

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/05-01/08  
Date: 24 October 2014

**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**

**Decision on the admission of two documents**

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

**The Office of the Prosecutor**

Ms Fatou Bensouda  
Mr Jean-Jacques Badibanga

**Counsel for the Defence**

Mr Peter Haynes  
Ms Kate Gibson  
Ms Melinda Taylor

**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 Keïta

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, hereby issues the following Decision on the admission of two documents.

1. On 23 October 2014,<sup>1</sup> the defence for Mr Jean-Pierre Bemba Gombo (“defence”) communicated to the Chamber, the Office of the Prosecutor (“prosecution”) and the Legal Representative of Victims, the list of the documents it intended to use during Witness P-169’s testimony, indicating those it would submit into evidence.
2. During the hearing of 24 October 2014, the Chamber decided upon the admission of the documents submitted by the defence.<sup>2</sup> Subsequently, the defence informed the Chamber that it wishes to tender two additional documents into evidence – documents CAR-OTP-0083-1489-R01 and CAR-OTP-0083-1494-R01 – having previously mistakenly indicated the contrary.<sup>3</sup> The defence confirmed its intention by way of email.<sup>4</sup> The defence submits both documents are relevant to, *inter alia*, the credibility of witnesses, probative thereof, and that their admission will cause no prejudice to the prosecution.<sup>5</sup>
3. On 24 October 2014, the prosecution indicated that it has no objection to the admission of either document.<sup>6</sup> The Legal Representative of Victims did not make any submissions on the admission of either document.

<sup>1</sup> Email from the defence to the Chamber on 23 October 2014 at 12.47.

<sup>2</sup> ICC-01/05-01/08-T-363-ENG RT, page 36, line 22, to page 42, line 9.

<sup>3</sup> ICC-01/05-01/08-T-363-ENG RT, page 42, line 10, to page 43, line 1.

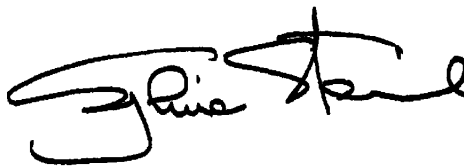
<sup>4</sup> Email from the defence to the Chamber on 24 October 2014 at 12.08.

<sup>5</sup> See ICC-01/05-01/08-T-363-ENG RT, page 42, line 10, to page 43, line 1, in conjunction with the email from the defence to the Chamber on 23 October 2014 at 12.47 and the email from the defence to the Chamber on 24 October 2014 at 12.08.

<sup>6</sup> Email from the prosecution to the Chamber on 24 October 2014 at 13.15.

4. In view of the above, and having assessed documents CAR-OTP-0083-1489-R01 and CAR-OTP-0083-1494-R01 against the three-part admissibility test, the Chamber finds that both documents are relevant and probative, and considers that their admission will cause no prejudice to the fairness of the trial.
5. Accordingly, the Chamber hereby:
  - a. ADMITS documents CAR-OTP-0083-1489-R01 and CAR-OTP-0083-1494-R01 into evidence; and
  - b. INSTRUCTS the Registry to assign EVD-T numbers to both documents.

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




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**Judge Sylvia Steiner**




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**Judge Joyce Aluoch**




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**Judge Kuniko Ozaki**

Dated this 24 October 2014

At The Hague, the Netherlands