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

Date: 24 March 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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**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**

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

## Disclosure of evidence

2. On 14 and 22 to 24 March 2016, the Prosecution disclosed a total of 10 items, including 7 items as incriminating evidence and 2 items under the provision of rule 77.
3. The Prosecution disclosed a corrected version of one document related to Witness P-0912<sup>1</sup> and re-disclosed another 6 documents, having lifted certain redactions previously applied to them.<sup>2</sup>
4. The Prosecution further disclosed 3 items that had not previously been disclosed. These items include: (1) one expense report related to Witness P-0933;<sup>3</sup> (2) one investigator note related to Witness P-0963<sup>4</sup>; (3) one investigator note related to Witness P-0815.<sup>5</sup> The Prosecution will add the last two items and the corrected version of the document related to Witness P-0912 to its List of Evidence.

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<sup>1</sup> DRC-OTP-2091-0388.

<sup>2</sup> These documents are Witness P-0963’s transcripts of interview (DRC-OTP-2087-0673 and DRC-OTP-2087-0699), 4 documents related to Witness P-0815 (DRC-OTP-2078-2683; DRC-OTP-2067-2379; DRC-OTP-2080-0393 and DRC-OTP-2067-1763) and one related to Witness P-0963 (DRC-OTP-0234-0322).

<sup>3</sup> DRC-OTP-2091-0386.

<sup>4</sup> DRC-OTP-2091-0393.

<sup>5</sup> DRC-OTP-2091-0391.

5. Following its standard practice, the Prosecution transmitted these items to the Registry for uploading into e-court, 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.

### **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.



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**Fatou Bensouda**  
**Prosecutor**

Dated this 24<sup>th</sup> day of March 2016  
At The Hague, The Netherlands