



Original: English

No. ICC-02/05-01/20

Date: 18 October 2021

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

Order scheduling a hearing on detention

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

The Office of the Prosecutor
Karim A.A. Khan

Counsel for the Defence
Cyril Laucci

Legal Representatives of Victims
Natalie von Wistinghausen
Nasser Mohamed Amin Abdalla

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

The Office of Public Counsel for Victims
Paolina Massidda

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar
Peter Lewis

Counsel Support Section

Victims and Witnesses Unit
Nigel Verrill

Detention Section
Harry Tjonk

**Victims Participation and Reparations
Section**

Other

1. On 15 September 2021, Trial Chamber I (the ‘Chamber’) filed an order setting out deadlines for observations on the detention of the accused, which are due on 15 and 22 October 2021.¹
2. On 13 October 2021, the Defence filed a request to have an oral hearing pursuant to Rule 118(3) of the Rules of Procedure and Evidence (the ‘Rules’).²
3. On 14 October 2021, the Registry informed the Chamber that it did not have any observations to make at this stage.³
4. On 15 October 2021 the Office of the Prosecutor,⁴ the Office of the Public Counsel for Victims and the Legal Representatives of Victims⁵ filed their respective observations on the detention of Mr Abd-Al-Rahman.
5. Since the Defence’s response is due on 22 October 2021, and considering that the 120-day deadline under Rule 118(2) of the Rules is on 3 November, the Chamber schedules a hearing to discuss the detention of the accused on Monday, 25 October 2021 at 16:30.⁶
6. Bearing in mind that the parties and participants have been afforded an opportunity to make written submissions, the Chamber instructs the parties to limit their oral submissions to new issues that have not been raised in writing.

FOR THESE REASONS, THE CHAMBER HEREBY

SCHEDULES a hearing on Monday, 25 October 2021 at 16:30.

¹ Order setting out deadlines for observations on detention of the accused, 15 September 2021, ICC-02/05-01/20-471.

² Demande d’audience en vertu de la Règle 118-3, ICC-02/05-01/20-486. *See also*, Préavis de demande d’audience en vertu de la Règle 118-3, 17 September 2021, ICC-02/05-01/20-473.

³ Email from the Registry, 14 October 2021, at 13:24.

⁴ Prosecution’s observations on the review of the detention of Mr Ali Muhammad Ali Abd-Al-Rahman (“ALI KUSHAYB”), 15 October 2021, ICC-02/05-01/20-491.

⁵ Victims’ Observations on the detention of the Accused, 14 October 2021, ICC-02/05-01/20-489.

⁶ In consultation with the Registry, it is not possible to sit earlier that day. The hearing is scheduled to last one session only.



Judge Joanna Korner

Presiding Judge



Judge Reine Alapini-Gansou



Judge Althea Violet Alexis-Windsor

Dated this 18 October 2021

At The Hague, The Netherlands