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

Date: **6 April 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 Annex A**

**Prosecution’s notification of the disclosure of evidence
on 1 April 2021**

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

Ms Amal Clooney
Ms Nasser Mohamed Amin Abdalla

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**

Mr Xavier-Jean Keïta

States Representatives

Amicus Curiae

REGISTRY

Registrar

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 Annex A. The Prosecution classifies Annex A as confidential since they relate to *inter partes* disclosure and contain confidential information.

III. SUBMISSIONS

3. On 1 April 2021, the Prosecution disclosed to the Defence eight items (104 pages) in Pre-Confirmation INCRIM package 56. The package contains the Arabic translation of the witness statement of Witness DAR-OTP-P-0878, six transcripts and an investigation report related to Witness DAR-OTP-P-0921.

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



James Stewart
Deputy Prosecutor

Dated this 6th day of April 2021
At The Hague, The Netherlands

¹ ICC-02/05-01/20-116, para. 12.