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

Date: 16 March 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
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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Ms Sarah Pellet
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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

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

Disclosure of evidence

2. On 3 March 2017, the Prosecution disclosed a total of 66 items, including 48 items as incriminating evidence and 18 items under the provision of rule 77.
3. The Prosecution formally disclosed as incriminating evidence 48 transcriptions and translations of Bosco Ntaganda’s Detention Centre communications.¹
4. The Prosecution formally disclosed under rule 77, 18 witness preparation session log and disclosure notes related to Witnesses P-0931, P-0420, P-0945, P-0937, P-0100, P-0935, P-0105, P-0939, P-0668, P-0245, P-0792, P-0301, P-0976, P-0810, P-868, P-0453, P-0116 and P-0551.
5. 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.
6. The Prosecution appends the list of the evidence disclosed in Confidential Annex A.

¹ Advance courtesy copies of these documents were provided to the Defence by email on 27 February 2017 at 18:49.

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.



Fatou Bensouda
Prosecutor

Dated this 16th day of March 2017
At The Hague, The Netherlands