

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 26 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 26 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

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Mr Kweku Vanderpuye

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The Office of Public Counsel for Victims

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States Representatives

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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 materials disclosed to the Defence teams of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu, and Narcisse Arido on 26 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 one item of incriminating evidence, which is being re-disclosed with lesser redactions.²

4. *Confidential* Annex B to this filing lists the disclosed rule 77 materials, which comprises a total of 24 documents, including (i) 22 correspondences and attachments between the Prosecution and various states authorities, which are being disclosed at the Defence’s request³ or in compliance with Trial Chamber VII’s 17 February 2016

¹ ICC-01/05-01/13-959-Anx.

² This document was originally disclosed on 4 June 2015 in Trial INCRIM Package 25.

³ Some of these correspondences were requested by the Arido Defence on 19 February 2016. See ICC-01/05-01/13-1637-Conf. Courtesy copies of these items were sent to the Defence *via* email on 24 February 2016 at 09:55.

Decision⁴ and (ii) two forensic reports on the recent extraction from Arido's email account.⁵



Fatou Bensouda, Prosecutor

Dated this 26th Day of February 2016
At The Hague, The Netherlands

⁴ ICC-01/05-01/13-1632, para.15.

⁵ The relevant emails and attachments extracted from Arido's email account were disclosed on 23 February 2016 in Trial Rule 77 package 41.