

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 7 November 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

Prosecution's Submission of Second Amended List of Evidence

**With Under Seal, *Ex Parte* Prosecution Only Annexes 1A, 1B
and
Confidential Prosecution and Defence Only Annexes 2A, 2B**

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 Other Section

I. Introduction

1. The Office of the Prosecutor (hereinafter referred to as the "Prosecution") submits, in appended annexes to this document, its Second Amended List of Evidence (hereinafter referred to as the "Second Amended List of Evidence") which the Prosecution intends to rely on at the Confirmation Hearing scheduled to commence on 8 December 2008¹. The Prosecution's Second Amended List of Evidence is submitted pursuant to Articles 61 (3) and (4) of the Rome Statute (hereinafter referred to as the "Statute"), Rule 121(4) of the Rules of Procedure and Evidence (hereinafter referred to as the "Rules") and Regulation 52 of the Regulations of the Court.² The Prosecution submits, in its Second Amended List of Evidence, supplementary documentary and audio material in support of the Amended Document Containing the Charges (hereinafter referred to as "DCC").

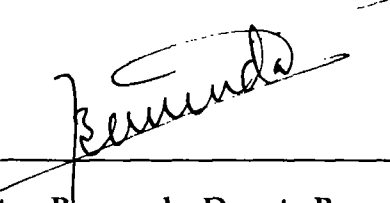
II. Request for the Receipt of Certain Annexes as Under Seal, *Ex Parte* – Prosecution Only and Certain Other Annexes as Confidential – Prosecution and Defence Only"

2. The Prosecution requests that Annexes 1A and 1B appended to this document be received by the Chamber as "Under Seal, *Ex Parte* – Prosecution Only" as these annexes contain identifying information of all witnesses, including those for whom the Chamber has granted protection. The Prosecution also requests that the appended Annexes 2A and 2B be received by the Chamber as "Confidential – Prosecution and Defence Only" as they contain identifying information of witnesses who are known to the Defence but not to the public. These requests are

¹ ICC-01/05-01/08-199

² The annexes appended to this document are the following: Annexes 1A and 1B (*ex parte*, available to the Prosecution only): 1A: Unredacted Second Amended List of Evidence (English); 1B: Unredacted Second Amended List of Evidence (unofficial French translation); Annexes 2A and 2B (confidential, available to Prosecution and Defence only): 2A Redacted Second Amended List of Evidence (English); 2B Redacted Second Amended List of Evidence (unofficial French translation).

made to protect victims and witnesses pursuant to Article 68(1) of the Statute and Rule 81(4) of the Rules.



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

Dated this 7th day of November 2008

At The Hague, The Netherlands