

Public Annex A
Procedural history

1. On 27 April 2007 and 16 January 2018, Pre-Trial Chamber I and II issued warrants of arrest under Article 58 of the Statute against **Ali Muhammad Ali Abd-Al-Rahman** ('**Ali Kushayb**'),¹ hereafter **the 'Accused'**.
2. After having surrendered himself to the Court on 9 June 2020,² **the Accused** made his initial appearance before Pre-Trial Chamber II on 15 June 2020.³ **The Accused** remained in custody at the ICC detention centre throughout the trial proceedings.
3. On 1 November 2021, the Appeals Chamber confirmed the decision of Pre-Trial Chamber II, rejecting the Defence's jurisdictional challenge pursuant to Article 19(2)(a) of the Statute and affirming that the Court had jurisdiction over the present case.⁴
4. On 9 July 2021, Pre-Trial Chamber II confirmed all the charges against **the Accused** and committed him to trial on the charges as confirmed.⁵
5. On 21 July 2021, the Presidency constituted Trial Chamber I (the 'Chamber'), and referred the present case to it.⁶
6. On 5 January and 4 March 2022, upon instruction of the Chamber,⁷ the Prosecution filed its Trial Brief,⁸ and the Defence its Pre-Trial Brief.⁹
7. The trial commenced on 5 and 6 April 2022, with opening statements of the Prosecution and the Common Legal Representative of Victims ('CLRV'),¹⁰ and an oral statement by **the Accused**.¹¹ The Prosecution called its first witness on 6 April 2022,¹² and completed the presentation of its evidence on 28 February 2023.¹³ The Prosecution called 79 witnesses in total (54 appeared before the Chamber and a further 25 witnesses had their written statement introduced under Rule 68(2) of the Rules). On 13 January and 27 February 2023, the Chamber

¹ [First Arrest Warrant](#); [Second Arrest Warrant](#).

² [Decision Designation of a Single Judge](#).

³ T-001.

⁴ [Abd-Al-Rahman OA8 Judgment](#). See also [Decision on Defence's Jurisdictional Challenge](#).

⁵ [Confirmation Decision](#). See also [Decision on Prosecution's Application to Amend Charges](#).

⁶ [Decision Constituting the Chamber](#).

⁷ The parties complied with the Chamber's order to submit trial briefs that include the principal matters of fact and law on which they wish to rely on in this case (see [Directions on Conduct of Proceedings](#), paras 5-11).

⁸ [Prosecution's Trial Brief](#); [Addendum to Prosecution's Trial Brief](#).

⁹ [Defence's Pre-Trial Brief](#) (originally titled '*Mémoire préalable au procès*').

¹⁰ T-026; T-027.

¹¹ T-027, pp. 28-29.

¹² T-027, pp. 31-89.

¹³ [Prosecution's Conclusion Notice](#).

authorised the Prosecution's submission of three lists of victims, and 181 items of non-testimonial evidence from the bar table.¹⁴ On 22 December 2022, the Chamber considered as proven the facts agreed by the Prosecution and the Defence in their first, second, third, fourth and fifth joint submissions.¹⁵

8. On 6 March 2023, the Defence filed an application seeking leave to file a motion of acquittal in respect of three aspects of the case.¹⁶ The Chamber partially granted leave to the Defence on 10 March 2023.¹⁷ After hearing written¹⁸ and oral¹⁹ submissions, the Chamber declined to enter a judgment of acquittal on any of the impugned counts on 19 April 2023.²⁰

9. On 3 April 2023, the CLRV filed its Trial Brief.²¹ From 5 to 7 June 2023,²² and from 18 to 19 October 2023,²³ the CLRV called one witness, and four victims presented their views and concerns.²⁴ On 5 July 2023, the Chamber authorised the submission into evidence of the 11 items identified in the CLRV's bar table motion.²⁵

10. On 2 October 2023, the Defence filed its Brief Preceding the Presentation of the Defence Evidence at Trial.²⁶ On 19 and 20 October 2023, the Defence made its opening statement.²⁷ The Defence called its first witness on 23 October 2023²⁸ and completed its presentation of evidence on 13 September 2024.²⁹ The Defence called 20 witnesses in total (17 appeared before the Chamber, and a further three witnesses had their written statements introduced pursuant to under Rule 68(2) of the Rules). On 13 June and 9 July 2024, the Chamber authorised the submission by the Defence of 27 of items of non-testimonial

¹⁴ [Decision on Prosecution's First Bar Table Motion](#); [Decision on Prosecution's Second Bar Table Motion](#). See also [Prosecution's First Bar Table Motion](#); [Prosecution's Second Bar Table Motion](#).

