

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: ICC-02/05-01/20  
Date: 12 February 2024

**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  
With Confidential Annexes I and II**

**Notification of the Appointment of Mr Ashraf Atwa as  
Legal Adviser to Witness D-0035**

**Source:** Registry

**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  
 Ms Nazhat Shameem Khan  
 Mr Julian Nicholls

**Counsel for the Defence**

Mr Cyril Laucci  
 Mr Iain Edwards

**Legal Representatives of Victims**

Ms Natalie von Wistinghausen  
 Mr Anand Shah

**Unrepresented Applicants  
(Participation/Reparation****Unrepresented victims****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**

Mr Pieter Vanaverbeke

**Victims and Witnesses Unit**

Mr Nigel Verrill

**Detention Section****Victims Participation and Reparations  
Section****Other**

Mr Ashraf Atwa

## I. Introduction

1. The Registry hereby informs Trial Chamber I (“Chamber”) of the appointment of Mr Ashraf Atwa (“Mr Atwa”) as Legal Adviser to Witness D-0035 (“Notification of Appointment”), pursuant to rule 74(10) of the Rules of Procedure and Evidence (“Rules”).

## II. Classification

2. Pursuant to regulation 23 *bis*(1) of the Regulations of the Court (“RoC”), the annexes to the present submission are classified as confidential, as they contain personal information and contact details of Mr Atwa.

## III. Applicable Law

3. The Registry has considered the following provisions: article 68 of the Rome Statute, rules 21 and 74(10) of the Rules, regulations 67 and 69 of the RoC, regulation 123(1) of the Regulations of the Registry, and articles 5, 8 and 22(3) of the Code of Professional Conduct for counsel (“Code”).

## IV. Submissions

4. On 31 January 2024, the Chamber directed the Registry to appoint Rule 74 counsel for D-0035.<sup>1</sup>
5. On 7 February 2024, the Registrar appointed Mr Atwa as the Legal Adviser to Witness D-0035.<sup>2</sup> Mr Atwa will be duly provided with access to relevant material in connection with the case, including the statements and transcripts of interviews of Witness D-0035, *via* a secure channel in order to maintain confidentiality at all times.

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<sup>1</sup> Email from Trial Chamber I to Registry on 31 January 2024 at 15.13.

<sup>2</sup> Confidential Annex I.

6. Mr Atwa has executed the solemn undertakings required by articles 5 and 22(3) of the Code.<sup>3</sup>

The Registrar remains at the disposal of the Chamber should further information be required.



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Marc Dubuisson, Director, Division of Judicial Services  
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 12 February 2024  
At The Hague, The Netherlands

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<sup>3</sup> Confidential Annex II.