

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **21 April 2011**

TRIAL CHAMBER III

Before: Judge Sylvia Steiner, Presiding Judge
Judge Joyce Aluoch
Judge Kuniko Ozaki

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

**Public Document
With
Confidential Annexes A and B**

Prosecution's Submission of Amended List of Evidence

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

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Ms Marie-Edith Douzima-Lawson

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Legal Representatives of Applicants

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REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Other Section

I. Introduction

1. On 24 November 2010, the Office of the Prosecutor (“Prosecution”) submitted its updated list of evidence as requested by the Trial Chamber III (“Chamber”).¹ In preparation for the testimony of Witness 63, the Prosecution discovered that the list of evidence contained an incorrect version of the witness’s statement. The item listed under no. 53 on the list of evidence refers to a version containing redactions² that were subsequently lifted according to the Chamber’s instructions.³ The updated, lesser redacted version was disclosed to the Defence on 21 July 2010,⁴ but not included in the updated list of evidence.

2. On 12 April 2011, the Prosecution sought the Chamber’s guidance and suggested replacing the older version of the witness statement with the newer, less redacted version.⁵ On 18 April 2011, the Chamber approved the Prosecution’s proposal to amend the list of evidence accordingly.⁶ Pursuant to the approval, the Prosecution hereby submits the English and French versions of the amended list of evidence in Annexes A and B.

II. Request for confidentiality

3. The Prosecution requests that Annexes A and B be received by the Chamber as “Confidential” as they relate to confidential information that is not known to the public.



Luis Moreno-Ocampo, Prosecutor

Dated this 21st Day of April 2011

At The Hague, The Netherlands

¹ ICC-01/05-01/08-1038 with confidential Annexes A and B, Prosecution’s Submission of Updated List of Evidence, 24 November 2010.

² Version CAR-OTP-0034-0403_R01, disclosed to the Defence on 9 November 2009.

³ ICC-01/05-01/08-813-Conf, Decision on the Prosecution’s Request to Lift, Maintain and Apply Redactions to Witness Statements and Related Documents, 7 July 2010.

⁴ ICC-01/05-01/08-838, Prosecution’s Communication of Incriminatory, Potentially Exculpatory and Rule 77 Evidence Disclosed to the Defence on 20 July 2010, 21 July 2010.

⁵ Email of 12 April 2011 from Petra Kneuer to Stephanie Godart.

⁶ Email of 18 April 2011 from Tonia Gillett to Petra Kneuer.