



Original: **English**

No.: ICC-02/05-01/20
Date: 8 February 2022

TRIAL CHAMBER I

Before: Judge Joanna 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

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 Section

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 rule 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 3 and 8 February 2022, the Prosecution disclosed to the Defence four packages of evidence consisting of 34 items (251 pages):

- Pre-Trial Rule 77 package 59, containing 15 items (116 pages), including material related to five witnesses;¹
- Pre-Trial Rule 77 package 60, containing 2 items (7 pages), including material related to two witnesses;²
- Pre-Trial Rule 77 package 61, containing 14 items (109 pages), including material related to one witness;³ and
- Pre-Trial Rule 77 package 62, containing 3 items (19 pages), including material related to two witnesses.⁴

¹ DAR-OTP-P-0039, DAR-OTP-P-0083, DAR-OTP-P-0087, DAR-OTP-P-0116 and DAR-OTP-P-1042.

² DAR-OTP-P-0027 and DAR-OTP-P-0087.

³ DAR-OTP-P-0547.

⁴ DAR-OTP-P-0116 and DAR-OTP-P-0547.

4. With respect to redactions, the Prosecution applied “standard” redactions in light of the procedure for exceptions to disclosure stipulated by the Single Judge of Pre-Trial Chamber II on 17 August 2020.⁵



Karim A. A. Khan QC
Prosecutor

Dated this 8th day of February 2022

At The Hague, The Netherlands

⁵ Order on disclosure and related matters, 17 August 2020, ICC-02/05-01/20-116, paras. 12-13.