

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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

Date: 21 April 2015

TRIAL CHAMBER VI

Before: Judge Robert Fremr, Presiding Judge
Judge Kuniko Ozaki
Judge Chang-ho Chung

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

**Public
with Confidential 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

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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

The Office of Public Counsel for Victims

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REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section Other**

Introduction

1. The Office of the Prosecutor ("Prosecution") provides notice of the disclosure of incriminatory evidence pursuant to articles 64(3)(c) and 67(1)(a) and (b) of the Rome Statute and of material falling within rule 77 of the Rules of Procedure and Evidence.

Disclosure of evidence

2. On 17 April 2015, the Prosecution disclosed a total of 402 items to the Defence, including 398 items as incriminatory evidence and 4 items pursuant to rule 77.
3. In accordance with the Trial Chamber VI's "Order Scheduling a Status Conference and Setting the Commencement Date for the Trial",¹ the Prosecution disclosed the reports of the experts it intends to call at trial as well as related materials.
4. The Prosecution further notes that, for technical reasons, 7 of the 402 items could not be included in the disclosure packages, but have been provided to the Defence by way of advance copies. These materials include: (1) two 360 degree presentations of the sites at which the Prosecution conducted exhumations; (2) 5 satellite images related to the expert report of Lars Bromley, which are in a format not supported by Ringtail and e-Court.
5. Additionally, 13 items were obtained by the Prosecution on 17 April 2015 and, as a result, these items could not be formally included in a disclosure package and have therefore been provided to the Defence by way of advance copies. The Prosecution will formally disclose the materials today.

¹ ICC-01/04-02/06-382, para. 9(e).

6. Furthermore, the Prosecution disclosed the transcriptions of the interview of Witness P-0911.
7. Lastly, following the Victims and Witnesses Unit's confirmation that disclosure of Witness P-0888's identity can take place,² the Prosecution disclosed his statement and related evidence, having lifted the redactions previously applied to identifying information.
8. The Prosecution appends the list of the evidence disclosed in Confidential Annex A.

Confidentiality

9. 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 21th day of April 2015
At The Hague, The Netherlands

² ICC-01/04-02/06-559-Conf-Exp.