

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 22 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**

URGENT

Public Document

With Confidential Prosecution and Defence Only Annex 1

**Prosecution's Communication of Redacted In-Depth Analysis Charts pursuant to
the Chamber's Oral Decision of 22 October 2008 for Items of Truly Relevant
Incriminating Evidence disclosed to the Defence on 1 October 2008**

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 Mr Nkwebe Liriss Mr Tjarda E. Van der Spoel Mr Aimé Kilolo-Musamba
Legal Representatives of Victims	Legal Representatives of Applicants

Unrepresented Victims	Unrepresented Applicants for Participation/Reparation
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The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
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States Representatives	Amicus Curiae
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REGISTRY

Registrar Ms Silvana Arbia	Defence Support Section
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Victims and Witnesses Unit	Detention Section
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Victims Participation and Reparations Section	Other
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I. Introduction

1. On 1 October 2008, in compliance with the orders of the Pre-Trial Chamber III (the “Chamber”) contained in the Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure Between the Parties,¹ the Office of the Prosecutor (the “Prosecution”) submitted in-depth analysis charts of truly relevant items of incriminating and potentially exonerating evidence disclosed to the Defence on 1 October 2008 (“1 October 2008 Evidence Analysis Chart Submission”).²
2. Pursuant to an oral Decision by the Chamber at the Status Conference of 22 October 2008, the Prosecution herewith re-submits as Annex 1 to this Communication, a redacted version of its truly relevant incriminating evidence initially appended to the 1 October 2008 Evidence Analysis Chart Submission, and previously available only to the Chamber.³
3. In this Annex 1, the Prosecution has removed in-depth analysis related to three witnesses previously mentioned in ex parte Annex A of the 1 October 2008 Evidence Analysis Chart Submission, as a decision on requested redactions for these witnesses is currently pending before the Chamber.

II. Request for Receipt of Annex 1 as Confidential, Prosecution and Defence Only

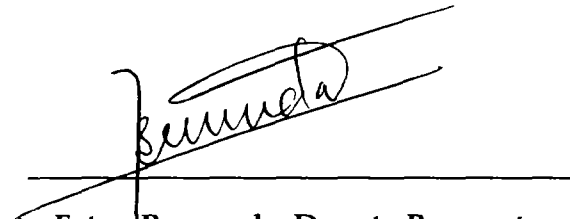
4. The Prosecution requests that Annex 1 depicting the analysis of truly relevant incriminating evidence appended to this document be received by the Chamber as “Confidential – Prosecution and Defence Only” as it is submitted

¹ ICC-01/05-01/08-55, pps. 19-21

² ICC-01/05-01/08-130-Conf-Exp-AnxA + Conf-AnxB

³ ICC-01/05-01/08-130-Conf-Exp-AnxA, Incriminating Evidence In-Depth Analysis Chart

pursuant to matters discussed at the closed session status conference with the Defence and Prosecution on 22 October 2008.⁴ Furthermore, Annex 1 contains identifying information of witnesses, some of whom are known only to the Prosecution and Defence, but not to the public.



**Fatou Bensouda, Deputy Prosecutor
On Behalf Of
Luis Moreno-Ocampo, Prosecutor**

Dated this 22nd day of October 2008

At The Hague, The Netherlands

⁴ ICC-01/05-01/08-166, Décision portant convocation d'une conférence de mise en état