

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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

Date: **7 June 2010**

TRIAL CHAMBER III

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth 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

**Prosecution's Communication of Pre-Inspection Report for Material Provided to the
Defence pursuant to Rule 77 on 7 June 2010**

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

I. Introduction

1. The Office of the Prosecutor (“Prosecution”), herewith submits the pre-inspection report regarding one document disclosed to the Defence team of Mr. Jean-Pierre Bemba Gombo on 7 June 2010 pursuant to Rule 77 of the Rules of Procedure and Evidence (“Rules”).

2. This document, although briefly mentioned in the statement of CAR-OTP-WWWW-0213,¹ was not an annex to the statement and did not form part of it. Any information alluded to in the letter, which is relevant to the case, is contained in further detail in the statements of this witness. In fact, the Prosecution did not consider it material to the preparation of the Defence until it was specifically requested.² Despite the fact that the Defence did not specify how this document is material to its preparation, the Prosecution nonetheless disclosed the one page document so as to facilitate its preparation and not hinder the commencement of the trial, which is less than one month away.

II. Request for Confidentiality

3. Annex A appended to this communication contains the “List of Disclosed Material” provided to the Defence. The Prosecution requests that this annex be received by the Trial Chamber III as “Confidential, *Ex Parte*, Prosecution and Defence only”, as it relates to *inter partes* disclosure of information known only to the Defence, but not to the public.



Luis Moreno-Ocampo, Prosecutor

Dated this 7th Day of June 2010

At The Hague, The Netherlands

¹ See CAR-OTP-0056-0315 at 0319.

² Email received from Defence Counsel on 27 May 2010 at 16:33 hours.