/20-1344-Anx 3B.

6. On 3 July 2026, the CLRV already submitted updated annexes in the context of her Response to Observations on Reparations, given that she had received 265 additional responses to questionnaires from her clients in Darfur, 2 additional responses to questionnaires from her clients in Chad, and 43 additional responses to the women questionnaires.⁶

7. To date, the CLRV has received **1162** responses to questionnaires from her clients in Darfur, Chad and the diaspora; and **1068** responses to the women questionnaires.

8. The total sample has grown from 494 to 1,162 participating victims, or from 31.0% to 73.0% of those admitted by the Chamber. The Darfur cohort has grown from 445 to 1,098; the Chad and diaspora cohort from 49 to 64. Respondents living outside Sudan altogether are now counted in the Chad and diaspora cohort. Respondents living inside Sudan but outside the principal survey locations remain in the Darfur cohort. It is worth mentioning that [REDACTED] is now represented (14.1% of the Darfur cohort) and was not yet covered in June 2026.

9. The CLRV had initially intended to submit the most up-to-date results of the questionnaires to the Chamber prior to the hearing on 8 September 2026. However, following consultations with her Field Assistants, it became apparent that a significant number of additional responses were expected in the week of the hearing. To provide the Chamber with the most complete and accurate picture of the participating victims' views, the CLRV considered it was appropriate to wait for these additional responses to the surveys. Accordingly, the CLRV is now submitting the most recent results of the questionnaires, so as to ensure that the information before the Chamber for the purposes of deliberations on reparations reflects the fullest possible range of responses received to date.

10. The updated annexes remain respectively Annex 2B and Annex 3B.⁷

11. Regarding the general questionnaire, the CLRV notes that the majority of the updated results increased or decreased within a margin of up to 15% (or 0 to 15%). Participants of the surveys who identified as survivors of sexual violence and children born of sexual violence has increased by more than 10%.⁸

12. Regarding the women questionnaire, the CLRV first notes the significant increase of participants, mostly from [REDACTED]. Also, it must be noted that, as indicated above, not all the respondents are participating victims. The CLRV nonetheless considers that at this stage of the proceedings, the outcome of the survey will assist the Chamber. The updated responses, having been received from 1068 women in contrast to the 21 who had responded beginning of

⁶ CLRV Response to Observations on Reparations, ICC-02/05-01/20-1356-Conf-Anx2, and ICC-02/05-01/20-1356-Conf-Anx3.

⁷ Updated Annex 2 and Annex 3.

⁸ Updated Annex 2, p. 15.

June, are by nature far more representative of women's actual views on desired and effective reparations. This is well reflected in Annex 3B.

CONFIDENTIALITY

13. Subject to the provisions of Regulation 23 *bis*(1) and (2) of the Regulations of the Court, the CLRV submits this document as confidential as it refers to confidential information in relation to participating victims. A public redacted version will be submitted simultaneously.

RELIEF SOUGHT

For the above reasons, the CLRV respectfully requests that the Trial Chamber takes into consideration the updated Annex 1, Annex 2B and 3B for their deliberations on the Reparations Order.

Respectfully submitted,



Natalie v. Wistinghausen
Common Legal Representative of Victims

Dated this 17 September 2026

At Berlin, Germany