

Annex

Modifications of the text of the Document Containing the Charges

1. As indicated in the Decision, the Chamber approves those changes which were proposed by one party and not contested by the other. These are not addressed in the chart below. Only the contested modifications are discussed. For the points of disagreement which were discussed in the Decision the chart directs to the conclusions made in the Decision. All references in the chart are to the Document Containing the Charges appended as Annex A to the prosecution's submission.¹
2. The objections raised by the Defence in the Responses to the Modified Charges Section are not addressed in the chart. Most of these disputes are already contained in the Parties' Observations. The remaining disputes concerning solely the Modified Charges Section are addressed in Section II (e)² of the Decision.

Numeration of the disputes by the parties and paragraph reference	Paragraph(s) of the Decision dealing with the point of disagreement	Conclusion
General objection not pertaining to a specific paragraph. The defence objects to the inclusion in the Updated DCC of any factual assertions which the Pre-Trial Chamber did not affirmatively state had been sufficiently substantiated.	Paragraph 19 of the Decision.	The prosecution can, in principle, retain these factual allegations.

¹ ICC-01/09-01/11-448-AnxA.

² Paragraphs 45 to 54.

General objection not pertaining to a specific paragraph. The defence objects to the formulation of the charges.	Paragraphs 29-30 of the Decision.	The prosecution has complied with the request of the defence.
General comment not pertaining to a specific paragraph. The defence requests that the names of the three commanders and other known members of the Network are to be included in the Updated DCC.	Paragraphs 30-31 of the Decision.	The prosecution is to include the names of the persons whose involvement in the common plan the prosecution alleges. This information should include the names of the three divisional commanders, if the prosecution considers them to be members of the common plan, as well as the names of any other members of the common plan, whose identity is known to the prosecution.
General comment not pertaining to a specific paragraph. The defence requests that the mode of liability applicable to Mr Sang is specified as Art. 25(3)(d)(i) and not in a more general manner as Art. 25(3)(d).	Paragraphs 21-22 of the Decision.	The prosecution can present the mode of liability of Mr Sang as Art. 25(3)(d).
General comment not pertaining to a specific paragraph. The defence	Paragraphs 31-33 of the Decision.	The prosecution is to delete the word

objects to the word "including" in the Updated DCC.		"including".
1/paragraph 8	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
2/paragraph 15	Paragraphs 42-44 of the Decision.	No modification.
3/paragraph 16	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
4/paragraph 19	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
5/paragraph 20	The prosecution already alleged this in the original DCC. Paragraph 20 of the Decision.	No modification.
6/paragraph 36	Paragraphs 40-41 of the Decision.	No modification.
7/paragraph 36	The prosecution already alleged this in the original DCC. Paragraph 20 of the Decision.	No modification.
8/paragraph 36	Paragraphs 38-39 of the Decision.	No modification.
9/paragraph 37	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
10/paragraph 43	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
11/paragraph 45	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
12/paragraph 45	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
13/paragraph 46	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
14/paragraph 46	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
15/paragraph 47	The prosecution already alleged	No modification.

	this in the original DCC. Paragraphs 19-20 of the Decision.	
16/paragraph 48	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
17/paragraph 48	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
18/paragraph 50	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
19/paragraph 50	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
20/paragraph 58	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
21/paragraph 59	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
22/paragraph 62	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
23/paragraph 67	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
24/paragraph 68	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
25/paragraph 72	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
26/paragraph 73	Paragraphs 23-24 of the Decision.	No modification.
27/paragraph 73	Paragraphs 23-24 of the Decision.	No modification.
28/paragraph 73	Paragraphs 23-24 of the Decision.	No modification.
29/paragraph 78	Paragraphs 23-24 of the Decision.	No modification.
30/paragraph 80	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.

31/paragraph 88	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
32/paragraph 89	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
33/paragraph 93	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
34/subheading Section VI (ii)	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
36/paragraph 108	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
37/paragraph 110(1)	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
38/paragraph 110(2)	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
39/paragraph 110(3)	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
41/paragraph 116	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
42/paragraph 116(2)	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
43/paragraph 122(2)	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
44/paragraph 123	Paragraphs 36-37 of the Decision.	No modification.
45/paragraph 128	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
46/paragraph 130	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
47/paragraph 130	The prosecution already alleged this in the original DCC.	No modification.

	Paragraphs 19-20 of the Decision.	
48/paragraph 132	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
49/paragraph 132	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
50/paragraph 132	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.
51/paragraph 132	Paragraphs 38-39 of the Decision	No modification.
52/paragraph 132	The prosecution already alleged this in the original DCC. Paragraphs 19-20 of the Decision.	No modification.