

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 28 September 2015

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, 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 Document
with
Confidential Annexes A and B**

**Prosecution's Communication of Incriminatory Evidence and Rule 77 Material
Disclosed to the Defence on 28 September 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

Ms Fatou Bensouda

Mr James Stewart

Mr Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Ms Melinda Taylor

Counsel for Aimé Kilolo Musamba

Mr Paul Djunga Mudimbi

Mr Steven Sacha Powles

Counsel for Jean –Jacques Mangenda Kabongo

Mr Christopher Michael Gosnell

Mr Arthur Vercken De Vreuschmen

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Mr Azama Shalie Rodoma

Counsel for Narcisse Arido

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

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

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 28 September 2015.

II. Confidentiality

2. Annexes A and B appended to this Report are classified 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, which includes nine documents containing: (i) two transcripts of P-0245 and P-0260 and one letter from the Cameroonian authorities;¹ and (ii) six transcripts and translations comprising P-0214’s prior recorded testimony, certified under rule 68 of the Rules of Procedure and Evidence.²

¹ These items are being re-disclosed as redactions are lifted to pseudonyms D.001 and D.002 in accordance with Trial Chamber VII’s Decision ICC-01/05-01/13-1015. The redactions to the corresponding audios will be lifted and re-disclosed as soon as possible.

² The corresponding videos were disclosed on 9 September 2015, Trial Rule 77 Package 27.

4. *Confidential* Annex B to this filing lists the disclosed rule 77 material, consisting of 15 documents related to witness expenses of P-0245, P-0260, and P-0261.³



Fatou Bensouda, Prosecutor

Dated this 28th Day of September 2015
At The Hague, The Netherlands

³ These documents are disclosed in accordance with the Trial Chamber VII's Decision ICC-01/05-01/13-1172. Standard redactions have been applied in accordance with the 22 May 2015 Redaction Protocol, ICC-01/05-01/13-959-Anx and in accordance with rule 81(1).