

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **09 October 2009**

TRIAL CHAMBER III

Before: Judge Adrian Fulford, Presiding Judge
Judge Elisabeth Odio-Benito
Judge Joyce Aluoch

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

Public Prosecution's submission re: Prosecution's intention to rely on Expert Witnesses
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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

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Detention Section

Victims Participation and Reparations Other
Section

1. During the status conference of 7 October 2009, Trial Chamber III (“the Chamber”) requested that the Office of the Prosecutor (“the Prosecution”) identify the experts that it intends to rely upon at trial.

2. At trial, the Prosecution anticipates to present experts to assist the Chamber in the following subject areas:
 - a. Overview Witness – This expert will provide background information on the Central African Republic and the 2002-2003 conflict in particular. Such an expert will have specific knowledge, inter alia, on the various parties involved, the chronology of events, the conduct of military operations and the attacks against civilians.
 - b. Gender Crimes Expert - Such an expert will provide information and explanation on sexual violence in conflict, including the perpetrators’ possible motivations. An expert with psycho-social background will also provide assistance by identifying, in general, post-traumatic stress disorder (PTSD) and specifically rape trauma syndrome in witnesses. The psycho-social expert will also address the issue of the psychological impact of the conflict and crimes on the witnesses, such as the effect on accuracy of reporting.
 - c. Military Expert - Evidence from a military expert will explain the typical functioning of military organizations, including the resort to concept of operations, command, control, structure, operational procedure (including joint-operations) and reporting policy. This expert witness will also establish the military practices of the MLC.
 - d. Socio-linguistic Expert - The language spoken by perpetrators during the 2002-2003 conflict is an identifying feature. A socio-linguistic expert will provide a perspective on the geographic distribution of languages in Central Africa and the ability of the people of the region to distinguish between the various languages spoken. Such an expert will also have extensive knowledge of the CAR region and culture and could address cultural nuances.

3. A number of individuals have been identified by the Prosecution as potential experts.

4. The Prosecution intends to present at least one expert per each of the above mentioned categories. The Prosecution is confirming which experts are the most appropriate and available to testify given the envisaged timeline. The Prosecution attaches the names and profiles of the witnesses and will immediately inform the Chamber and other parties and participants of their confirmed availability depending on the envisaged timeline of the trial.
5. With respect to the practice of the Court on this issue, the Prosecution believes that joint instructions for any expert witnesses may be appropriate in this case and will explore the possibility with the Defence.



Luis Moreno-Ocampo, Prosecutor

Dated this 09th Day of October 2009

At The Hague, The Netherlands