

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 23 February 2016

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 23 February 2016**

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

Ms Beth Lyons

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****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 23 February 2016. Some of these materials are being 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 material 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, comprising two English translations of previously disclosed audio files.²

4. *Confidential* Annex B to this filing lists the disclosed rule 77 material, which comprises a total of 329 documents: (i) 200 emails and attachments extracted from Arido’s email account, (ii) 103 documents related to Defence witnesses D24-0002, D24-0003, D24-0009, D24-0010 and D24-0012, (iii) 19 documents received from authorities of various states in response to Prosecution Requests for Assistance, (iv) seven email correspondences between OTP and states authorities, four of which are

¹ ICC-01/05-01/13-959-Anx.

² The underlying audio files CAR-OTP-0074-0993 and CAR-OTP-0074-0997 were disclosed on 28 February 2014 through Pre-Confirmation INCRIM package 5.

being re-disclosed with some redactions lifted in compliance with Trial Chamber VII's 17 February 2016 Decision.³



Fatou Bensouda, Prosecutor

Dated this 23rd Day of February 2016
At The Hague, The Netherlands

³ ICC-01/05-01/13-1632, para. 21.