

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13

Date: 24 March 2016

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU
AND NARCISSE ARIDO***

**Public Document
with
Confidential Annexes A and B**

**Prosecution's Communication of Incriminatory Evidence and Rule 77 Material
Disclosed to the Defence on 24 March 2016**

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

Ms Fatou Bensouda

Mr James Stewart

Mr Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Ms Melinda Taylor

Counsel for Aimé Kilolo Musamba

Mr Paul Djunga Mudimbi

Mr Steven Sacha Powles

Counsel for Jean –Jacques Mangenda Kabongo

Mr Christopher Michael Gosnell

Mr Arthur Vercken De Vreuschmen

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Mr Azama Shalie Rodoma

Counsel for Narcisse Arido

Mr Charles Achaleke Taku

Ms Beth Lyons

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Others

I. Notification

1. The Office of the Prosecutor (“Prosecution”) submits this Communication Report regarding incriminating evidence and rule 77 materials disclosed to the Defence teams of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu, and Narcisse Arido on 24 March 2016.

II. Confidentiality

2. The Prosecution requests that annexes A and B to this Report be received as “*Confidential*”, as they relate to material disclosed *inter partes* that should not be released to the public.

III. Disclosure of evidence

3. *Confidential* Annex A to this filing lists the disclosed incriminating evidence, comprising lesser redacted versions of two annexes to reports of the Independent Counsel, released to the Parties on 16 March 2016¹ in implementation of the Single Judge’s 23 February 2016 Decision.² Previous versions of these annexes were disclosed to the Defence³ and recognised as formally submitted to the Chamber.⁴

¹ ICC-01/05-01/13-845-Conf-AnxA1-Red2; ICC-01/05-01/13-982-Conf-Anx4-Red2.

² ICC-01/05-01/13-1651.

³ CAR-OTP-0088-0320 was disclosed on 4 June 2015 through Trial INCRIM package 25; while CAR-OTP-0090-1807 was disclosed on 6 July 2015 through Trial INCRIM package 29.

⁴ ICC-01/05-01/13-1524.

4. *Confidential* Annex B to this filing lists the disclosed rule 77 materials, which comprise (i) five interview transcripts of Witnesses D20-0002 and D24-0002, and (ii) a copy of the guidelines applicable to the Dutch Public Prosecutor's Office regarding the investigation of lawyers.



Fatou Bensouda, Prosecutor

Dated this 24th Day of March 2016
At The Hague, The Netherlands