

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: ICC-02/05-02/09
Date: **30 September 2009**

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

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

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

**Prosecution's Communication of Originals of Incriminating Evidence Disclosed to
the Defence on 14 and 17 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 INCRIM packages 8 and 9 disclosed to the Defence team as incriminatory evidence on 14 and 17 September 2009 respectively.

Request for Confidentiality

Annexes A¹, B², C³, D⁴, E⁵, F⁶ appended to this communication contain the forms and lists referring to the disclosure which took place on 14 and 17 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 30th day of September 2009

At The Hague, The Netherlands

¹ Chain of Custody Form (Disclosure of Incriminating Evidence, Package 8) (showing materials transferred to the Registry)

² List of hard copies (Disclosure of Incriminating Evidence, Package 8)

³ Chain of Custody Form (Disclosure of Incriminating Evidence, Package 9) (showing materials transferred to the Registry)

⁴ List of redacted documents (Disclosure of Incriminating Evidence, Package 9)

⁵ List of electronic documents disclosed and status of original container (Disclosure of Incriminating Evidence, Package 9)

⁶ List of disclosed materials – Containers of electronic media (Disclosure of Incriminating Evidence, Package 9)