

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 8 October 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**

States Representatives

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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”), and material falling within rule 77 of the Rules of Procedure and Evidence (“the Rules”).

Disclosure of evidence

2. On 7 October 2015, the Prosecution disclosed a total of 139 items, including 15 items as incriminating evidence and 124 items under the provision of rule 77 of the Rules.
3. These materials included (1) the transcripts of several recent interviews of Witness P-0768, which were previously disclosed in the form of Witness Statements,¹ (2) the handwritten notes taken by Witness P-0768 during one of these interviews, (3) two investigation notes related to Witness P-0768, (4) one document related to Witness P-0106, (5) one document related to Witness P-0945, and (5) one photograph. The Prosecution will add these items to its list of evidence.
4. The Prosecution further disclosed 122 documents emanating from MONUC, following several Defence disclosure requests to this effect. Lastly, the Prosecution disclosed two documents related to Witness P-0768.
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.
6. The Prosecution appends the list of the evidence disclosed in Confidential Annex A.

¹ The Prosecution will further disclose the audio recordings of these interviews as soon as practicable.

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 8th day of October 2015
At The Hague, The Netherlands