

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **13 April 2022**

TRIAL CHAMBER I

**Before: Judge Joana 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 Annex A**

Prosecution's notification of the disclosure of evidence

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 Karim A.A. Khan QC
Ms Nazhat Shameem Khan
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**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. INTRODUCTION

1. The Prosecution hereby notifies Trial Chamber I (“Chamber”) of the disclosure of evidence pursuant to articles 64(3)(c) and 67(1)(a) and (b) of the Rome Statute, and rules 76(3) and 77 of the Rules of Procedure and Evidence.

II. CLASSIFICATION

2. This filing is classified as public with one confidential annex, comprising the list of evidence disclosed to the Defence. This annex is classified as confidential since it contains confidential information.

III. SUBMISSIONS

3. Between 04 and 11 April 2022, the Prosecution disclosed to the Defence 8 packages of evidence, consisting of 48 items (268 pages):
 - Pre-Trial INCRIM package 112, consisting of 1 item (1 page), including material related to DAR-OTP-P-0903;
 - Pre-Trial INCRIM package 113, consisting of 21 items (170 pages), including material related to 3 witnesses;¹
 - Pre-Trial INCRIM package 114, consisting of 9 items (37 pages), including material related to DAR-OTP-P-1073 and DAR-OTP-P-1074;
 - Pre-Trial INCRIM package 115, consisting of 1 item (4 pages), including material related to DAR-OTP-P-0903;
 - Pre-Trial INCRIM package 116, consisting of 3 items (23 pages), including material related to DAR-OTP-P-0651

¹ DAR-OTP-P-0979, DAR-OTP-P-0999 and DAR-OTP-P-1073.

- Pre-Trial Rule 77 package 77, consisting of 2 items (2 pages), including material related to DAR-OTP-P-0903;
- Pre-Trial Rule 77 package 78, consisting of 10 items (31 pages), including material related to 10 witnesses;² and
- Pre-Trial Metadata Re-issue package 24, consisting of 1 item (3 pages), after re-issuing one metadata field.³

With respect to redactions, the Prosecution applied “standard” redactions to new items pursuant to the procedure for exceptions to disclosure adopted by the Single Judge of Pre-Trial Chamber II on 17 August 2020.⁴



Karim A. A. Khan QC
Prosecutor

Dated this 13th day of April 2022,
At The Hague, The Netherlands

² DAR-OTP-P-1042, DAR-OTP-P-0591, DAR-OTP-P-0720, DAR-OTP-P-0868, DAR-OTP-P-0917, DAR-OTP-P-0927, DAR-OTP-P-0895, DAR-OTP-P-0043, DAR-OTP-P-0903, and DAR-OTP-P-0651.

³ ICC-02/05-01/20 Related to witness.

⁴ Order on disclosure and related matters, 17 August 2020, ICC-02/05-01/20-116, paras. 12-13.