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**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 14/11/2016

THE APPEALS CHAMBER

Before: Judge Christine Van den Wyngaert, Presiding Judge
Judge Sanji Mmasenono Monageng
Judge Howard Morrison
Judge Chile Eboe-Osuji
Judge Piotr Hofmański

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 Appeals 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 Appeals 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 respectfully requests the Appeals Chamber to shorten the applicable deadlines for any responses in ICC-01/05-01/08.



Melinda Taylor
Counsel for Mr. Jean-Pierre Bemba in
ICC-01/05-01/13

Dated this 14th day of November 2016

The Hague, The Netherlands