

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 24 September 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 Rome Statute (“the Statute”), evidence pursuant to article 67(2) 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 17 and 22 September 2015, the Prosecution disclosed a total of 13 items, including 7 items as incriminating evidence, 2 items pursuant to article 67(2) of the Statute and 4 items under the provision of rule 77 of the Rules.
3. These materials included (1) one transcript of the interview of Witness P-0190,¹ (2) the audio recording and transcripts of the interview of Witness P-0901 dated 25 March 2015,² (3) the French versions of the trial transcripts of the testimony of Witness P-0931 in Lubanga,³ (4) two documents mentioning witness P-0901,⁴ (5) the witness preparation log and note for P-0901 as well as the handwritten note he made while he was reading his transcripts,⁵ and (6) three documents related to Witness P-0931.⁶
4. 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 DRC-OTP-2075-0977. An advance copy was provided to the Defence on 16 September 2015 and the corresponding audio recording was disclosed on 2 March 2015.

² DRC-OTP-2081-0942, DRC-OTP-2088-0052 and DRC-OTP-2088-0085. Advance copies of the two transcripts were provided to the Defence on 16 September 2015.

³ DRC-OTP-2088-0132 and DRC-OTP-2088-0223.

⁴ DRC-OTP-0113-0289 and DRC-OTP-0002-0353. Advance copies of these documents were provided to the Defence on 11 and 13 September 2015, respectively.

⁵ DRC-OTP-2088-0039 and DRC-OTP-2088-0044. Advance copies of these documents were provided to the Defence on 11 and 12 September 2015.

⁶ DRC-OTP-2088-0006, DRC-OTP-2088-0319, DRC-OTP-2088-0351. Advance copies of the latter two documents were provided to the Defence on 18 September 2015.

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

Confidentiality

6. 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 24th day of September 2015
At The Hague, The Netherlands