



Original: English

No.: ICC-01/04-02/06  
Date: 20 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 Victims**

Ms Sarah Pellet  
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**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for Victims**

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

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**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 16 February 2018, the Prosecution disclosed a total of 4 items as incriminating evidence.
3. The Prosecution formally disclosed a report related to Witness P-0190.<sup>1</sup>
4. The Prosecution further disclosed the corrected version of the original expert report that was previously disclosed on 1 February 2018.<sup>2</sup>
5. Lastly, the Prosecution disclosed the two declarations of Witnesses P-0067 and P-0190 that have been admitted into evidence pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence.<sup>3</sup>
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.

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<sup>1</sup> A courtesy copy of this item was disclosed to the Defence by email on 3 June 2016 at 18:52.

<sup>2</sup> The electronic versions of these were disclosed to the Defence on 25 January 2018 and on 7 February 2018.

<sup>3</sup> ICC-01/04-02/06-2184-Conf at p. 16.

### **Confidentiality**

8. 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.



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**Fatou Bensouda**  
**Prosecutor**

Dated this 20<sup>th</sup> day of February 2018  
At The Hague, The Netherlands