



Original: **English**

No.: **ICC-01/05-01/08**  
Date: **12 October 2009**

**TRIAL CHAMBER III**

**Before:** Judge Adrian Fulford, Presiding Judge  
Judge Elizabeth Odio Benito  
Judge Joyce Aluoch

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

**Public**

**Response to the Defence's Oral Request for disclosure of the dates of the events  
alleged by victims in their applications for participation**

**Source:** Legal Representatives of Victims

**The Office of the Prosecutor**

Ms. Fatou Bensouda, Deputy Prosecutor  
Ms. Petra Kneuer, Senior Trial Lawyer

**Counsel for the Defence**

Mr. Nkwebe Liriss  
Mr. Kilolo-Musamba

**Legal Representatives of Victims**

Ms. Marie Edith Douzima Lawson  
Ms. Paolina Massidda

**Legal Representatives of 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****States Representatives****Amicus Curiae****REGISTRY****Registrar & Deputy Registrar**

Ms. Silvana Arbia & Mr. Didier Preira

**Defence Support Section****Victims and Witnesses Unit****Detention Section****Victims Participation and Reparations  
Section**

Ms. Fiona McKay

**Other**

1. On 7 October 2009, Trial Chamber III held a Status Conference in preparation for trial. During the status conference, the Defence for M. Bemba requested the disclosure of the dates of the events alleged by victims in their applications for participation<sup>1</sup>.

2. The Presiding Judge therefore requested the Principal Counsel of the Office of Public Counsel for Victims (the "OPCV" or the "Office") to confer with the other legal representative of victims on this issue and to file a written response by Monday, 12 October 2009<sup>2</sup>.

3. After conferring with the other legal representative, the Principal Counsel respectfully informs the Chamber that the legal representatives of victims have no objection to such information being disclosed to the Defence.

4. Furthermore, the legal representatives are not aware of the extent of the redactions applied to the application forms as transmitted to the Prosecution and the Defence for the purpose of rule 89 of the Rules of Procedure and Evidence<sup>3</sup>, since the legal representatives of victims are not notified of the redacted versions of their clients' applications for participation. Therefore, they do not know if the Prosecution received the application forms with the same redactions as those applied to the application forms transmitted to the Defence.

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<sup>1</sup> See the transcripts of the status conference held on 7 October 2009, No. ICC-01/05-01/08-T-14-ENG ET WT, page 26 lines 19 to 25 and page 27 lines 1 to 7.

<sup>2</sup> *Idem*, page 27 lines 1 to 7.

<sup>3</sup> See the "Second Decision on the question of victims' participation requesting observations from the parties" (Pre-Trial Chamber III), No. ICC-01/05-01/08-184, 23 October 2008.

5. Should the redactions applied be the same, the legal representatives of victims respectfully inform the Chamber that they have similarly no objection to the dates of the events alleged by the victims being disclosed to the Prosecution.

A handwritten signature in black ink, reading "Paolina Massidda". The signature is written in a cursive style with a horizontal line underneath the name.

Paolina Massidda  
Principal Counsel

Dated this 12<sup>th</sup> day of October 2009

At The Hague, The Netherlands