

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-02/06
Date: 13 November 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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Counsel for the Defence

Mr Stéphane Bourgon
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Legal Representatives of Victims

Ms Sarah Pellet
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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

Amicus Curiae

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 9, 10, 11 and 13 November 2015, the Prosecution disclosed a total of 6 items, including 1 item as incriminating evidence and 5 items under the provision of rule 77 of the Rules.
3. These materials included (1) two documents related to Witness P-0010,¹ (2) lesser redacted versions of two documents,² (3) a lesser redacted version of P-0859’s statement and (4) the witness preparation session log and disclosure note for Witness P-0859.³
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.
5. The Prosecution appends the list of the evidence disclosed in Confidential Annex A.

¹ DRC-OTP-2089-0167 and DRC-OTP-0138-0014. Advance copies of these documents were provided to the Defence on 6 November 2015, at 16:31, and 10 November 2015, at 19:39, respectively.

² DRC-OTP-2086-0811 and DRC-OTP-2086-0827. Advance copies of these lesser redacted versions were provided to the Defence on 9 November 2015, at 15:05.

³ An advance copy of this document was provided to the Defence on 12 November 2015, at 12:41.

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 13th day of November 2015
At The Hague, The Netherlands