



Original: English

No.: ICC-01/04-02/06
Date: 7 February 2018

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
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States Representatives

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Counsel Support Section

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.

Disclosure of evidence

2. On 25 January 2018 and on 1 and 7 February 2018, the Prosecution disclosed a total of 5 items as incriminating evidence.
3. The Prosecution disclosed, as incriminating evidence, an investigation report related to Witness P-0898 and the facebook page of Witness D-0207.¹
4. The Prosecution further disclosed, as incriminating evidence, the original and the electronic version of an expert report. A corrected version of the report was subsequently disclosed.²
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 Courtesy copies of these items were disclosed to the Defence on 28 January 2018 at 9:00 a.m.

² At pages 3 and 7 to 18 of the corrected version of the expert report, the date of the delivery of the sealed items and the opening of the sealed items has been corrected to “15 December 2017” instead of “14 December 2017”.

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 7th day of February 2018
At The Hague, The Netherlands