

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **9 October 2009**

TRIAL CHAMBER III

Before: Judge Adrian Fulford, Presiding Judge
Judge Elisabeth Odio-Benito
Judge Joyce Aluoch

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

Public document

With Annex A Confidential *Ex Parte*, Prosecution and Defence only

**Prosecution's Submission of a Chart listing Originals and Translations of Witness
Statements**

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

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Legal Representatives of Victims

Ms Marie-Edith Douzima-Lawson

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations Other
Section**

1. In compliance with Trial Chamber III's ("the Chamber") order issued during the Status Conference held on 7 October 2009,¹ the Office of the Prosecutor ("the Prosecution") appends as Annex A to this submission, a chart listing the languages in which witness statements that the Prosecution relied upon at the confirmation hearing were obtained and their respective translations.²
2. Annex A contains six columns, which indicate respectively: the names of witnesses, (except for five witnesses whose identities were not yet disclosed to the Defence) witness codes, the original language in which the statement was obtained; the Evidence Reference Number ("ERN") and the Evidence Number ("EVD") of the statement in the language in which it was obtained; the language into which the original statement was translated and the corresponding ERN of the translated statements.
3. In further compliance with the Chamber's order, the Prosecution transmitted translated versions of witness statements it relied upon at the confirmation hearing to the Registry for registration into the E-court system as well as assignment of EVD numbers.³ To the Prosecution's knowledge, the Registry has registered the translated witness statements, but has not assigned EVD numbers to these translated statements.
4. The Prosecution stresses that it will undertake a further quality review of the translations, and anticipates that that review will be completed by the end of November 2009.

Request for Confidentiality, *Ex Parte*, Prosecution and Defence only

5. The Prosecution requests that Annex A be received by the Chamber as "Confidential, *Ex Parte*, Prosecution and Defence Only" as the chart contains names of Prosecution's witnesses who are known to the Defence, but not to the public. This request is made to protect victims and witnesses pursuant to Article 68(1) of the Rome Statute, Rule

¹ ICC-01/05-01/08-T-14-ENG, page 34, lines 23-25, page 35, lines 1-5

² The original versions of the statements are authoritative.

³ The Prosecution draws the Chamber's attention to the translated versions of the statements of Witnesses 22, 23 and 29. In respect of these three witnesses, _Ro1 appears in their translated statements, while the original versions are marked _Ro2. These statements were ordered to be disclosed twice by the Pre-Trial Chamber.

81(4) of the Rules of Procedure and Evidence and in compliance with the Pre-Trial Chamber's "Second Decision on the Prosecutor's Requests for Redactions"⁴ and "Third Decision on the Prosecutor's Requests for Redactions and Related Request for the Regulation of Contacts of Jean-Pierre Bemba Gombo".⁵



Luis Moreno-Ocampo, Prosecutor

Dated this 9th day of October 2009

At The Hague, The Netherlands

⁴ ICC-01/05-01/08-135-Conf

⁵ ICC-01/05-01/08-215-Conf