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

Date: 10/11/2016

TRIAL CHAMBER III

Before: Judge Joyce Aluoch, Presiding Judge
Judge Geoffrey Henderson
Judge Chang-ho Chung

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

**THE PROSECUTOR
v. JEAN-PIERRE BEMBA GOMBO**

Public

Request for the Transmission of Information

Source: Defence for Mr. Jean-Pierre Bemba Gombo in ICC-01/05-01/13

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

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Victims Participation and Reparations Section Other

Introduction

1. The Defence for Mr. Jean-Pierre Bemba in ICC-01/05-01/13 (the Article 70 Bemba Defence) respectfully requests the Honourable Trial Chamber to transmit ICC-01/05-01/08-3375-Conf-AnxIII to the parties in ICC-1/05-01/13 in order to facilitate Defence preparation for sentencing submissions in the Article 70 case.

Submissions

2. On 22 April 2016, the Registry filed a report concerning Mr. Bemba's conduct in the ICC detention unit for the purposes of the sentencing phase in ICC-01/05-01/08. This report was transmitted on a confidential basis to all the parties and participants in the case.
3. The Article 70 case has now reached the sentencing stage of the proceedings. It is not, however, clear as to whether the Registry will tender a separate report in ICC-01/05-01/13. Irrespective as to whether that might be the case, the Article 70 Bemba Defence anticipates that the information set out in ICC-01/05-01/08-3375-Conf-AnxIII might be relevant to potential Defence sentencing submissions. The information is therefore "necessary for the effective representation of [an accused] in case ICC-01/05-01/13".¹ Since the requester is also the object of the report, no issues under Article 68(1) arise.²
4. The Article 70 Bemba Defence therefore requests the Honourable Trial Chamber in ICC-01/05-01/08 to order the Registry to transmit ICC-01/05-01/08-3375-Conf-AnxIII to the parties in the Article 70 case, on a confidential basis.

¹ ICC-01/05-01/08-3331-Corr, para. 3.

² ICC-01/05-01/08-3331-Corr, para. 5.

5. Noting that the deadline for submitting the list of evidence is 23 November 2016, the Article 70 Bemba Defence further requests the Trial Chamber to shorten the applicable deadlines for any responses in ICC-01/05-01/08.



Melinda Taylor
Counsel for Mr. Jean-Pierre Bemba

Dated this 10th day of November 2016

The Hague, The Netherlands