

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 05 January 2016

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 Victims

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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
Section Other**

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 5 January 2016, the Prosecution disclosed a total of seven items, including five items as incriminating evidence and two items under the provision of rule 77 of the Rules.
3. These materials included (1) four corrigenda of previously disclosed transcripts and translations of the audio recordings contained in DRC-OTP-0162-0115, (2) one corrigendum of a transcript of the interview of Witness P-0067, (3) one investigation note related to Witness P-0790,¹ and (4) one investigation note related to Witness P-0055.²
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 This investigation note was provided to the Defence by way of Annex A to the “Prosecution’s ninth request for in-court protective or special measures” (ICC-01/04-02/06-1066-Conf-AnxA-Red), filed on 18 December 2015.

² An advance copy of this investigation note was provided to the Defence by e-mail on 30 December 2015.

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 5th day of January 2016
At The Hague, The Netherlands