

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



**Original: English**

**No. ICC-02/05-01/20  
Date: 13 December 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 setting the agenda for the third status conference**

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

**The Office of the Prosecutor**

Karim A.A. Khan

Julian Nicholls

**Counsel for the Defence**

Cyril Laucci

Iain Edwards

**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**

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

**States Representatives**

*Amicus Curiae*

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**REGISTRY**

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**Registrar**

Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**

Philipp Ambach

**Other**

1. On 26 November 2021, Trial Chamber I (the ‘Chamber’) confirmed the scheduled third status conference on 17 December 2021, setting a deadline for the parties and participants to suggest any agenda items.<sup>1</sup>
2. On 8 and 9 December 2021, the parties and participants made submissions on the items for the agenda.<sup>2</sup>
3. Bearing in mind the Defence’s written submissions, as well as the written observations expected before the status conference,<sup>3</sup> the Chamber considers that it is unnecessary to hear further oral submissions on the suggested item related to the Defence request ICC-02/05-01/20-526-Conf.
4. Accordingly, the agenda for the Third Status Conference is as follows:
  - A. Update on the current situation in Sudan and the Court’s activities
  - B. Cooperation issues raised by the Defence<sup>4</sup>
  - C. Responses to victims’ observations on the ‘Protocol on the handling of confidential information during investigations and contact between

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<sup>1</sup> Transcript of hearing, 12 November 2021, ICC-02/05-01/20-T-017-Red-ENG, p. 51, lines 2-4; Email instructions from the Chamber to the parties, participants and Registry, 26 December 2021 at 09:12.

<sup>2</sup> *Contribution à l’Agenda de la Troisième Conférence de Mise en État*, ICC-02/05-01/20-532-Conf, the public version of the document was notified on the same day, ICC-02/05-01/20-532-Red; Email from the Common Legal Representatives of Victims, 9 December 2021 at 11:20; Email from the Prosecution, 9 December 2021 at 13:50.

<sup>3</sup> *Requête en vertu des Articles 64-2 et 67-1-d du Statut*, 3 December 2021, ICC-02/05-01/20-526-Conf, the public version of the document was notified on the same day, ICC-02/05-01/20-526-Red; *Contribution à l’Agenda de la Troisième Conférence de Mise en État*, ICC-02/05-01/20-532-Conf; Email from the Prosecution, 9 December 2021 at 13:50, the public version of the document was notified on the same day, ICC-02/05-01/20-532-Red; Email from the Chamber inviting the Registry and the Independent Oversight Mechanism to make observations, if any, by way of filing by 16 December 2021, 6 December 2021 at 14:34.

<sup>4</sup> *See Observations de la Défense en relation avec la sécurité des témoins, des victimes et des autres personnes à risque du fait des activités de la Cour, y compris son personnel, au Soudan*, 8 October 2021, ICC-02/05-01/20-481-Conf, the public version of the document was notified on 13 October 2021, ICC-02/05-01/20-481-Red; *Requête aux fins de mesures urgentes visant à préserver la sécurité des témoins, des victimes et des autres personnes à risque du fait des activités de la Cour, y compris son personnel, au Soudan*, 12 October 2021, ICC-02/05-01/20-485-Conf, the public version of the document was notified on 13 October 2021, ICC-02/05-01/20-485-Red; *Réponse au Second Rapport du Greffe sur la Coopération*, 29 October 2021, ICC-02/05-01/20-501-Conf, the public version of the document was notified on the same day, ICC-02/05-01/20-501-Red.

party or participant and witnesses of the opposing party or of a participant’<sup>5</sup>

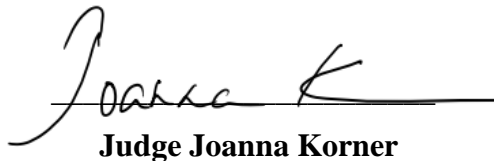
D. Any other matter

5. A representative of the Registry must be available to attend the status conference and address in particular item A of the agenda.

6. The sitting schedule is as follows:

- 9:30 – 11:00
- 11:30 – 13:00

7. The Registry, the parties and the participants are to indicate whether any of the agenda items above must be dealt with in private or *ex parte* session.

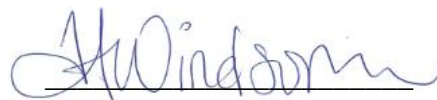


**Judge Joanna Korner**

**Presiding Judge**



**Judge Reine Alapini-Gansou**



**Judge Althea Violet Alexis-Windsor**

Dated this 13 December 2021

At The Hague, The Netherlands

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<sup>5</sup> Observations on the “Protocol on the handling of confidential information during investigations and contact between party or participant and witnesses of the opposing party or of a participant”, 7 December 2021, ICC-02/05-01/20-531.