

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/04-02/06
Date: 23 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

Prosecution withdrawal of request for redactions in relation to P-0109

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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**Victims Participation and Reparations
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Prosecution's Submissions

1. On 16 February 2015, the Office of the Prosecutor ("Prosecution") requested Trial Chamber VI ("Chamber") to authorise redactions that, pursuant to the Protocol on Redactions,¹ require approval by the Chamber ("non-standard redactions"), in relation to the material of a number of witnesses and individuals ("Request").²
2. P-0109 was included in the Request as an individual who is not a trial witness but whose statement contains information of a potentially exculpatory nature or that could otherwise be material to the Defence's preparation.³
3. The Prosecution requested the Chamber to authorise non-standard redactions to P-0109's statement⁴ "until there is a relevant change in circumstances"⁵ since P-0109 had expressed concerns regarding the disclosure of this statement.⁶ The Prosecution noted that it would be meeting this individual to discuss these concerns.⁷
4. On 19 February 2015, the Prosecution met P-0109 who stated that there no longer were any concerns in relation to disclosure. In this light, non-standard redactions to P-0109's statement are no longer required.
5. Therefore, the Prosecution withdraws its Request to the extent that it relates to non-standard redactions to P-0109's statement. The Prosecution maintains its Request in respect of all other witnesses and individuals. However, the Prosecution will keep the Chamber informed of any relevant changes in

¹ ICC-01/04-02/06-411-AnxA.

² ICC-01/04-02/06-462-Conf-Exp with confidential redacted version at ICC-01/04-02/06-462-Conf-Red and public redacted version at ICC-01/04-02/06-462-Red2.

³ Request, paras.2, 19.

⁴ DRC-OTP-0126-0175. The proposed redactions are those in Confidential, *EX PARTE* Annex B5 to the Request.

⁵ Request, para.3(ii).

⁶ Request, para.21.

⁷ Request, para.21.

circumstances in relation to the individuals and witnesses still included in its Request.

Conclusion

6. The Prosecution withdraws its Request to the extent that it relates to non-standard redactions to P-0109's statement. The Prosecution maintains its Request in respect of all other witnesses and individuals.



Fatou Bensouda,
Prosecutor

Dated this 23rd day of February 2015
At The Hague, The Netherlands