

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 30 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, *EX PARTE*, only available to the Prosecution and  
the Victims and Witnesses Unit Annex A, and Confidential Annex B**

**Prosecution's List of Witnesses and Evidence**

**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

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Mr Jean-Pierre Kilenda Kakengi Basila

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Mr Charles Achaleke Taku

Mr Philippe Larochelle

**The Office of Public Counsel for Victims      The Office of Public Counsel for the Defence**

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations Section      Others**

## **I. Introduction**

1. Pursuant to Trial Chamber VII's order setting a trial date,<sup>1</sup> the Office of the Prosecutor ("Prosecution") submits its (i) list of witnesses (Annex A); and (ii) list of evidence on which it intends to rely at trial (Annex B).

## **II. Confidentiality**

2. Annex A is classified as "Confidential, *EX PARTE*, only available to the Prosecution and the Victims and Witnesses Unit" since it contains identifying information about a Prosecution witness for whom delayed disclosure was granted.<sup>2</sup> The Prosecution will file a confidential redacted version of Annex A contemporaneously.

3. Annex B is classified as "Confidential", as it relates to evidentiary material of the same designation.

## **III. Submissions**

4. Confidential *ex parte* Annex A and Confidential Redacted Annex A contain the Prosecution's list of witnesses.

5. The Prosecution intends to call certain witnesses who previously testified for the Defence in ICC-01/05-01/08 ("Main Case"). These witnesses, indicated in Annex A, testified with protective measures that continue in these proceedings pursuant to regulation 42 of the Regulations of the Court.

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<sup>1</sup> ICC-01/05-01/13-960, para.13.

<sup>2</sup> ICC-01/05-01/13-1025-Conf-Red2.

6. As indicated previously<sup>3</sup>, the Prosecution may seek to admit the prior recorded statement/testimony of certain witnesses in whole or part in presenting its case-in-chief, under rule 68(2)(b) of the Rules of Procedure and Evidence.<sup>4</sup> These witnesses are indicated on the attached list of witnesses.

7. Confidential Annex B contains the Prosecution's list of evidence. The list contains 2 286 exhibits on which the Prosecution intends to rely at trial.



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**Fatou Bensouda, Prosecutor**

Dated this 30<sup>th</sup> Day of June 2015  
At The Hague, The Netherlands

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<sup>3</sup> ICC-01/05-01/13-1011.

<sup>4</sup> ICC-01/05-13-1011, para.3.