

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13

Date: 18 August 2014

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU
AND NARCISSE ARIDO***

**Public
with
Confidential Annex**

**Prosecution's Communication of Rule 77 Materials Disclosed to the Defence on 15
August 2014**

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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Legal Representatives of Victims

Legal Representatives of Applicants

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Others

I. Introduction

1. The Office of the Prosecutor (“Prosecution”) herewith submits its Communication Report¹ regarding the disclosure of Rule 77 material to the Defence teams of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu, and Narcisse Arido on 15 August 2014.

2. The Rule 77 material, described in the *Confidential* Annex, was provided to the Kilolo, Babala and Arido Defences, respectively on 15 August 2014 and to the Bemba Defence today. The Mangenda Defence however, did not designate a focal point to receive the material and did not retrieve it.² Nevertheless, the material has been uploaded pursuant to the eCourt protocol and is available to all Defence teams as of today.

II. Confidentiality

3. The Prosecution requests that the Annex to this Report be received as “Confidential”, as it relates to evidence disclosed *inter partes* that should not be released to the public.

III. Submissions

4. The *Confidential* Annex to this filing comprises a letter received from the authorities of a State in response to a Request for Assistance made by the Office of the Prosecutor.

¹ ICC-01/05-01/13-T-2-Red-ENG, p. 31, l. 25 - p. 32, l. 3 (“that any and all evidence disclosed for the purpose of the confirmation hearing shall be communicated to the Chamber”).

² The material was however, furnished to Counsel for each Defence team *via* email on 15 August 2014.



Fatou Bensouda, Prosecutor

Dated this 18th Day of August 2014

At The Hague, The Netherlands