

Pursuant to Decision ICC-01/05-01/08-301, this document is reclassified "Confidential"

ICC-01/05-01/08-211 23-09-2009 1/3 IO PT

Pursuant to Decision ICC-01/05-01/08-528 of 18/09/2009, this document is reclassified "Public"

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 5 November 2008

PRE-TRIAL CHAMBER III

Before: Judge Ekaterina Trendafilova (Presiding Judge)
Judge Hans-Peter Kaul
Judge Mauro Politi

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

Under Seal

***Ex Parte* Available only to the Prosecutor**

**Prosecution's Submission of Additional Information
Pursuant to "Decision on the Security Situation of Witnesses"**

Source: The Office of the Prosecutor

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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

Detention Section

Victims Participation and Reparations Other Section

Procedural History

1. On 30 September 2008 and 17 October 2008, the Office of the Prosecutor (hereinafter referred to as the « Prosecution ») filed two applications for, *inter alia*, two witness statement summaries.¹ Both applications are still under consideration by Pre-Trial Chamber III (hereinafter referred to as the « PTC III »).

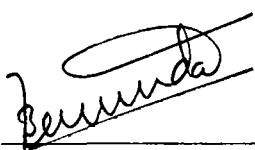
2. On 3 November 2008, the PTC III issued its « Decision on the Security Situation of Witnesses » (hereinafter referred to as « Security Situation Decision ») in which it noted that it had not received a copy of the statements of witnesses 0047 and 0065 « to properly assess whether redactions of information in their statement would adequately protect them ».²

Request for Sealing

3. The Prosecution requests that this Submission and Annexes be received by the PTC III as « Under Seal, *Ex Parte*, Only Available to the Prosecutor », since they relate to material that is currently under seal and *Ex Parte* and depict information for which summaries are sought.

Submission

4. In light of the PTC III's observation that it had not been provided with a copy of the said statements, the Prosecution hereby provides them as Annexes A and B. The Prosecution is preparing a separate submission in response to the other issues addressed in the Security Situation Decision.



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

Dated this 5th day of November

At The Hague, The Netherlands

¹ *Prosecutor's Application for Proposed Redactions Pursuant to Rules 81(2) and 81(4) of the Rules of Procedure and Evidence*, ICC-01/05-01/08-126-US-Exp; *Prosecutor's Application for Proposed Redactions Pursuant to Rules 81(2) and 81(4) of the Rules of Procedure and Evidence*, ICC-01/05-01/08-164-US-Exp respectively.

² ICC-01/05-01/08-202-US-Exp, paragraph 13.