

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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

Date: 19 June 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 and B

**Prosecution's Communication of Incriminatory Evidence and Rule 77 Material
disclosed to the Defence on 19 June 2015**

Source: The Office of the Prosecutor

Document to be notified in accordance with regulation 31 of *the Regulations of the Court* to:

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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 and rule 77 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 June 2015. Some of these materials are being disclosed or re-disclosed with redactions in compliance with the 22 May 2015 Protocol establishing a redaction regime¹ (“Redaction Protocol”).

II. Confidentiality

2. The Prosecution requests that Annexes A and B 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. Disclosure of evidence

3. *Confidential* Annex A to this filing lists the disclosed incriminating evidence, including (i) previously disclosed documents, which are being re-disclosed unredacted or with limited redactions in compliance with the Redaction Protocol,² (ii) previously disclosed transcripts and translations of intercepted communications,³ (iii) Forensic extraction reports regarding Arido’s emails, some of which were previously disclosed as rule 77,(iv) a forensic extraction report of a phone seized from Arido as well as a document identifying the said phone, (v) documents recently released to the Parties pursuant to Court orders,⁴ (vi) open source documents, and (vii) audio files and the corresponding transcripts and translations. The underlying audio files and

¹ ICC-01/05-01/13-959-Anx.

² ICC-01/05-01/13-959-Anx, para.7.

³ The Prosecution re-disclosed these transcripts and translations with corrections to the content.

⁴ ICC-01/05-01/13-983-Conf; ICC-01/05-01/08-3253.

log information which were previously disclosed to the Defence as rule 77⁵ are being re-disclosed with the disclosure classification updated.

4. *Confidential* Annex B to this filing lists the disclosed rule 77 material, comprising (i) previously disclosed documents, which are being re-disclosed unredacted or with limited redactions in compliance with the Redaction Protocol,⁶ and (ii) duplicate emails⁷ and attachments annexed to the forensic extraction reports of Arido's emails.



Fatou Bensouda, Prosecutor

Dated this 19th Day of June 2015
At The Hague, The Netherlands

⁵ The original audio files and log information were disclosed on 10 March 2014 through Pre-Confirmation rule 77 package 5.

⁶ ICC-01/05-01/13-959-Anx, para.7.

⁷ The duplicative documents are disclosed solely for the sake of completeness.