

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **04 November 2009**

TRIAL CHAMBER III

Before: Judge Adrian Fulford, Presiding Judge
Judge Elisabeth Odio-Benito
Judge Joyce Aluoch

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

Public Document

**With Confidential, *Ex Parte*, Prosecution and Defence only Annex A
And**

Public Redacted Annex B

**Prosecution's Submission of the Document Containing the Charges as Confirmed by the
Pre-Trial Chamber filed in accordance with the Chamber's Order of 7 October 2009**

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 Gombo

Mr Nkwebe Liriss

Mr Aimé Kilolo-Musamba

Legal Representatives of Victims

Ms Marie Edith Douzima-Lawson

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

Ms Paolina Massidda

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

Introduction

1. On 7 October 2009, the Trial Chamber III (“the Chamber”) ordered the Office of the Prosecutor (“the Prosecution”) to submit a revised Document Containing the Charges, which comports to the ruling made by the Pre-Trial Chamber II (“PTC II”) no later than 4 November 2009.

2. The Prosecution hereby submits in appended annexes its Document Containing the Charges as Confirmed by the Pre-Trial Chamber (“Second Amended DCC”).¹

3. In order for the Prosecution to provide the Chamber with a charging document consistent with PTC II’s Decision Confirming the Charges, some portions of the text were removed. Other portions of the text were moved to different sections of the Second Amended DCC in order to retain factual continuity. No additional or new facts that were not contained in the Amended DCC were added to the Second Amended DCC.

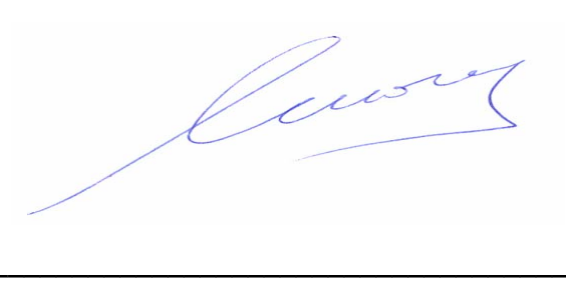
4. The Second Amended DCC submitted reflects: (i) the confirmed charges against the Accused; and (ii) the facts and circumstances upon which each charge is based, with reference to the specific findings in the confirmation decision.

Request for the receipt of Annex A as Confidential, *Ex Parte*, Prosecution and Defence only

5. The Prosecution requests that Annex A be received by the Chamber as “Confidential, *Ex Parte*, Prosecution and Defence only” as it contains identifying information of witnesses and victims who are known to the Defence but not to the public. This request is made to protect victims and witnesses pursuant to Article 68(1) of the Rome Statute (“the Statute”) and Rule 81(4) of the Rules of Procedure and Evidence. The Prosecution also attaches to its submission as Annex B the public redacted version of the Second Amended DCC.

¹ The Prosecution terms this Document a Document Containing the Charges Confirmed by the Pre-Trial Chamber to meet the Chamber’s objectives in a way that harmonizes the document with the process adopted by Pre-Trial Chamber II and provided in the Rome Statute.

6. Given the provisions of Article 74(2) of the Statute and Regulation 55 of the Regulations of the Court, the Prosecution submits that the details or particulars will be proven through disclosure of the incriminatory evidence, summary presentation of its case including the evidence supporting its case, and other means sufficient to inform the Chamber and the accused of its case.



Luis Moreno-Ocampo, Prosecutor

Dated this 4th day of November 2009

At The Hague, The Netherlands