



Original: English

No.: ICC-01/17

Date: 10 November 2017

PRE-TRIAL CHAMBER III

Before: Judge Chang-ho Chung, Presiding Judge
Judge Antoine Kesia-Mbe Mindua
Judge Raul C. Pangalangan

SITUATION IN BURUNDI

Public
with Under Seal, *EX PARTE*, only available to the Prosecution
Annex A

Public redacted version of "Prosecution's provision of documents received from victims supporting the opening of an investigation", 24 October 2017, ICC-01/17-8-US-Exp

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

Ms Fatou Bensouda

Mr James Stewart

Ms Nicole Samson

Counsel for the Defence

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants

Participation/Reparation

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Counsel Support Section

Mr Herman von Hebel

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Prosecution files on the record of the situation a selection of the communications received from civil society organisations concerning the incapacity of the judicial system in Burundi to investigate and prosecute international crimes and its lack of independence, urging the Prosecutor to open an investigation into crimes committed in Burundi (“Materials”).
2. The Materials comprise [REDACTED] communications summarising the allegations of crimes suffered by [REDACTED]¹ and [REDACTED].
3. The Prosecution provided printed copies of the Materials to the Chamber on 13 October 2017 at the Chamber’s request pursuant to rule 50(4) of the Rules of Procedure and Evidence. The Materials are listed in the Annex and can now be accessed via eCourt.²

Confidentiality

4. Pursuant to regulation 23*bis*(2) of the Regulations of the Court (“Regulations”), the Prosecution submits this filing as under seal, *ex parte* only available to the Prosecution, consistent with the classification of its 5 September 2017 Request for authorisation of an investigation pursuant to article 15,³ the Chamber’s 15 September 2017 Order to the Prosecutor to Provide Additional Information (“Order”),⁴

¹ [REDACTED].

² [REDACTED].

³ ICC-01/17-X-5-US-Exp.

⁴ ICC-01/17-X-6-US-Exp.

and the Prosecutor's 25 September 2017 provision of further information pursuant to the Order,⁵ to which this filing relates.



Fatou Bensouda
Prosecutor

Dated this 10th day of November 2017

At The Hague, The Netherlands

⁵ ICC-01/17-X-7-US-Exp.