

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/05-01/08**
Date: **6 December 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 5 December 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 5 December 2011, it disclosed two 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 two disclosed documents (CAR-OTP-0066-0067 and CAR-OTP-0066-0097_R01) are the French translations of the supplementary expert report provided to the Prosecution by Witness CAR-OTP-PPPP-0219 (“Witness 219”)² on 21 November 2011 and of Witness 219’s statement collected during the course of the investigations conducted in the situation in Darfur, Sudan. The documents in their original language can be found at CAR-OTP-0066-0002 and DAR-OTP-0170-0196_R01 and were disclosed to the Defence respectively on 28 November 2011³ and 29 November 2011.⁴

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



Luis Moreno-Ocampo, Prosecutor

Dated this 6th Day of December 2011
At The Hague, The Netherlands

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 provided the Defence with a courtesy copy of the French translation of Witness 219’s supplementary report on 2 December 2011.

³ ICC-01/05-01/08-1946+Conf-AnxA, Prosecution’s Communication of Pre-Inspection Report for Material Provided to the Defence under Rule 77 on 28 November 2011, 5 December 2011.

⁴ ICC-01/05-01/08-1969+Conf-AnxA, Prosecution’s Communication of Pre-Inspection Report for Material Provided to the Defence under Rule 77 on 29 November 2011, 30 November 2011.