

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 1 October 2008

PRE-TRIAL CHAMBER III

Before: Judge Fatoumata Dembele Diarra (Presiding 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

With Under Seal, Ex parte Prosecution Only Annexes 1A, 1B, 1C AND 1D

And

Confidential Prosecution and Defence Only Annexes 2A, 2B, 2C AND 2D

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

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

The Office of the Prosecutor ("Prosecution") submits, in appended annexes to this document, a Document Containing the Charges against Jean-Pierre Bemba Gombo ("Document Containing the Charges") and a List of Evidence ("List of Evidence"), part of which the Prosecutor intends to rely on at the confirmation of charges hearing scheduled to commence on 4 November 2008.¹ The Document Containing the Charges and the List of Evidence are submitted pursuant to Articles 61(3) and (6) of the Statute (the "Statute") as well as Rule 121(3) of the Rules of Procedure and Evidence (the "Rules") and Regulation 52 of the Regulations of Court.²

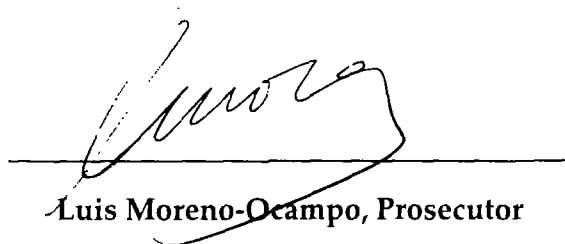
II. Request for the Receipt of Certain Annexes as Confidential - *Ex Parte* - Prosecution Only and Certain Other Annexes as Confidential

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 Annexes 2A, 2B, 2C and 2D appended to this document, be received by the Chamber as "Confidential – Prosecution and Defence Only" as this list contains identifying information of witnesses who are known to the Defence, but not to the public. These

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 as well for the purposes of the confirmation hearing. The Prosecution will update its Document Containing the Charges and the 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: Annex 1A: Unredacted Document Containing the Charges (English); 1B: Unredacted Document Containing the Charges (unofficial French translation); 1C: Unredacted List of Evidence (English); 1D: Unredacted List of Evidence (unofficial French translation); (The above-mentioned annexes are *Ex parte*, Available to Prosecution only); Annex 2A: Redacted Document Containing the Charges (English); 2B: Redacted Document Containing the Charges (unofficial French translation); 2C: Redacted List of Evidence (English); 2D: Redacted List of Evidence (unofficial French translation); (These set of Annexes are confidential, available to Prosecution and Defence Only).

requests are made to protect victims and witnesses pursuant to Article 68(1) of the Statute and Rule 81(4) of the Rules.



Luis Moreno-Ocampo, Prosecutor

Dated this 1st day of October 2008

At The Hague, The Netherlands