

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 19 May 2015

**TRIAL CHAMBER VII**

**Before:** Judge Chile Eboe-Osuji, Presiding Judge  
Judge Olga Herrera Carbuccion  
Judge Bertram Schmitt

**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 Document  
with  
Confidential Annexes A to C**

**Prosecution's Communication of Incriminatory Evidence, Rule 77 and Potentially  
Exculpatory Material disclosed to the Defence on 19 May 2015**

**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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**Amicus Curiae**

**REGISTRY**

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Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section Others**

## I. Notification

1. The Office of the Prosecutor (“Prosecution”) submits this Communication Report regarding incriminating evidence, rule 77 and potentially exculpatory material disclosed to the Defence teams of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu, and Narcisse Arido on 19 May 2015.

## II. Confidentiality

2. The Prosecution requests that Annexes A to C appended to this Report be received as “Confidential”, as they relate to evidence disclosed *inter partes* that should not be released to the public.

## III. Submissions

3. *Confidential* Annex A to this filing lists the disclosed incriminating evidence, including (i) documents received from State authorities in response to Requests for Assistance, (ii) forensic copies of Arido’s emails that were previously disclosed,<sup>1</sup> (iii) a forensic extraction report of a phone seized from Arido, (iv) an audio file to which the Defence was provided access on 19 May 2014,<sup>2</sup> (v) open source materials, and (vi) an enhanced copy of an annex to Witness P-0245’s statement, that was previously disclosed.<sup>3</sup>

4. *Confidential* Annex B to this filing lists the disclosed rule 77 material, including (i) forensic reports on the geolocation of the IP addresses of Arido’s emails, and (ii) documents received from a State authority in response to a Request for Assistance.

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<sup>1</sup> Duplicates copies were disclosed on 18 March 2014 through Pre-Confirmation INCRIM package 7.

<sup>2</sup> ICC-01/05-01/13-409, p.8.

<sup>3</sup> This document was first disclosed on 20 June 2014 through Pre-Confirmation INCRIM package 15.

5. *Confidential* Annex C lists the disclosed potentially exculpatory evidence, comprising one document received from State authorities in response to a Request for Assistance, and its translation.



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**Fatou Bensouda, Prosecutor**

Dated this 19<sup>th</sup> Day of May 2015  
At The Hague, The Netherlands