

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 4 March 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, *EX PARTE* Annex A – only available to the Prosecution, VWU,
and P-0040's Legal Representative**

Prosecution submission of proposed summary of P-0040's statement

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
Mr James Stewart
Ms Nicole Samson

Counsel for the Defence

Mr Stéphane Bourgon
Mr Luc Boutin

Legal Representatives of Victims

Ms Sarah Pellet
Mr Dmytro Suprun

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

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section Other**

Prosecution's Submission

1. On 2 March 2015, the Office of the Prosecutor ("Prosecution") requested Trial Chamber VI ("Chamber") to authorise, *inter alia*, the provision of a summary of non-trial witness P-0040's statement in lieu of "non-standard redactions"¹ to this statement ("Request").²
2. For the reasons set out in the Request,³ the Prosecution stated that it would provide the proposed summary by 4 March 2015.⁴ The proposed summary is provided in Confidential, *EX PARTE* Annex A to this filing.
3. The Prosecution requests the Chamber to authorise the disclosure of the proposed summary to the Defence instead of a redacted statement for the reasons stated in its Request and the annexes thereto.

Confidentiality

4. Annex A to this request is classified as "Confidential, *EX PARTE*- only available to the Prosecution, VWU and P-0040's Legal Representative" pursuant to regulation 23*bis*(1) of the Regulations of the Court since the Chamber's authorisation to disclose the document contained in this Annex is being sought. If granted, the Prosecution will disclose the summary to the Accused on a confidential basis.

¹ See ICC-01/04-02/06-411-AnxA, para.3(ii).

² ICC-01/04-02/06-492-Conf-Exp with public redacted version at ICC-01/04-02/06-492-Red.

³ See Request, paras.6-8, 13.

⁴ Request, paras.4, 13.

Request

5. Based on the foregoing, the Prosecution asks that the Chamber grant its Request.



Fatou Bensouda,
Prosecutor

Dated this 4th day of March 2015
At The Hague, The Netherlands