

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 5 October 2010

TRIAL CHAMBER III

Before: Judge Sylvia Steiner, Presiding Judge
Judge Joyce Aluoch
Judge Kuniko Ozaki

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

Public Document

With Confidential, *Ex Parte*, Prosecution and Defence only Annex A

**Prosecution's Communication of Incriminatory Evidence Disclosed to the Defence
on 4 October 2010 Pursuant to the Trial Chamber III's Order**

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 Gombo

Mr Nkwebe Liriss

Mr Aimé Kilolo Musamba

Legal Representatives of Victims

Ms Marie-Edith Douzima-Lawson

Legal Representatives of 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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Other Section

I. Introduction

1. In compliance with the Trial Chamber III (“Chamber”)’s order directing¹ the Office of the Prosecutor (“Prosecution”) to file expert reports by 4 October 2010, the Prosecution informs the Chamber that it disclosed three expert reports and their corresponding French translations to the Defence team of Mr. Jean-Pierre Bemba Gombo on 4 October 2010.² This communication is submitted in accordance with the operative disclosure regime, the Decision on the Evidence Disclosure System and Setting and Timetable for Disclosure between the Parties.³

II. Request for Confidentiality

2. The Prosecution requests that Annex A appended to this communication, be received by the Chamber as “Confidential, *Ex Parte*, Prosecution and Defence Only” as it relates to *inter partes* disclosure and includes information that is known to the Defence, but not to the public.⁴



Luis Moreno-Ocampo, Prosecutor

Dated this 5th Day of October 2010

At The Hague, The Netherlands

¹ ICC-01/05-01/08-872, Order setting deadlines for agreements as to facts and evidence and for the filing of expert reports, 6 September 2010, at para. 25. The Chamber ordered the Prosecution to disclose its expert reports to the Defence by 4 October 2010.

² Due to time constraints the Prosecution has not had the opportunity to review the French translations.

³ ICC-01/05-01/08-55, Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties, 31 July 2008.

⁴ As disclosure is *inter partes*, Annex A is only available to the Defence. However, the experts were jointly instructed with the Office of Public Counsel for Victims and the Legal Representative of victims who have already received copies of the report. Further, these reports will be available to them in the Ecourt system.