

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 19 September 2014

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 Redacted Document

Public Redacted version of "Notice of Clarification regarding paragraph 101 of the Prosecution's Response to the Defence Closing Brief", 18 September 2014, ICC-01/05-01/08-3148-Conf

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

Ms Fatou Bensouda

Mr James Stewart

Mr Jean-Jacques Badibanga

Counsel for the Defence of Jean-Pierre Bemba Gombo

Mr Peter Haynes

Ms Kate Gibson

Ms Melinda Taylor

Legal Representatives of Victims

Ms Marie-Edith Douzima-Lawson

The Office of Public Counsel for Victims

Ms Paolina Massidda

The Office of Public Counsel for the Defence

Mr Xavier-Jean Keita

REGISTRY

Registrar

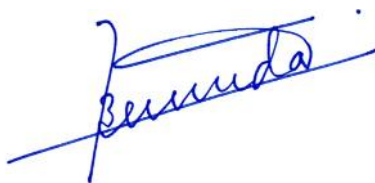
Mr Herman von Hebel

Counsel Support Section

1. The Office of the Prosecutor (“Prosecution”) notifies Trial Chamber III (“Chamber”) of the detection, at paragraph 101 of the Prosecution’s Response to the Defence Closing Brief, of a sentence reading as follows:¹ “...*The Defence’s assertion that [REDACTED] can only be qualified as a lie...*”

2. The Prosecution regrets the unartful use of the word “lie” which was an oversight, as has been made clear to the Defence.² The Prosecution further clarifies that the language inadvertently used is regrettable and was not intended to insult the Lead Defence Counsel of Mr Bemba or any member of the Defence team. The Prosecutor is addressing the matter internally.

3. It is thus acknowledged that a different formulation should have been employed to convey the premise contained in the sentence quoted above. The Prosecution nonetheless stands by the position that the Defence assertion in the sentence referred to in paragraph 1 above constitutes a complete misrepresentation of the facts by the Defence, which is a very serious matter in the Prosecution’s view.



Fatou Bensouda, Prosecutor

Dated this 19th Day of September 2014

At The Hague, The Netherlands

¹ ICC-01/05-01/08-3141-Conf, Prosecution’s Response to the Defence Closing Brief, 15 September 2014, para. 101. The translation of the same sentence is contained in para. 101 of the French translation, ICC-01/05-01/08-3141-Conf-Anx A.

² Prosecution’s email to Mr Haynes on 18 September 2014 at 8:30 hrs.