



Original: **English**

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

Date: **31 October 2008**

PRE-TRIAL CHAMBER III

Before: Judge Ekaterina Trendafilova (Presiding Judge)
Judge Hans-Peter Kaul
Judge Mauro Politi

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

**Public Document
With Confidential Annex A**

**Prosecution's Communication of Potentially Exonerating Evidence Disclosed to
the Defence on 30 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 Eduard Van der Spoel

Mr 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

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Other

I. Introduction

In compliance with its obligations pursuant to Article 67(2) of the Rome Statute and the Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties,¹ the Office of the Prosecutor ("Prosecution") herewith notifies Pre-Trial Chamber III ("the Chamber"), that it disclosed five items of recently registered material as potentially exonerating evidence to the Defence team of Jean-Pierre Bemba Gombo on 30 October 2008.

II. Request for Confidentiality

Annex A appended to this communication contains the "List of Disclosed Material" provided to the Defence.² The Prosecution requests that this annex be received by the Chamber as "Confidential – Prosecution and Defence Only" as this list contains information on material which has been treated as confidential to date.³



Luis Moreno-Ocampo, Prosecutor

Dated this 31st day of October 2008

At The Hague, The Netherlands

¹ ICC-01/05-01/08-55

² Annex A is the list of material disclosed to the Defence as potentially exonerating evidence on 30 October 2008

³ ICC-01/05-01/08-138; ICC-01/05-01/08-161