

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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No.: ICC-01/05-01/08
Date: 28 November 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 Annex A**

**Prosecution's Communication of Pre-Inspection Report for Material Provided to
the Defence under Rule 77 on 28 November 2011**

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

Mr. Nkwebe Liriss

Mr. Aimé Kilolo Musamba

Legal Representatives of the Victims

Ms. Marie-Edith Douzima-Lawson

Mr. Assingambi Zarambaud

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(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

Counsel Support Section

Deputy Registrar

Mr. Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Office of the Prosecutor ("Prosecution") herewith notifies the Trial Chamber III ("Chamber") that on 28 November 2011, it disclosed four documents as Rule 77 evidence that may be material to the preparation of the Defence team of Mr. Jean-Pierre Bemba Gombo. This disclosure took place in accordance the operative disclosure regime, the " Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties".¹

2. The document CAR-OTP-0066-0017 is a supplementary expert report from Witness CAR-OTP-PPPP-0219 ("Witness 219").² The report was provided on 21 November 2011 by the witness on his own account and without having been requested by the Prosecution. Since it was a document produced by the witness and relevant to the case, the Prosecution disclosed the document in order to facilitate the preparation of the Defence.

3. The three additional documents (CAR-OTP-0066-0032, CAR-OTP-0066-0036 and CAR-OTP-0066-0062) are partial translations of the logbooks provided by the Defence.³ The logbooks in their original language can be found at CAR-D04-0002-1514 and CAR-D04-0002-1641 and were already in the possession of the Defence. Since the partial translations were submitted to the Witness 219, the Prosecution disclosed the documents in order to facilitate the preparation of the Defence.

¹ ICC-01/05-01/08-55, Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties, 31 July 2008.

² The Prosecution notes that this report is supplementary to the initial report of Witness CAR-OTP-PPPP-0219 (CAR-OTP-0064-0547).

³ The partial translation contained at CAR-OTP-0066-0062 is an informal draft translation.

Request for confidentiality

4. 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 Chamber as “Confidential” as it relates to *inter partes* disclosure.



Luis Moreno-Ocampo, Prosecutor

Dated this 28th Day of November 2011
At The Hague, The Netherlands