

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 27 July 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

**The Office of Public Counsel for the
Defence**

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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 Other
Section**

Introduction

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

Disclosure of evidence

2. On 24 July 2015, the Prosecution disclosed a total of 30 items, including 12 items as incriminating evidence and 18 items under the provision of rule 77 of the Rules.
3. The Prosecution re-disclosed as incriminating evidence three items related to two witnesses, which were previously disclosed under the provision of rule 77 of the Rules.¹ The Prosecution also disclosed to the Defence the nine transcripts of the interview of one of these two witnesses.² In accordance with the Trial Chamber’s “Decision on Prosecution requests to vary the time limit for disclosure”,³ the Prosecution will add these 12 items to its List of Evidence.
4. In compliance with the Chamber’s “Second decision on Prosecution request for authorisation of non-disclosure of five documents”,⁴ the Prosecution also disclosed four summaries of documents to which restrictions under article 54(3)(e) apply.
5. Following its standard practice, the Prosecution transmitted these items to the Registry for uploading into eCourt which gives the Chamber, Parties and participants access to the materials.

¹ See Annex A, p.2, items 1-3.

² See Annex A, pp.2-4, items 4-12. The Prosecution notes that the audio recordings of this interview were disclosed on 5 June 2015.

³ ICC-01/04-02/06-740-Red.

⁴ ICC-01/04-02/06-728.

6. The Prosecution appends the list of the evidence disclosed in Confidential Annex A.

Confidentiality

7. Pursuant to regulation 23*bis*(2) of the Regulations of the Court, the annex to this document is classified as confidential because it references material that was disclosed confidentially.



Fatou Bensouda,
Prosecutor

Dated this 27th day of July 2015
At The Hague, The Netherlands