



Original: **English**

No.: ICC-01/05-01/08

Date: **14 October 2008**

**PRE-TRIAL CHAMBER III**

**Before:** Judge Fatoumata Dembele Diarra (Presiding Judge)  
Judge Hans-Peter Kaul  
Judge Ekaterina Trendafilova

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC  
IN THE CASE OF  
THE PROSECUTOR  
V. JEAN-PIERRE BEMBA GOMBO**

**Public Document  
With Confidential Annexes**

**Prosecution's Submission of In-depth Analysis Charts for Items of Evidence  
Disclosed to the Defence as Potentially Exonerating and Rule 77 Evidence**

**Source:** The 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

Counsel for the Defence of Jean-Pierre  
Bemba  
Nkwebe Liriss  
Tjarda Eduard Van der Spoel  
Aimé Kilolo-Musamba

Legal Representatives of Victims

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**

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Registrar  
Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations  
Section Other

Pursuant to Pre-Trial Chamber III's ("the Chamber") order at the status conference held on 8 October 2008, the Office of the Prosecutor ("the Prosecution") submits, in appended annexes to this document, in-depth analysis charts for the items of evidence disclosed to the Defence which contain potentially exonerating evidence or are relevant to Rule 77 of the Rules of Procedure and Evidence, in accordance with the Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties.<sup>1</sup>

### **Request for the Receipt of Appended Annexes as Confidential-Prosecution and Defence Only**

The Prosecution requests that Annexes A<sup>2</sup> and B1-B4,<sup>3</sup> appended to this document, be received by the Chamber as "Confidential – Prosecution and Defence Only" as these annexes contain identifying information of witnesses known to the Defence, but not to the public.<sup>4</sup>




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**Luis Moreno-Ocampo, Prosecutor**

Dated this 14 day of October 2008

At The Hague, The Netherlands

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<sup>1</sup> ICC-01/05-01/08-55, paras. 64-70.

<sup>2</sup> Annex A is an in-depth analysis chart for items of evidence disclosed as potentially exonerating evidence ("PEXO").

<sup>3</sup> Annex B1-B4 consists of in-depth analysis charts for items of evidence disclosed as Rule 77 materials. Consistent with the Prosecution's submission at the status conference that Rule 77 materials are divided into four categories; Annex B1 consists of items disclosed as "material to the preparation of the Defence", Annex B2 consists of materials "intended for use by the Prosecutor", Annex B3 consists of "materials belonging to the suspect" and Annex B4 comprises of "financial documents belonging to the suspect".

<sup>4</sup> ICC-01/05-01/08-T-6-CONF-EXP-ENG ET

## **List of Annexes**

**Annex A** – PEXO In Depth Analysis Chart

**Annex B** – RULE 77 In Depth Analysis Charts

**Annex B-1** – RULE 77 In Depth Analysis Chart - Documents  
material to the preparation of the defence

**Annex B-2** – RULE 77 In Depth Analysis Chart - Documents  
intended for use by the Prosecutor as evidence for the  
purpose of the confirmation hearing or at trial.

**Annex B-3** - RULE 77 In Depth Analysis Chart – Documents  
obtained from or belonging to Bemba (excluding  
Financial documents)

**Annex B-4** - RULE 77 In Depth Analysis Chart - Documents  
Obtained from or belonging to Bemba: Financial  
Documents