

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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No.: ICC-01/04-02/06

Date: 4 April 2014

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Single Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR v. BOSCO NTAGANDA***

Public

**Prosecution's Fifth Report on the Status of Disclosure of Documents
Obtained under Article 54(3)(e)**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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Section**

Prosecution's Report

1. In the "Decision Regarding the Non-Disclosure of 116 Documents Collected Pursuant to Article 54(3)(e) of the Rome Statute",¹ the Single Judge ordered the Prosecution to submit a report every two weeks on the status of the documents obtained under article 54(3)(e) of the Rome Statute ("Statute") that are to be disclosed to the Defence.
2. On 3 February, 18 February, 5 March and 20 March 2014, the Prosecution filed its first, second, third and fourth reports as ordered.²
3. The Prosecution has been in contact with one provider and expects a response concerning the lifting of restrictions for a significant number of documents shortly. The documents will then be disclosed to the Defence as soon as practicable.
4. The status of disclosure remains unchanged since the Prosecution's third report. To date, the Prosecution has obtained lifting of restrictions for the following documents: (a) 45 documents out of the 172 identified as containing information falling within the provisions of rule 77, and (b) 12 documents classified as incriminating.



Fatou Bensouda,
Prosecutor

Dated this 4th day of April 2014
At The Hague, The Netherlands

¹ ICC-01/04-02/06-229, page 10.

² ICC-01/04-02/06-243; ICC-01/04-02/06-262, ICC-01/04-02/06-270, ICC-01/04-02/06-285.