¹⁵ [Decision on Joint Submissions on Agreed Facts](#). The CLRV indicated that these agreed facts did not negatively affect the interests of the victims (see paras 1-2).

¹⁶ [Defence's Application for Leave for Motion for Acquittal](#). See [Prosecution's Response to Application for Leave for Motion for Acquittal](#); [CLRV's Response to Application for Leave for Motion for Acquittal](#). See also [Addendum to Conduct of Proceedings](#).

¹⁷ [Decision on Leave for Motion for Acquittal](#).

¹⁸ [Skeleton Argument for Acquittal Motion](#); [Prosecution's Response to Skeleton Argument for Acquittal Motion](#); [CLRV's Response to Skeleton Argument for Acquittal Motion](#).

¹⁹ T-114; T-115.

²⁰ T-116, pp. 4-11.

²¹ [CLRV's Trial Brief](#).

²² T-119; T-120; T-121.

²³ T-127; T-128.

²⁴ The Chamber granted the CLRV's request for leave to present evidence and views and concerns. See [CLRV's Leave Request](#); [Decision on CLRV's Leave Request](#).

²⁵ T-123, p. 7. See also [CLRV's Bar Table Motion](#).

²⁶ [Defence's Brief Preceding Presentation of Defence Evidence at Trial](#).

²⁷ T-128, pp. 36-59; T-129.

²⁸ T-130; T-131; T-132; T-133.

²⁹ [Defence's Brief Closing the Presentation of the Defence Evidence at Trial](#).

evidence.³⁰

11. On 25 September 2024, the Chamber declared the submission of evidence closed.³¹

12. On 4 November 2024, upon instruction of the Chamber,³² the Prosecution, the Defence, and the CLRV filed their final briefs.³³

13. From 11 to 13 December 2024, the Prosecution, the CLRV, and the Defence presented their closing statements,³⁴ during which **the Accused** gave an unsworn statement.³⁵

14. In the course of the trial, a total of 1861 items of evidence were recognised as formally submitted into evidence by the Chamber, either through a witness or via the bar table. Between 14 January 2022 and 21 March 2025,³⁶ the Chamber authorised 1591 victims to participate in the trial proceedings, through one team of legal representatives.³⁷

15. On 15 September 2025, the Chamber scheduled a public hearing on 6 October 2025 for the delivery of the Trial Judgement.³⁸

³⁰ [Decision on Defence's Bar Table Motion](#); [Decision on Defence's Second Bar Table Motion](#). See also [Defence's Bar Table Motion](#); [Defence's Second Bar Table Motion](#).

³¹ [Order regarding Final Briefs and Closing Statements](#).

³² [Order regarding Final Briefs and Closing Statements](#).

³³ [Prosecution's Final Brief](#); [Defence's Final Brief](#); [CLRV's Final Brief](#). Public redacted versions were notified on 13 November 2024.

³⁴ T-160; T-161; T-162.

³⁵ T-162, pp. 57-64.

³⁶ [First Victims Admission Decision](#); [Second Victims Admission Decision](#); [Third Victims Admission Decision](#); [Fourth Victims Admission Decision](#); [Fifth Victims Admission Decision](#); [Sixth Victims Admission Decision](#); [Seventh Victims Admission Decision](#); [Eighth Victims Admission Decision](#); [Ninth Victims Admission Decision](#); [Tenth Victims Admission Decision](#); [Eleventh Victims Admission Decision](#); [Twelfth Victims Admission Decision](#); [Thirteenth Victims Admission Decision](#); [Fourteenth Victims Admission Decision](#).

³⁷ [Decision on Victims Participation and Representation](#). See also [Reconsideration Decision on Victims' Participation](#); [Decision on Leave to Appeal Reconsideration Decision on Victims' Participation](#).

³⁸ [Scheduling Order](#).