

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 13 April 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 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”).

Disclosure of evidence

2. On 11 and 12 April 2016, the Prosecution disclosed a total of ten items as incriminating evidence.
3. The Prosecution disclosed (1) four documents related to Witness P-0100 and the exhumations conducted by the Prosecution, (2) one investigation note related to Witnesses P-0892 and P-0912, (3) the witness preparation log and disclosure note for Witness P-0963, (4) one document the Prosecution intends to use during the testimony of Witness P-0912; and (5) three lesser redacted versions of previously disclosed documents related to P-0892 and P-0907.¹
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 In accordance with the Chamber’s oral rulings of 12 April 2016 (real time transcript ICC-01/04-02/06-T-79-ENG, p.3, lls.8-24 and p.3, l.25 to p.5, l.5), the Prosecution lifted one redaction to the statement of Witness P-0892 (DRC-OTP-2078-2846, at 2846), two redactions to a document related to Witness P-0907 (DRC-OTP-2082-1280, at 1298 and 1299), and converted the redactions applied to another document related to Witness P-0907 from the standard redaction category ‘B’ to non-standard redaction category ‘E’ (DRC-OTP-2080-0287, paras. 24-25).

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 April 2016
At The Hague, The Netherlands