

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

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

Date: **17 May 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  
Ms Nazhat Shameem Khan  
Mr Julian Nicholls

**Counsel for the Defence**

Mr Cyril Laucci  
Mr Iain Edwards

**Legal Representatives of the Victims**

Ms Natalie von Wistinghausen  
Mr Anand Shah

**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. Between 10 and 13 May 2022, the Prosecution disclosed to the Defence three packages of evidence and re-issued the metadata of one package, consisting of 63 items (492 pages):
  - Pre-Trial INCRIM package 124, consisting of 15 items (21 pages), including material related to 2 witnesses;<sup>1</sup>
  - Pre-Trial INCRIM package 125, consisting of 6 items (131 pages), including material related to DAR-OTP-P-0547;
  - Pre-Trial Rule 77 package 84, consisting of 5 items (39 pages), including material related to 4 witnesses;<sup>2</sup> and
  - Pre-Trial Metadata Re-Issue package 25, consisting of 37 items (301 pages), after re-issuing 3 metadata fields.<sup>3</sup>

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<sup>1</sup> DAR-OTP-P-0922 and DAR-OTP-P-0990.

<sup>2</sup> DAR-OTP-P-0020, DAR-OTP-P-0119, DAR-OTP-P-0922, and DAR-OTP-P-0990.

<sup>3</sup> Source Identity; Chain of Custody notes; and Main Date.

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>4</sup>



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**Karim A. A. Khan QC**

**Prosecutor**

Dated this 17<sup>th</sup> day of May 2022,  
At The Hague, The Netherlands

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<sup>4</sup> Order on disclosure and related matters, 17 August 2020, ICC-02/05-01/20-116, paras. 12-13.