

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 28 June 2019

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 Annexes A and B**

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

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

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

Disclosure of evidence

2. On 25 June 2019, the Prosecution disclosed one item under the provision of rule 77.
3. On 15 February 2019, the Defence requested¹ a lesser redacted version of a UN document.² Following the UN’s consent to lift certain redactions to the document, the Prosecution disclosed one item reflecting the lifted redactions under rule 77.
4. The Prosecution notes that the material disclosed to the Defence is subject to protective measures imposed by another Chamber of this Court. It hereby informs the Trial Chamber VI and the Defence of the nature of these protective measures (Confidential Annex B).
5. Consistent with its standard practice, the Prosecution transmitted this item to the Registry for uploading into e-Court, which gives the Chamber, Parties and participants access to the material.
6. The Prosecution appends the list of the evidence disclosed in Confidential Annex A.

¹ Email sent by the Defence to the Prosecution on 15 February 2019 at 11:56 am.

² DRC-OTP-0001-0143. The redacted version of this document (DRC-OTP-0208-0284) was disclosed to the Defence on 2 September 2013.

Confidentiality

7. Pursuant to regulation 23*bis*(2) of the Regulations of the Court, the annexes to this document are classified as confidential because they reference material that was disclosed confidentially.



Fatou Bensouda
Prosecutor

Dated this 28th day of June 2019
At The Hague, The Netherlands