

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: 16 April 2021

PRE-TRIAL CHAMBER II

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

SITUATION IN DARFUR, SUDAN

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

**Confidential
With Confidential Annexes A, A1 –A13 and B**

**Prosecution's submission of the Pre-Confirmation Brief
and the List 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

Ms Fatou Bensouda

Mr James Stewart

Mr Julian Nicholls

Counsel for the Defence

Mr Cyril Laucci

Legal Representatives of the Victims

Ms Amal Clooney

Mr 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

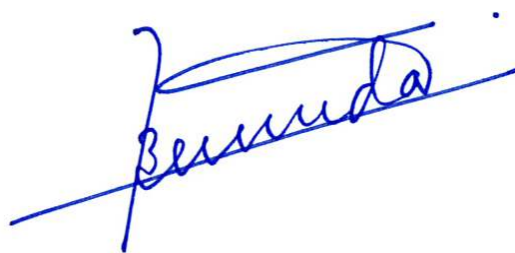
**The Office of Public Counsel for the
Defence****States Representatives****Amicus Curiae****REGISTRY****Registrar**

Mr Peter Lewis

Counsel Support Section**Victims and Witnesses Unit****Detention Section****Victims Participation and Reparations
Section****Other**

1. Pursuant to article 61(3)(b) of the Rome Statute and rule 121(3) and (9) of the Rules of Procedure and Evidence, the Prosecution submits the Pre-Confirmation Brief ("PCB"), appended as Annex A, Annexes A1 – A13, and the List of Evidence ("LoE"), appended as Annex B.

2. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, the PCB, Annexes A1 – A13, and the LoE, are filed as "confidential" because they contain information identifying Prosecution witnesses and potential sources of evidence. A public redacted version of the PCB will be filed as soon as practicable.



Fatou Bensouda
Prosecutor

Dated this 16th day of April 2021

At The Hague, The Netherlands