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

Date: 21/06/2016

TRIAL CHAMBER VII

Before: Judge Chile Eboe-Osuji, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Bertram Schmitt

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, with Confidential Ex Parte Prosecution and Bemba Defence only Annex A

**Public Redacted Version of “Addendum to Defence Request for Disclosure and
Judicial Assistance”**

Source: Defence for Mr. Jean-Pierre Bemba Gombo

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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Other

Trial Chamber III

1. Further to the Defence Request for Disclosure and Judicial Assistance, dated 21 July 2015 (hereinafter “the Request”), the Defence for Mr. Jean-Pierre Bemba hereby submits a discrete addendum, in relation to factual issues which have just come to its attention.
2. On 20 July 2015, the Defence emailed the Prosecution with the following query:

The Hemmings report on CDRS includes a particular CDR from [REDACTED] in its analysis of CDRs, which are considered to be relevant to the charges.

The report does not however attribute the number to a particular person, nor was the CDR linked to a person when it was disclosed to the Defence.

In order to assess its relevance to the Defence and to the case in general, we would be grateful if the Prosecution could kindly indicate the identity of the person, whom the Prosecution believes to be related to this number.

The EVD reference of the CDR is: CAR-OTP-0082-1428.

3. The Prosecution did not reply.
4. On 23 July 2015, the Defence conducted a search of the telephone number, which is attributed to the CDR in question. A public [REDACTED] telephone directory attributes the number to D-64.
5. The Defence then searched the numbers, which were in contact with D-64 during the intercept period (19 June 2013 – 23 March 2014) and discovered that according to the [REDACTED] telephone directory, one of the numbers corresponds to P-7.¹

¹ Annex A. This information is derived from a public website, but out of an abundance of caution, the Defence has filed its confidential *ex parte* Bemba Defence, and Prosecution only. The Defence has no objection to this being reclassified as confidential in order to allow its dissemination to other Defence teams.

6. When read in conjunction with the CAR-OTP-0082-1428, it would seem that P-7 was in contact with D-64 on at least three occasions on the 17 and 18 July 2013. This was during the Defence case, after P-7 had been interviewed by the Prosecution in connection with its investigations into the Defence case, and after the anonymous informant had offered to obtain further information in relation to Defence witnesses.
7. The Defence respectfully submits that this information supports both the relevance of the Request, and the likelihood that the implementation of the Request will generate concrete information concerning the existence of contacts between P-7 and other witnesses.



Melinda Taylor
Counsel of Mr. Jean-Pierre Bemba

Dated this 21st day of June 2016
The Hague, The Netherlands