

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **French**

No.: **ICC-01/05-01/08**
Date: **10 September 2008**

PRE-TRIAL CHAMBER III

Before: Judge Fatoumata Dembele Diarra, Single Judge

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

Confidential

**Decision Requesting Observations from the Victims and Witnesses Unit on the
Prosecutor's Request Filed on 5 September 2008**

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

The Office of the Prosecutor

Fatou Bensouda, Deputy Prosecutor
Petra Kneuer, Trial Lawyer

Counsel for the Defence

Nkwebe Liriss
Tardja E. Van der Spoel
Aimé Kilolo-Musamba

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

Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Simo Väätanen

Detention Section

**Victims Participation and Reparations
Section**

Other

1. **Judge Fatoumata Dembele Diarra**, Judge at the International Criminal Court ("the Court"), acting as Single Judge on behalf of Pre-Trial Chamber III ("the Chamber"),¹ received on 5 September 2008 a request from the Prosecutor, the "Prosecution's Submission of Information on the PTC's disclosure of identities of Witnesses 0007, 0009 and 0026 and Request for Appropriate Protective Measures for Witnesses 0007, 0009 and 0026" ("the Prosecutor's Request").²
2. The Single Judge notes articles 43(6) and 68 of the *Rome Statute* ("the Statute") and rules 17 to 19 of the *Rules of Procedure and Evidence* ("the Rules").
3. The Single Judge observes that that document was notified to the Victims and Witnesses Unit ("the VWU") since it concerns the protection of victims and witnesses pursuant to article 68 of the Statute.
4. The Single Judge further notes that the VWU's responsibilities as set out under articles 43(6) and 68(4) of the Statute, rules 17 to 19 of the Rules and regulation 41 of the *Regulations of the Court*, include, *inter alia*, counselling the organs of the Court on the protective measures to be taken for witnesses and victims.
5. In respect of the Prosecutor's Request, in particular, the security and safety of Witnesses 007, 0009 and 0026, the Single Judge is of the opinion that the observations of the VWU should be sought.
6. Given the date of the confirmation hearing scheduled for 4 November 2008 and the end of the disclosure of evidence process scheduled for 3 October 2008 at the latest,³ the Single Judge considers it necessary to set a short time limit for the VWU to submit its observations.

¹ ICC-01/05-01/08-86.

² ICC-01/05-01/08-93-Conf.

³ ICC-01/05-01/08-55.

FOR THESE REASONS, THE SINGLE JUDGE

requests the Victims and Witnesses Unit to submit its observations on the Prosecutor's Request no later than Monday, 15 September 2008.

Done in English and in French, the French version being authoritative.

[signed]

Judge Fatoumata Dembele Diarra
Single Judge

Dated this 10 September 2008

At The Hague, The Netherlands