

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: ICC-02/05-01/20

Date: 12 March 2021

PRE-TRIAL CHAMBER II

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
THE PROSECUTOR *v.*
ALI MUHAMMAD ALI ABD-AL-RAHMAN ("ALI KUSHAYB")**

Confidential

with Confidential, *Ex Parte*, only available to the Prosecution Annex A

**Prosecution Response to the Direction of the Single Judge in relation to Defence
Request ICC-02/05-01/20-289-Conf**

Source: Office of the Prosecutor

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

The Office of the Prosecutor

Mr James Stewart

Mr Julian Nicholls

Counsel for the Defence

Mr Cyril Laucci

Legal Representatives of the Victims

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**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Section

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

I. SUBMISSIONS

1. On 2 March 2021, the Defence filed its *Requête aux fins d'enregistrement d'un document dans le dossier de l'affaire, d'extension de délai et de reclassification* ("Request").¹

On 8 March 2021, the Prosecution filed its response to the Request.²

2. Pursuant to the direction of the Single Judge on 11 March 2021,³ the Prosecution hereby provides the Pre-Trial Chamber II with the confidential "Memorandum of Understanding on cooperation between the Government of the Republic of Sudan and the Office of the Prosecutor of the International Criminal Court," as Confidential, *Ex Parte* Annex A, available to the Prosecution only.

3. This filing is classified as confidential in accordance with regulation 23bis(2) of the Regulations of the Court since it relates to a request filed as confidential.



James Stewart
Deputy Prosecutor

Dated this 12th day of March 2021

At The Hague, The Netherlands

¹ ICC-02/05-01/20-289-Conf.

² ICC-02/05-01/20-294-Conf.

³ Email from the Single Judge to the Prosecution, "Direction to the Prosecutor in relation to filings ICC-02/05-01/20-289-Conf and ICC-02/05-01/20-294-Conf," 11 March 2021, 17:28 hrs.