

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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

Date: **15 January 2016**

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, Presiding Judge
Judge Marc Perrin de Brichambaut
Judge Raul Pangalangan

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

**IN THE CASE OF
THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE BABALA
WANDU AND NARCISSE ARIDO**

Public Document

With

Confidential Annexes A, B, C, D, and E

**Narcisse Arido Defence communication of items disclosed to the Defence Teams and
the Prosecution on 12 October 2015, 18 October 2015, 2 November 2015, 11 November
2015, and 17 December 2015**

Source: Counsel for Narcisse Arido

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

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Victims Participation and

Other

Reparations Section

I. NOTIFICATION

1. The Defence for Mr Narcisse Arido ('The Defence') hereby submits a notification of items disclosed to the Defence Teams of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu, and the Prosecution on 12 October 2015, 18 October 2015, 11 November 2015, and 17 December 2015 respectively. The Arido Defence also provides notification of a disclosure made on 13 January 2016. Those items were made available to the parties and the Court-Management Services on 2 November 2015, but were not formally disclosed until recently.

II. CONFIDENTIALITY

2. Annexes A, B, C, D, and E, appended to this notification, are classified as *confidential* as they refer to evidence the contents of which are confidential.

III. DISCLOSURE OF EVIDENCE

3. *Confidential Annex A* to this filing lists 17 items disclosed pursuant to Rules 78 and 140 (1) of the Rules of Procedure and Evidence on 12 October 2015 for the purpose of the cross-examination of Witness P-0260 pursuant to paragraph 21 of Trial Chamber's VII's decision ICC-01/05-01/13-1209. Courtesy copies were provided to the Prosecution and the other Defence teams the evening of 11 October 2015. These items include a UNHCR handbook, a report on the Central African Republic and small arms, transcripts and translations, a FIDH report on Central African Republic, several website articles taken from the public domain, and several internal documents.

4. *Confidential Annex B* to this filing lists nine items disclosed pursuant to Rules 78 and 140 (1) of the Rules of Procedure and Evidence on 19 October 2015. These items, including eight transcripts and translations, and one table of payments, were disclosed so as to be referred to during the cross-examination of Witness P-0245 pursuant to paragraph 21 of Trial Chamber's VII's decision ICC-01/05-01/13-1209.

5. *Confidential Annex C* to this filing lists two items made available to the Prosecution pursuant to Rules 78 and 140 (1) of the Rules of Procedure and Evidence on 2 November 2015. This includes a governmental document and one free translation of it. These were hastily disclosed by email following testimonial developments so they could be referred to during the cross-

examination of Witness P-267 pursuant to paragraph 21 of Trial Chamber's VII's decision ICC-01/05-01/13-1209. The formal disclosure of these items was completed on 13 January 2016.

6. *Confidential Annex D* to this filing lists two items disclosed pursuant to paragraph 47 of the *Protocol on the handling of Confidential Information during Investigations and Contact Between a Party and Witnesses of the Other Parties* and rules 78 and 140 (1) of the Rules and Procedure and Evidence on 11 November 2015. These items comprise one transcript and one recorded interview of Witness P-433. The interview recording was previously provided to the Prosecution shortly after it was made as obliged by the Protocol. The transcript was disclosed so as to link it to an evidence reference number.

7. *Confidential Annex E* to this filing lists 30 items re-disclosed on 17 December 2015 pursuant to a communication of 26 November 2015 in which the Prosecution requested disclosure of metadata associated with several prior disclosures. The Arido Defence re-disclosed the improved metadata associated with its cross-examination packages 1 through 4 reformatted to be more fully in compliance with the E-Court Protocol¹.



Chief Charles Achaleke Taku, Counsel for Mr. Arido

Dated this 15th Day of January 2016

The Hague, The Netherlands

¹ ICC-01/05-01/13-35-Anx.