

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 17 October 2008

PRE-TRIAL CHAMBER III

Before: Judge Fatoumata Dembele Diarra (Single Judge)
Judge Hans-Peter Kaul
Judge Ekaterina Trendafilova

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

Public document

**Prosecution's Submission of Amended Document Containing the Charges
and Amended List of Evidence**

**With *Ex Parte* Prosecution Only Annexes 1A, 1B, 1C and 1D
and
Confidential Prosecution and Defence Only Annexes 2A, 2B, 2C and 2D
and
Public Annex 3A**

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

Counsel for the Defence of Jean-Pierre Bemba

Nkwebe Liriss

Tjarda E. Van der Spoel

Aimé Kilolo-Musamba

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

I. Introduction

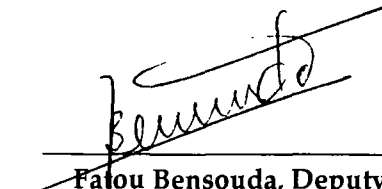
1. The Office of the Prosecutor ("Prosecution") submits, in appended annexes to this document, an amended Document Containing the Charges against Jean-Pierre BEMBA GOMBO ("Amended DCC") and an amended List of Evidence ("Amended List of Evidence") which the Prosecution intends to rely on at the Confirmation Hearing scheduled to commence on 4 November 2008¹. This Amended DCC and the Amended List of Evidence are submitted pursuant to Articles 61 (3) and (4) of the Statute of Rome (the "Statute") as well as Rule 121(4) of the Rules of Procedure and Evidence (the "Rules") and Regulation 52 of the Regulations of the Court.² In addition to the victims and witnesses set forth in the previous charging document, filed on 1 October 2008, the Prosecution adds one additional witness who is expected to testify in particular regarding the murder of her brother. The Prosecution also submits, in the Amended List of Evidence, supplementary sources for the Amended DCC, in particular recently received audio material from Radio France Internationale.

II. Request for the Receipt of Certain Annexes as *Ex Parte* – Prosecution Only and Certain Other Annexes as Confidential – Prosecution and Defence Only"

¹ At the time of this submission, the Prosecution awaits decisions on requests for redactions to witness statements and authorization for use of summaries. The prosecution intends to rely on those documents for the purposes of the confirmation hearing. The Prosecution will update the Amended Document Containing the Charges and the Amended List of Evidence upon receipt of decision on redactions to witness statements and authorization for the use of summaries.

² The annexes appended to this document are the following: Annexes 1A to 1D (*ex parte*, available to the Prosecution only): 1A: Unredacted Amended Document Containing the Charges (English); 1B Unredacted Amended Document Containing the Charges (unofficial French translation); 1C: Unredacted Amended List of Evidence (English); 1D: Unredacted Amended List of Evidence (unofficial French translation); Annexes 2A to 2D (confidential, available to Prosecution and Defence only): 2A: Redacted Amended Document Containing the Charges (English); 2B Redacted Amended Document Containing the Charges (unofficial French translation); 2C Redacted Amended List of Evidence (English); 2D Redacted Amended List of Evidence (unofficial French translation); Annex 3A (public redacted version): Redacted Amended Document Containing the Charges (English).

2. The Prosecution requests that Annexes 1A, 1B, 1C and 1D, appended to this document, be received by the Chamber as “*Ex Parte* – Prosecution Only” as these annexes contain identifying information of all witnesses, including those for whom the Chamber has granted protection. The Prosecution also requests that the appended Annexes 2A, 2B, 2C and 2D be received by the Chamber as “Confidential – Prosecution and Defence Only” as they contain identifying information of witnesses who are known to the Defence but not to the public. These requests are made to protect victims and witnesses pursuant to Article 68(1) of the Statute and Rule 81(4) of the Rules.



Faou Bensouda, Deputy Prosecutor
on behalf of
Luis Moreno-Ocampo, Prosecutor

Dated this 17 day of October 2008

At The Hague, The Netherlands