

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 11 March 2014

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

**Public Document
with Confidential Annexes A and B**

**Prosecution's Notification of Disclosure to the Defence of Rule 77 Material and
Potentially Exonerating Material on 27 February and 6 March 2014**

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

Ms. Fatou Bensouda, Prosecutor

Mr. James Stewart, Deputy Prosecutor

Mr. Julian Nicholls, Senior Trial Lawyer

Counsel for the Defence

Mr. Karim A.A. Khan QC

Legal Representatives of Victims

Ms. Hélène Cissé

Mr. Jens Dieckmann

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

Mr. Herman von Hebel

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

**Court Interpretation and Translation
Section**

Notification

1. On 27 February 2014 the Prosecution disclosed, pursuant to Rule 77,¹ six documents annexed to the statement of Witness P-0450.² Two of the annexes were disclosed in redacted form.
2. Additionally, on 6 March 2014, the Prosecution disclosed eight newly collected documents. Five of these documents were disclosed as potentially exculpatory pursuant to Article 67(2)³ and three were disclosed pursuant to Rule 77.⁴

Request for Confidentiality

3. Annexes A and B appended to this communication contain the "Disclosure Notes" provided to the Defence. The Prosecution requests that these annexes be received as "Confidential" since they relate to *inter partes* disclosures.



Fatou Bensouda, Prosecutor

Dated this 11th day of March 2014

At The Hague, The Netherlands

¹ Trial- Rule 77 – package 17. The related disclosure note is appended to this submission as Annex A.

² Annexes A, B, C, D1, D2 and D3. The witness statement was disclosed on 6 December 2013.

³ Trial- PEXO – package 11. The related disclosure note is appended to this submission as Annex B.

⁴ Trial- Rule 77 – package 18. The related disclosure note is appended to this submission as Annex B.