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No.: ICC-02/05-03/09

Date: 25 May 2012

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Silvia Fernandez de Gurmendi
Judge Chile Eboe-Osuji

SITUATION IN DARFUR, THE SUDAN

IN THE CASE OF THE PROSECUTOR

V.

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

Public Document

Prosecution's Notification of Disclosure to the Defence of Incriminating 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

Counsel for the Defence

Mr. Karim A.A. Khan QC

Mr. Nicholas Koumjian

Legal Representatives of Victims

Legal Representatives of Applicants

Ms. Hélène Cissé

Mr. Jens Dieckmann

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

Deputy Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

**Court Interpretation and Translation
Section**

The Office of the Prosecutor ("Prosecution") hereby notifies Trial Chamber IV that on 16 and 22 May 2012 respectively, it disclosed to the Defence team of Messrs. **Abdallah Banda Abakaer Nourain** and **Saleh Mohammed Jerbo Jamus** the audio translations into Zaghawa of the statements of Prosecution witnesses DAR-OTP-P-0326¹ ("INCRIM package 21")² and DAR-OTP-P-0445 ("INCRIM package 22")³. Also on 22 May 2012, the Prosecution re-disclosed the 1st statement of witness DAR-OTP-P-0355⁴ - together with three annexes related to his second statement (annexes "A", "B" and "D")⁵ - with all redactions previously applied to the name and other identifying information of witness DAR-OTP-P-0486 having been lifted ("INCRIM package 23").



Luis Moreno-Ocampo

Prosecutor

Dated this 25th day of May 2012

At The Hague, The Netherlands

¹ In compliance with the eCourt protocol issued by the Pre-Trial Chamber I in the *Banda & Jerbo* case on 29 June 2010 (ICC-02/05-03/09-49-Anx1), and as part of a unified system for identification of witnesses now being adopted across the Court, the current witness codes used by the Prosecution DAR-OTP-WWWW-XXXX have been replaced with DAR-OTP-P-XXXX where XXXX stands for the unique number of each witness. These newly adopted codes will be applied in future filings and communications with the Chamber.

² DAR-OTP-0166-0021; the disclosed audio translation is DAR-OTP-0184-0094.

³ DAR-OTP-0170-0196; the disclosed audio translation is DAR-OTP-0184-0113.

⁴ DAR-OTP-0165-0352.

⁵ DAR-OTP-0174-0318; DAR-OTP-0174-0321 and DAR-OTP-0174-0326.