

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/05-01/20  
Date: 25 January 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

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**

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**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 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. On 24 January 2022, the Prosecution disclosed to the Defence two packages of evidence consisting of 20 items (159 pages):
  - Pre-Trial INCRIM package 102, containing 7 items (81 pages), including material related to three witnesses;<sup>1</sup> and
  - Pre-Trial Rule 77 package 57, containing 13 items (78 pages), including material related to six witnesses.<sup>2</sup>
4. 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.<sup>3</sup>



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**Karim A. A. Khan QC**

**Prosecutor**

Dated this 25<sup>th</sup> day of January 2022,  
At The Hague, The Netherlands

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<sup>1</sup> DAR-OTP-P-0025, DAR-OTP-P-0892, and DAR-OTP-P-0925.

<sup>2</sup> DAR-OTP-P-0027, DAR-OTP-P-0060, DAR-OTP-P-0697, DAR-OTP-P-0736, DAR-OTP-P-0843, and DAR-OTP-P-0884.

<sup>3</sup> Order on disclosure and related matters, 17 August 2020, ICC-02/05-01/20-116, paras. 12-13.