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

Date: 6 May 2021

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Single Judge

SITUATION IN DARFUR, SUDAN

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

**Public
with Confidential Annexes A-C**

**Prosecution's notification of the disclosure of evidence
on 4 and 5 May 2021**

Source: Office of the Prosecutor

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

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Mr Julian Nicholls

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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. The Prosecution submits to the Single Judge Rosario Salvatore Aitala ("Single Judge"), acting for Pre-Trial Chamber II, this notification of the disclosure of evidence pursuant to article 61(3)(b) of the Rome Statute.

II. CLASSIFICATION

2. This filing is classified as public with confidential Annexes A-C. The Prosecution classifies Annexes A-C as confidential since they relate to *inter partes* disclosure and contain confidential information.

III. SUBMISSIONS

3. On 4 May 2021, the Prosecution disclosed to the Defence two packages of evidence consisting of 11 items (101 pages). Pre-Confirmation INCRIM package 62 contains a lesser redacted version of the witness statement of Witness DAR-OTP-P-0843; four screening notes; and two Arabic translations of witness statements related to Witnesses DAR-OTP-P-0926 and DAR-OTP-P-0935. Pre-Confirmation Metadata Update Package 11 contains 4 items related to Witness DAR-OTP-P-0843.
4. On 5 May 2021, the Prosecution disclosed to the Defence Pre-Confirmation INCRIM package 63 consisting of 27 items (130 pages) containing English translations of evidence related to DAR-OTP-P-0087 which was already disclosed.

5. The standard redactions applied to the disclosed items are minimal and are applied according to the procedure to disclosure adopted by the Single Judge on 17 August 2020.¹



Fatou Bensouda
Prosecutor

Dated this 6th day of May 2021

At The Hague, The Netherland

¹ ICC-02/05-01/20-116, para. 12.