



Original: English

No.: ICC-02/05-01/20  
Date: 2 November 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  
With Public Annexes A, B and C  
Third Joint Prosecution and Defence Submission on Agreed facts**

**Source:** Office of the Prosecutor  
Defence for Mr Ali Muhammad Ali Abd-Al-Rahman

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

Mr Julian Nicholls

**Counsel for the Defence**

Mr Cyril Laucci

Mr Iain Edwards

**Legal Representatives of the Victims**

Ms Natalie von Wistinghausen

Mr Nasser Mohamed Amin Abdalla

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

Ms Paolina Massidda

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

Mr Xavier-Jean Keïta

Ms Marie O'Leary

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Section**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

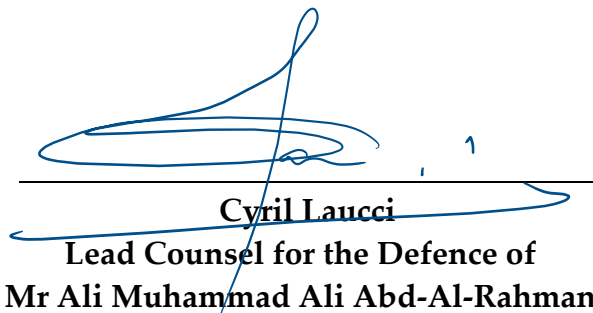
## I. INTRODUCTION

1. The Parties hereby submit 35 agreed facts.
2. The list of agreed facts contained in Annex A relates to the personal background of Mr Ali Muhammad Ali Abd-Al-Rahman.
3. The list of agreed facts contained in Annex B relates to armaments and equipment.
4. The list of agreed facts contained in Annex C relates to additional agreed facts regarding relevant locations in the former West Darfur State.
5. Pursuant to rule 69 of the Rules of Procedure and Evidence, it is requested that the Chamber considers these agreed facts as proven.
6. The Parties inform the Chamber that they continue to explore other topics for potential agreement. Should the parties reach any further agreement on facts, they will notify the Chamber and the Legal Representatives of the Victims.<sup>1</sup>




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**Karim A. A. Khan QC**  
**Prosecutor**




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**Cyril Laucci**  
**Lead Counsel for the Defence of**  
**Mr Ali Muhammad Ali Abd-Al-Rahman**

Dated this 2<sup>nd</sup> day of November 2021

At The Hague, The Netherlands

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<sup>1</sup> *Prosecutor v. Abd-Al-Rahman ("Ali Kushayb")*, Victims' joint submissions on the matters identified in the "Order scheduling first status conference", 1 September 2021, ICC-02/05-01/20-463, paras. 16-18.