



Original: English

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

Date: 26/07/2017

**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**

**Public redacted version of “Decision on the Defence’s Request to add documents to the list of materials for provision to the appointed experts”, 26 July 2017**

Order to be notified, in accordance with regulation 31 of the Regulations of the Court, to:

**The Office of the Prosecutor**

Ms Fatou Bensouda  
Mr James Stewart  
Mr Jean-Jacques Badibanga

**Counsel for the Defence**

Mr Peter Haynes QC  
Ms Kate Gibson

**Legal Representatives of the Victims**

Ms Marie-Edith Douzima-Lawson

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for  
Victims**

Ms Paolina Massidda

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

Mr Xavier-Jean Keita

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Defence Support Section**

**Victims and Witnesses Unit**

Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**

Mr Philipp Ambach

**Trust Fund for Victims**

Mr Pieter de Baan

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, issues the following “Decision on the Defence’s Request to add documents to the list of materials for provision to the appointed experts”:

1. On 1 February 2017, the Trust Fund for Victims (“TFV”) filed a confidential, *ex parte* Registry only report (“TFV Report”) with five confidential, *ex parte* Registry only annexes.<sup>1</sup>
2. On 2 June 2017, the Chamber appointed four experts (“Appointed Experts”) to assist in the reparations proceedings.<sup>2</sup>
3. On 23 June 2017, the Chamber ordered the reclassification of the TFV Report and its annexes from “confidential, *ex parte* Registry only” to “confidential”.<sup>3</sup>
4. On 19 July 2017, the Defence for Mr Bemba (“Defence”) filed a request seeking provision of the TFV Report and its annexes to the Appointed Experts (“Request”).<sup>4</sup>
5. On 20 July 2017, the Registry circulated by email to the parties and participants a list of documents to be provided to the Appointed Experts (“List of Documents”).<sup>5</sup>
6. The Chamber notes that the TFV Report and its annexes are already included in the List of Documents. Once this information became available to the Defence, the Chamber expected the Defence to withdraw the Request as soon as practicable. This has not occurred.

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<sup>1</sup> Report on meeting in the context of reparations on 21 and 22 December organized by the Trust Fund with a delegation from [REDACTED], 1 February 2017, ICC-01/05-01/08-3493-Conf with five confidential annexes (formerly: ICC-01/05-01/08-3493-Conf-Exp with five confidential *ex parte* annexes only available to the Registry).

<sup>2</sup> Decision appointing experts on reparations, ICC-01/05-01/08-3532-Conf.

<sup>3</sup> Email from Trial Chamber III to the TFV, 23 June 2017, 17:30. The reclassification was effected on 27 June 2017.

<sup>4</sup> Defence request to add documents to the list of materials for provision to the appointed experts, 19 July 2017, ICC-01/05-01/08-3543-Conf.

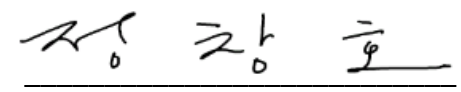
<sup>5</sup> Email from the Registry to parties and participants, 15:15.

7. The Chamber considers the Request moot and therefore rejects it.

**FOR THE FOREGOING REASONS, THE CHAMBER HEREBY**

**REJECTS** the Request.

Done in both English and French, the English version being authoritative.

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| Judge Geoffrey Henderson                                                          | Judge Joyce Aluoch                                                                |  |

Dated this 26 July 2017

At The Hague, The Netherlands