

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 4 June 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 Redacted Version of ICC-01/05-01/08-3009-Conf

Victims and Witnesses Unit's Observations in relation to document ICC-01/05-01/08-3005-Conf pursuant to the instruction of Trial Chamber III dated 6 March 2014

Source: Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda

Counsel for the Defence

Mr Peter Haynes

Legal Representatives of Victims

Ms. Marie-Edith Douzima-Lawson

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

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Mr Natacha Schauder

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registrar of the International Criminal Court (“the Court”);

NOTING the “*Confidential redacted version of “Decision on the prosecution’s ‘Information on [REDACTED]’ (ICC-01/05-01/08-2827-Conf-Exp)”* of 25 October 2013”, issued by Trial Chamber III (the “Chamber”) on 5 November 2013 (the “Decision”);¹

NOTING the “Victims and Witnesses Unit’s Confidential redacted Version of ICC-01/05-01/08-2975-Conf-Exp”, and its annexes submitted by the Victims and Witnesses Unit (the “VWU”) on 28 February 2014 (the “Report”);²

NOTING the “Defence further request for reclassification of documents related to Witness 169 and 178”, submitted by the Defence on 4 March 2014 (the “Defence request”);³

NOTING the Chamber’s email dated 6 March 2014;⁴

NOTING the “Corrigendum to Defence further request for reclassification of documents related to Witness 169 and 178”, submitted by the Defence on 7 March 2014;⁵

NOTING articles 43(6) and 68(1) and (4) of the Rome Statute, rules 16 to 19 of the Rules of Procedure and Evidence, regulation 23*bis* of the Regulations of the Court and regulations 79 to 91 of the Regulations of the Registry;

¹ ICC-01/05-01/08-2845-Conf-Red.

² ICC-01/05-01/08-2999-Conf, ICC-01/05-01/08-2975-Conf-Red and ICC-01/05-01/08-2975-Conf-Red-Anx.

³ ICC-01/05-01/08-3005-Conf.

⁴ Trial Chamber III’s email received on 6 March 2014 at 17:19.

⁵ ICC-01/05-01/08-3005-Conf-Corr.

CONSIDERING that in its Request, the Defence requested the Chamber to “...ORDER that VWU [REDACTED] and file any subsequent reports, within fourteen (14) days”;⁶

CONSIDERING that in its email, the Chamber ordered the VWU to submit its “observations on the matter, including an update on the progress an [REDACTED] [REDACTED] in a confidential filing by no later than 16.00 on 12 March 2014;

RESPECTFULLY SUBMITS the VWU’s Observations in relation to document ICC-01/05-01/08-3005-Conf pursuant to the instruction of Trial Chamber III dated 6 March 2014:

Progress and prospects on the [REDACTED]
[REDACTED]

1. The VWU already highlighted in its Report [REDACTED]
[REDACTED]
[REDACTED] The Unit is of the view that there is a high probability

that [REDACTED]
[REDACTED] particularly within the time frame requested by the Defence, for the reasons explained below.

2. [REDACTED]
[REDACTED] therefore the Prosecution remains [REDACTED]
[REDACTED]

⁶ ICC-01/05-01/08-3005-Conf, para.30.

█ Additionally, any phone call to the witnesses should be handled jointly with the Prosecution.

3. The VWU reiterates the █

█

█

4. The VWU contacted the Office of the Prosecutor, in order to identify a date when █ could be made. The VWU is waiting for a confirmation of the Office of the Prosecution in that regard.

5. It is however important to note that even if the Prosecution █

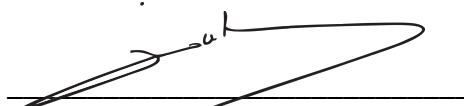
█ he VWU is mindful of the circumstances detailed in the Report █

█

Therefore, at this stage, the VWU is not in a positio █

█

█ r to provide any temporal estimation in that respect.



Marc Dubuisson, Director of the Division of Court Services
per delegation of
Herman von Hebel, Registrar

Dated this 04 June 2014

At The Hague, The Netherlands