



Original: **English**

No.: ICC-02/05-02/09
Date: **14 September 2009**

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

**SITUATION IN THE DARFUR, SUDAN
*IN THE CASE THE PROSECUTOR v. BAHAR IDRIS ABU GARDA***

**Public Document
with Confidential Annexes A to K**

**Prosecution's Communication of Originals of Incriminating Evidence Disclosed to
the Defence on 7 and 10 September 2009**

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	Counsel for the Defence of Bahar Idriss Abu Garda Mr Karim A.A Khan
Legal Representatives of Victims	Legal Representatives of Applicants
Unrepresented Victims	Unrepresented Applicants for Participation/Reparation
The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
States Representatives	Amicus Curiae

REGISTRY

Registrar Ms Silvana Arbia	Defence Support Section
Victims and Witnesses Unit	Detention Section
Victims Participation and Reparations Section	Other

The Office of the Prosecutor (“Prosecution”) hereby files into the record of the case of the *Prosecutor V. Bahar Idriss Abu Garda* the originals of the documents disclosed to the Defence team as incriminatory evidence on 7 and 10 September 2009. INCRIM Package 5 was disclosed on 7 September 2009. Packages 6 and 7 were disclosed on 10 September 2009.

Request for Confidentiality

Annexes A¹, B², C³, D⁴, E⁵, F⁶, G⁷, H⁸, I⁹, J¹⁰, and K¹¹ appended to this communication contain the forms and lists referring to the disclosure which took place on 7 and 10 September 2009. The Prosecution requests that the above-mentioned annexes be received as “Confidential” since they relate to *inter partes* disclosure.



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Luis Moreno-Ocampo, Prosecutor

Dated this 14th day of September 2009

At The Hague, The Netherlands

¹ Chain of Custody Form (Disclosure of Incriminating Evidence, Package 5) (showing materials transferred to the Registry)

² List of redacted documents (Disclosure of Incriminating Evidence, Package 5)

³ List of disclosed materials – Containers of electronic media (Disclosure of Incriminating Evidence, Package 5)

⁴ List of electronic documents disclosed and status of original container (Disclosure of Incriminating Evidence, Package 5)

⁵ Chain of Custody Form (Disclosure of Incriminating Evidence, Package 6) (showing materials transferred to the Registry)

⁶ List of hardcopies (Disclosure of Incriminating Evidence, Package 6)

⁷ List of redacted documents (Disclosure of Incriminating Evidence, Package 6)

⁸ List of disclosed materials – Containers of electronic media (Disclosure of Incriminating Evidence, Package 6)

⁹ List of electronic documents disclosed and status of original container (Disclosure of Incriminating Evidence, Package 6)

¹⁰ Chain of Custody Form (Disclosure of Incriminating Evidence, Package 7) (showing materials transferred to the Registry)

¹¹ List of disclosed materials – Containers of electronic media (Disclosure of Incriminating Evidence, Package 7)