

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: 21 September 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
Public Annex A**

The Prosecution's Updated Order of Witnesses

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

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

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REGISTRY

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Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Ms Luisa Martinod-Jacome

Detention Section

Victims Participation and Reparations Other Section

1. Pursuant to the Trial Chamber III's order ("Chamber's Order") contained in the 16 September 2010 "Decision on the Prosecution's Application for Leave to Submit in Writing Prior-Recorded Testimonies by CAR-OTP-WWWW-0032, CAR-OTP-WWWW-0080, and CAR-OTP-WWWW-0108",¹ the Office of the Prosecutor ("Prosecution") submits an updated list of its witnesses in the order it intends to call them at trial ("Updated List").

2. The Updated List adds CAR-OTP-WWWW-0032 ("Witness 32"), CAR-OTP-WWWW-0080 ("Witness 80"), and CAR-OTP-WWWW-0108 ("Witness 108"), which were not included in the previous Prosecution's list,² as the Prosecution had previously sought to introduce as evidence the written statements of the three above-mentioned witnesses, in lieu of oral testimony.

3. The Prosecution, therefore, submits its updated order of witnesses it intends to call at trial as follows:

1. CAR-OTP-WWWW-0038;
2. CAR-OTP-WWWW-0022;
3. CAR-OTP-WWWW-0075;
4. CAR-OTP-WWWW-0023;
5. CAR-OTP-WWWW-0081;
6. CAR-OTP-WWWW-0082;
7. CAR-OTP-WWWW-0080;
8. CAR-OTP-WWWW-0042;
9. CAR-OTP-WWWW-0068;
10. CAR-OTP-WWWW-0073;
11. CAR-OTP-WWWW-0079;

¹ ICC-01/05-01/08-886, Decision on the "Prosecution Application for Leave to Submit in Writing Prior-Recorded Testimonies by CAR-OTP-WWWW-0032, CAR-OTP-WWWW-0080, and CAR-OTP-WWWW-0108, 16 September 2010, at para. 28.

² ICC-01/05-01/08-812, The Prosecution's Updated Order of Witnesses, 7 July 2010.

12. CAR-OTP-WWWW-0029;
13. CAR-OTP-WWWW-0119;
14. CAR-OTP-WWWW-0087;
15. Expert witness on sexual violence as a tool of war - ³
16. Expert witness on gender crime and PTSD - Dr. Adeyinka M. Akinsulure-Smith;
17. CAR-OTP-WWWW-0006;
18. CAR-OTP-WWWW-0009;
19. CAR-OTP-WWWW-0063;
20. Expert witness on linguistics - Professor William Samarin;
21. CAR-OTP-WWWW-0209;
22. CAR-OTP-WWWW-0110;
23. CAR-OTP-WWWW-0112;
24. CAR-OTP-WWWW-0108;
25. CAR-OTP-WWWW-0169;
26. CAR-OTP-WWWW-0173;
27. CAR-OTP-WWWW-0178;
28. CAR-OTP-WWWW-0033;
29. CAR-OTP-WWWW-0045;
30. CAR-OTP-WWWW-0032;
31. CAR-OTP-WWWW-0044;
32. CAR-OTP-WWWW-0015;
33. Military expert witness - General Daniel Opande;
34. CAR-OTP-WWWW-0036;
35. CAR-OTP-WWWW-0065;
36. CAR-OTP-WWWW-0031;
37. CAR-OTP-WWWW-0151;

³ Dr. Binaifer Nowrojee recently declined her appointment as expert witness on sexual violence as a tool of war. The Prosecution will soon file with the Chamber the proposal for another expert witness on this topic.

38. CAR-OTP-WWWW-0047;

39. CAR-OTP-WWWW-0213;

40. CAR-OTP-WWWW-0069.

4. Pursuant to the Chamber's Order,⁴ the Prosecution appends to this filing Annex A, which is an updated chart showing the estimated length of questioning by the Prosecution of each witness. Witness 32, Witness 80 and Witness 108 have been incorporated into this chart.

5. In order to comply with the Chamber's Order,⁵ the Prosecution has made all reasonable efforts to reduce the estimated time for questioning of the aforesaid three witnesses. The Prosecution estimates that it will at least need three hours to examine Witness 32 and four hours to examine Witness 108. Taking into account that Witness 80's testimony will require relay interpretation,⁶ the Prosecution estimates that it must allocate at least six hours to examine this witness.



Luis Moreno-Ocampo, Prosecutor

Dated this 21st Day of September 2010

At The Hague, The Netherlands

⁴ ICC-01/05-01/08-886, at para. 28.

⁵ ICC-01/05-01/08-886, at para. 27.

⁶ As Witness 80 will testify in Sango, interpretation will have to be made from English into French, then into Sango and *vice versa*. This mode of translation takes considerable time, and in turn has an effect on the length of time required to examine a witness.