

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-02/06
Date: 23 January 2017

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

Public redacted version of “Addendum to the Prosecution’s applications under rule 68(2)(b) to admit the prior testimony of Witnesses P-0551, P-0020, P-0057 and P-0932”, 16 January 2017, ICC-01/04-02/06-1719-Conf

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

ADDENDUM

1. The Prosecution submits this addendum to its application under rule 68(2)(b) and regulation 35 to admit the prior recorded testimony of Witness P-0551,¹ and of Witnesses P-0020, P-0057 and P-0932 under rule 68(2)(b).²
2. The Prosecution made requests for assistance ("RFA") to [REDACTED] for competent authorities of the DRC to witness the declarations of Prosecution Witnesses P-0551, P-0020, P-0057 and P-0932, regarding their prior testimony pursuant to rule 68(2)(b).
3. The relevant RFA regarding Witness P-0020 was sent on 3 November 2016. Subsequently the Prosecution was informed that, in execution of the RFA, [REDACTED] was appointed to witness the declarations on behalf of the DRC authorities, [REDACTED].
4. The RFA regarding Witnesses P-0551, P-0057 and P-0932 was sent on 21 November 2016. On 25 November 2016, the [REDACTED] informed the Prosecution that [REDACTED] was appointed by him to carry out this role on behalf of the DRC.
5. On [REDACTED], certifying officer [REDACTED] witnessed the declarations made under rule 68(2)(b) by Witness P-0020.³ On [REDACTED], certifying officer [REDACTED] witnessed the respective declarations made under rule 68(2)(b) by Witness P-0551,⁴ and Witness P-0932.⁵ On [REDACTED] witnessed the declarations made under rule 68(2)(b) by Witness P-0057.⁶

¹ ICC-01/04-02/06-1601-Conf; ICC-01/04-02/06-1668-Conf.

² ICC-01/04-02/06-1668-Conf.

³ [REDACTED].

⁴ [REDACTED]

6. The Prosecution confirms that both certifying officers are duly authorised in accordance with the law and procedure of the DRC to witness the declarations made by P-0551, P-0057, P-0020 and P-0932, pursuant to rule 68(2)(b). [REDACTED]. [REDACTED]. Both have the official function [REDACTED]⁷, who are officials empowered to certify declarations in judicial matters, as confirmed by the DRC authorities to the Prosecution.⁸
7. This filing is classified as "Confidential", as it refers to information of a confidential nature regarding the two certifying officers. The Prosecution will file a public redacted version.



Fatou Bensouda
Prosecutor

Dated this 23rd day of January 2017

At The Hague, The Netherlands

⁵ [REDACTED].

⁶ [REDACTED].

⁷ See [REDACTED].

⁸ [REDACTED].