



Original: English

No.: ICC-01/04-02/06
Date: 19 December 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**

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Counsel Support Section

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

Disclosure of evidence

2. On 13 and 16 December 2016, the Prosecution disclosed a total of 57 items, including 6 items as incriminating evidence and 51 items under the provision of rule 77.
3. In accordance with Trial Chamber VI’s “Decision on the Prosecution’s request for authorisation to lift Category ‘F’ redactions”,¹ the Prosecution re-disclosed 24 items having lifted certain redactions.
4. The Prosecution disclosed as incriminating evidence: (1) a school record related to Witness P-0758,² (2) one investigation note related to Witness P-0868 and (3) one document related to P-0154. These documents will be added to the Prosecution’s list of evidence.
5. The Prosecution disclosed, under rule 77: (1) six documents related to P-0154, (2) the witness preparation session log and disclosure note for Witness P-0031, (3) a table of expenses for P-0031, (4) one report related to Witness P-0031 (5) an investigation note related to Witness P-0121, and (6) twenty documents provided by the United Nations for which the restrictions under Article 54(3)(e) of the Statute have recently been lifted.

¹ ICC-01/04-02/06-1671-Red2.

² This is an excerpt of a previously disclosed school record.

6. Consistent with 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.
7. The Prosecution appends the list of the evidence disclosed in Confidential Annex A.

Confidentiality

8. Pursuant to regulation 23bis (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 19th day of December 2016
At The Hague, The Netherlands