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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 Rule 77 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 E. 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

The Office of the Prosecutor ("Prosecution") herewith submits to Pre-Trial Chamber III ("the Chamber") its report of evidentiary material disclosed to the Defence team of Jean-Pierre Bemba Gombo on 30 October 2008, pursuant to Rule 77 of the Rules of Procedure and Evidence and in accordance with the Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties.¹

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 belonging to the suspect and known only to the Defence, but not to the public.



Luis Moreno-Ocampo, Prosecutor

Dated this 31st day of October 2008

At The Hague, The Netherlands

¹ ICC-01/05-01/08-55; see also, ICC-01/05-01/08-T-8-CONF-ENG CT, p. 59: reference to the Status Conference held on 22 October 2008, in particular to the Defence's request for access to a specific named file. Further, the Defence sent an e-mail to the Prosecution requesting access to the same file.

² Annex A is the list of material disclosed to the Defence as Rule 77 evidence on 30 October 2008