

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: ICC-01/05-01/08

Date: **28 April 2016**

**TRIAL CHAMBER III**

**Before:** Judge Sylvia Steiner, Presiding Judge  
Judge Joyce Aluoch  
Judge Kuniko Ozaki

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC  
IN THE CASE OF  
THE PROSECUTOR  
V. JEAN-PIERRE BEMBA GOMBO**

**Public Document  
With  
Confidential Annex A**

**Prosecution's Communication of Evidence disclosed to the Defence on 26 April  
2016 pursuant to rule 76(2) of the Rules of Procedure 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**

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Mr James Stewart  
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**Unrepresented Applicants for Participation/Reparation**

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

Mr Xavier-Jean Keita

**States Representatives**

**Amicus Curiae**

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**REGISTRY**

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**Registrar**

Mr Herman Von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Other Section**

## I. Introduction

1. In accordance with the Trial Chamber III's order,<sup>1</sup> the Office of the Prosecutor ("Prosecution") herewith submits the report for evidence disclosed to the Defence team of Mr Jean-Pierre Bemba Gombo on 26 April 2016 pursuant to rule 76(2) of the Rules of Procedure and Evidence.<sup>2</sup> This communication is submitted in accordance with the operative disclosure regime, the Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties.<sup>3</sup>

2. The evidence disclosed is the French translation of the expert report that the Prosecution disclosed to the Defence on 15 April 2016 on matters relevant to the sentencing of Mr Bemba.<sup>4</sup>

## II. Request for Confidentiality

3. The Prosecution requests that Annex A appended to this communication be received by the Chamber as "Confidential", as it relates to confidential evidence disclosed *inter partes*.




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**Fatou Bensouda, Prosecutor**

Dated this 28<sup>th</sup> Day of April 2016  
At The Hague, The Netherlands

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<sup>1</sup> ICC-01/05-01/08-3365, Decision on "Defence request for disclosure and/or clarification of the timeline for Sentencing Requests", paras. 7 and 10(i): "Further, in light of the Prosecution's obligations under, inter alia, Rule 76(2) of the Rules and this Chamber's prior jurisprudence, the Prosecution is obliged to disclose to the Defence the Proposed Expert's identity, curriculum vitae ("CV"), and any statements or a summary of the key elements that the Proposed Expert is expected to address."

<sup>2</sup> Annex A.

<sup>3</sup> ICC-01/05-01/08-55, Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties, 31 July 2008.

<sup>4</sup> CAR-OTP-0094-0493 is the English version of expert report already disclosed as INCRIM on 15 April 2016; see, also, ICC-01/05-01/08-3362, Prosecution's Application to Submit Additional Evidence and Present Final Oral Submissions on Sentencing, 11 April 2016.