

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **French**

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

Date: **6 October 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***

**URGENT
Confidential**

Decision on the Scheduling of Two Status Conferences

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

Detention Section

**Victims Participation and Reparations
Section**

Other

1. Pre-Trial Chamber III of the International Criminal Court (“the Court”) recalls that, on 31 July 2008, it rendered a decision on the evidence disclosure system and set a timetable for the evidence to be disclosed. The Chamber ordered the Prosecutor, *inter alia*, to disclose as soon as possible and no later than 3 October 2008 the evidence under rules 76 and 77 of the *Rules of Procedure and Evidence* (“the Rules”).¹
2. The Chamber observes that the *inter partes* evidence disclosure process did indeed begin on 30 September 2008.²
3. The Chamber notes that on 30 September 2008, the Prosecutor filed an application for redactions entitled “Prosecution's Application for Proposed Summaries and Redactions Pursuant to Article 68(5) of the Rome Statute and Rule 81(2) and 81(4) of the Rules of Procedure and Evidence” in relation to new witnesses on whose statements the Prosecutor intends to rely at the confirmation hearing.³
4. The Chamber notes articles 57(3)(c), 61, 67 and 68 of the Rome Statute (“the Statute”), rules 76 to 82, 87, 88 and 121 of the Rules, and regulation 30 of the *Regulations of the Court*.
5. The Chamber recalls that, under articles 57(3)(c) and 68(1) of the Statute, it must protect and respect the privacy of victims and witnesses and take appropriate measures to protect their safety, physical and psychological well-being and dignity.
6. The Chamber further recalls its obligation to ensure that the pre-trial proceedings are conducted fairly and expeditiously, with respect for the rights of the accused pursuant to article 67 of the Statute.

¹ ICC-01/05-01/08-55.

² See for example: ICC-01/05-01/08-128-Conf.

³ ICC-01/05-01/08-126-US-Exp.

7. Under rule 121(2)(b) of the Rules, the Chamber “shall hold status conferences to ensure that disclosure takes place under satisfactory conditions”.

8. The Chamber therefore considers, since the evidence disclosure process is already underway and since it is necessary to prepare for the confirmation hearing scheduled for 4 November 2008, that a closed-session, *ex parte* status conference should be organised with each of the parties.

FOR THESE REASONS, THE CHAMBER DECIDES

a) to schedule a status conference on 8 October 2008 from 09:30 to 11:00 to be held in closed session, *ex parte* and in the presence of only the Prosecutor in Courtroom I, with interpreters.

b) to schedule a status conference on 8 October 2008 from 12:00 to 13:30 to be held in closed session, *ex parte* and in the presence of only Jean-Pierre Bemba Gombo and his counsel in Courtroom I, with interpreters.

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

[signed]

Judge Fatoumata Dembele Diarra

Presiding Judge

[signed]

Judge Hans-Peter Kaul

Judge

[signed]

Judge Ekaterina Trendafilova

Judge

Dated this 6 October 2008

At The Hague, The Netherlands