



Original: English

No.: ICC-02/05-03/09
Date: 9 November 2010

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN DARFUR, THE SUDAN

***IN THE CASE OF THE PROSECUTOR
V.***

***ABDALLAH BANDA ABAKAER NOURAIN AND SALEH MOHAMMED JERBO
JAMUS***

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

**Prosecution's Communication of Incriminating and Potentially Exculpatory
Evidence Disclosed to the Defence on 12 and 22 October and 5 November 2010**

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

Mr Karim A.A. Khan

Legal Representatives of Victims

Legal Representatives of Applicants

Mr Brahim Koné
Ms Hélène Cissé
Mr Akin Akinbote
Colonel Frank Adaka
Sir Geoffrey Nice
Mr Rodney Dixon

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”) herewith notifies Pre-Trial Chamber I (“Chamber”) of the following disclosures to the Defence teams of ABDALLAH BANDA ABAKAER NOURAIN and SALEH MOHAMMED JERBO JAMUS:

- (a) INCRIM package 6 (13 documents) disclosed on 12 October 2010;
- (b) INCRIM package 7 (30 documents) disclosed on 22 October 2010;
- (c) INCRIM package 8 (15 documents) disclosed on 22 October 2010;
- (d) INCRIM package 9 (24 documents) disclosed on 22 October 2010; and
- (e) PEXO package 2 (2 documents) disclosed on 22 October 2010.

The disclosures were conducted in accordance with the Chamber’s “Decision on the Prosecutor's application for redactions and for authorization of discrete redactions to the meta-data field foreseen by the E-Court Protocol”¹ and “Decision on issues relating to disclosure”².

¹ ICC-02/05-03/09-68

² ICC-02/05-03/09-49

Request for Confidentiality

Annexes A to E appended to this communication contain the “Disclosure Notes” provided to the Defence teams. The Prosecution requests that these annexes be received as “Confidential” since they relate to *inter partes* disclosure.



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Luis Moreno-Ocampo

Prosecutor

Dated this 9th day of November 2010

At The Hague, The Netherlands