

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 23 September 2008

PRE-TRIAL CHAMBER III

Before: Judge Fatoumata Dembele Diarra (Presiding Judge)
Judge Hans-Peter Kaul
Judge Ekaterina Trendafilova

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

**Under Seal and *Ex Parte*, Prosecutor and Victims and Witness Unit Only
Prosecution's Response to "Ordonnance relative à la protection des témoins et au
rapport d'évaluation des risques"**

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

Legal Representatives of Victims

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
Ms Silvana Arbia**

Defence Support Section

**Victims and Witnesses Unit
Mr Simo Väätäinen**

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Procedural Background

1. On 4 September 2008, the Office of the Prosecutor (hereinafter the "Prosecution") filed the "Prosecutor's Position regarding Disclosure of Additional Witnesses for Referral to VWU in Response to Pre-Trial Chamber III's Order dated July 23, 2008".¹ In paragraph 11, the Prosecution indicated that it would be transmitting to the Victim and Witnesses Unit (hereinafter the "VWU") individual risk assessments for fourteen witnesses upon whom the Prosecution seeks to rely at the Confirmation Hearing.

2. The Single Judge of the Pre-Trial Chamber III (hereinafter the "PTC") issued its "Ordonnance relative à la protection des témoins et au rapport d'évaluation des risques" on 22 September 2008² in which, it ordered the "Prosecution" to provide a copy of all the risk evaluations relating to the fourteen witnesses.

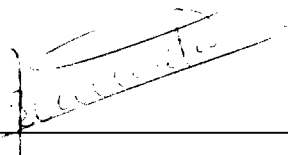
II. Response

3. The Prosecution attaches herewith a true copy of the individual risk assessments of the fourteen witnesses as Annexes 1 to 14 respectively. The first group of Annexes relates to the witnesses that are subject to the current temporary redactions until 3 October 2008 namely, Witnesses 0009 (Annex 1), 0022 (Annex 2), 0023 (Annex 3), 0029 (Annex 4), 0033 (Annex 5) and 0038 (Annex 6). The second group of Annexes relate to the remaining witnesses (i) for which no redactions have

¹ ICC-01/05-01/08-91-US-Exp..

² ICC-01/05-01/08-111-US-Exp.

been sought and (ii) for which the then Single Judge has ordered that no redactions should apply namely, Witnesses 0006 (Annex 7), 0007 (Annex 8), 0015 (Annex 9), 0025 (Annex 10), 0026 (Annex 11), 0031 (Annex 12), 0036 (Annex 13) and 0037 (Annex 14).



**Fatou Bensouda, Deputy Prosecutor
On Behalf Of
Luis Moreno-Ocampo, Prosecutor**

Dated this 23rd day of September 2008

At The Hague, The Netherlands