

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 10 February 2016

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

Victims and Witnesses Unit's observations pursuant to the "Decision on requests for transmission of documents" (ICC-01/05-01/08-3331-Corr)

Source: The 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

Mr Jean-Jacques Badibanga

Counsel for the Defence

Mr Peter Haynes

Kate Gibson

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**

Ms Paolina Massidda

**The Office of Public Counsel for the
Defence**

Mr Xavier-Jean Keïta

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

Trial Chamber VII

I. INTRODUCTION

1. The present filing is submitted according to an instruction from Trial Chamber III (“the Chamber”).¹

II. PROCEDURAL HISTORY

2. On 5 February 2016 the Chamber issued its “Corrigendum to Decision on requests for transmission of documents” and, among others, ordered “the VWU to review Documents ICC-01/05-01/08-2436Conf, ICC-01/05-01/08-2663-Conf, ICC-01/05-01/08-2694-Conf, ICC-01/05-01/08-2701-Conf, ICC-01/05-01/08-2746-Conf, ICC-01/05-01/08-2852-Conf, ICC-01/05-01/08-2873-Conf, ICC-01/0501/08-2466-Conf-Exp, ICC-01/05-01/08-2479-Conf, and ICC-01/05-01/08-2485-Conf-Exp-Anx3 with a view to advising the Chamber on any necessary redactions and to report back to the Chamber by 10 February 2016”.

III. SUBMISSION

3. The VWU reviewed the above mentioned documents and is of the view that some information should be redacted. Furthermore, the VWU is not in a position to assess the impact that further dissemination of identifying information of former witnesses in the Bemba case would have on the security of the individuals concerned. In that regard it must be emphasized that the consent of the said individuals to this additional disclosure was not sought. Therefore, in the VWU’s opinion, this information may need to be redacted. In addition to this, the VWU proposes the following redactions:

¹ICC-01/05-01/08-3331-Corr.

- a) Documents that could be transmitted without redactions
 - ICC-01/05-01/08-2436-Conf
 - ICC-01/05-01/08-2479-Conf
 - b) Documents that could be transmitted with redactions
4. The VWU recommends redacting the Registry's comments in relation to cooperation issues for document
 - ICC-01/05-01/08-2466-Conf-Exp
 5. The VWU recommends redacting the Registry's comments in relation to cooperation issues and the mentions relating to the hierarchic positions of witnesses as this could potentially lead to their identification, for document:
 - ICC-01/05-01/08-2485-Conf-Exp-Anx3
 6. The VWU recommends redacting the location of witnesses or the information that could lead to their identification, as well as the VWU's confidential assessment regarding the security situation of witnesses and/or the VWU's psychological assessment for documents:
 - ICC-01/05-01/08-2663-Conf
 - ICC-01/05-01/08-2694-Conf
 - ICC-01/05-01/08-2701-Conf

7. The VWU recommends redacting information that could lead to the identification of witnesses and the VWU's confidential assessment regarding the security situation of witnesses for:

- ICC-01/05-01/08-2746-Conf
- ICC-01/05-01/08-2873-Conf

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

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

Dated this 10 February 2016

At The Hague, The Netherlands