

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-02/06
Date: 11 February 2015

TRIAL CHAMBER VI

Before: Judge Robert Fremr, Presiding Judge
Judge Kuniko Ozaki
Judge Geoffrey Henderson

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public
with Confidential, Prosecution and Defence Only, Annex A
Prosecution's Communication of the Disclosure of 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

Ms Fatou Bensouda
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Ms Nicole Samson

Counsel for the Defence

Mr Stéphane Bourgon
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Legal Representatives of Victims

Ms Sarah Pellet
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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

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Other Section

Introduction

1. The Office of the Prosecutor (“Prosecution”) provides notice of the disclosure of evidence pursuant to Article 67(2) of the Rome Statute (“the Statute”) and of material falling within Rule 77 of the Rules of Procedure and Evidence (“the Rules”).

Disclosure of evidence

2. On 6 February 2015, the Prosecution disclosed 32 items as evidence pursuant to Article 67(2) of the Statute and 472 items falling under the provision of Rule 77 of the Rules. The Prosecution notes that 248 items of the total of 504 items in these packages had already been disclosed in this case. The Prosecution re-disclosed these items because it has lifted or converted certain redactions to the approved redaction category codes, in accordance with the Redaction Protocol.¹
3. The Prosecution appends the list of the evidence disclosed in Confidential, Prosecution and Defence Only Annex A.
4. Lastly, the Prosecution informs the Chamber that,² in accordance with its Decision on victims' participation in trial proceedings, the Prosecution will request the Court Management Services to provide the Legal Representatives of Victims with access to all confidential evidence disclosed by the Prosecution, in the same format as disclosed to the Defence.³

¹ ICC-01/04-02/06-411-AnxA.

² ICC-01/04-02/06-449, para 55.

³ The Prosecution notes that, in accordance with Pre-Trial Chamber II's “Decision on Victims' Participation at the Confirmation of Charges Hearing and in the Related Proceedings” (ICC-01/04-02/06-211), the Legal Representatives had already been provided with access to any public evidence disclosed by the Prosecution.

Confidentiality

5. Pursuant to Regulation 23bis (1) of the Regulations of the Court, the annex to this document is classified as confidential because it references disclosed materials designated as such.



Fatou Bensouda,
Prosecutor

Dated this 11th day of February 2015
At The Hague, The Netherlands