

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 25 March 2010

TRIAL CHAMBER III

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge Joyce Aluoch

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

CONFIDENTIAL

With confidential annexes 1 and 2

Registrar's report on the notification of the summary of the *"Requête en vue de contester la recevabilité de l'Affaire conformément aux articles 17 et 19 (2) (a) du Statut de Rome"* to the Central African Republic, the Democratic Republic of Congo and the Legal representatives of victims

Source: Registrar

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

The Office of the Prosecutor

Ms Fatou Bensouda

Ms Petra Kneuer

Counsel for the Defence

Mr Nkwebe Liriss

Mr Aimé Kilolo Musamba

Legal Representatives of Victims

Ms Marie Edith Douzima-Lawson

Legal Representatives of Applicants

M Célestin Nzala

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for the
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Silvana Arbia

Defence Support Section

Deputy Registrar

Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations Other
Section**

THE REGISTRAR of the International Criminal Court (the “Court”);

NOTING the “*Requête en vue de contester la recevabilité de l’Affaire conformément aux articles 17 et 19 (2) (a) du Statut de Rome*” (the “Defence’s Application”) ¹ submitted by the Defence on 25 February 2010;

NOTING the public redacted version of the “*Requête en vue de contester la recevabilité de l’Affaire conformément aux articles 17 et 19 (2) (a) du Statut de Rome*” ² submitted by the Defence on 25 February 2010 and reclassified as confidential on 26 February 2010 pursuant to the instruction of Trial Chamber III (the “Chamber”);

NOTING the “*Corrigendum à la Requête en vue de contester la recevabilité de l’Affaire conformément aux articles 17 et 19 (2) (a) du Statut de Rome*” ³ submitted by the Defence on 25 February 2010;

NOTING the second public redacted version of the “*Requête en vue de contester la recevabilité de l’Affaire conformément aux articles 17 et 19 (2) (a) du Statut de Rome*”⁴ submitted by the Defence on 2 March 2010 and reclassified as confidential on 9 March 2010 pursuant to the instruction of the Chamber;

NOTING the “*Registrar’s proposal for a summary of the ‘Requête en vue de contester la recevabilité de l’Affaire conformément aux articles 17 et 19 (2) (a) du Statut*

¹ ICC-01/05-01/08-704-Conf-Exp

² ICC-01/05-01/08-704-Red-Conf

³ ICC-01/05-01/08-704-Conf-Exp-Corr

⁴ ICC-01/05-01/08-704-Red2-Conf

de Rome'' pursuant to rule 59 (2) of the Rules of Procedure and Evidence''⁵ submitted on 15 March 2010;

NOTING the *''Registrar's submission of an amended summary of the ''Requête en vue de contester la recevabilité de l'Affaire conformément aux articles 17 et 19 (2) (a) du Statut de Rome'' pursuant to rule 59 (2) of the Rules of Procedure and Evidence''*⁶ submitted on 19 March 2010;

NOTING articles 17 and 19 of the Rome Statute, rules 58 and 59 of the Rules of Procedure and Evidence as well as regulations 23*bis* and 24*bis* of the Regulations of the Court;

CONSIDERING that pursuant to rule 59 (1)(2) of the Rules of Procedure and Evidence as well as the Order of the Chamber issued during the hearing on 8 March 2010⁷, the Registry shall provide the Central African Republic, the Democratic Republic of Congo and the victims who have already communicated with the Court in relation to the case with a summary of the Defence's Application by 19 March 2010;

INFORMS that, on 19 March 2010, the Registry transmitted the summary of the Defence's Application⁸ to the competent authorities of both the Central African Republic and of the Democratic Republic of Congo as well as to the Legal

⁵ ICC-01/05-01/08-720-Conf-Exp

⁶ ICC-01/05-01/08-727-Conf-Exp

⁷ ICC-01/05-01/08-T-20-Red-ENG, page 2, line 5 to page 4, line 6

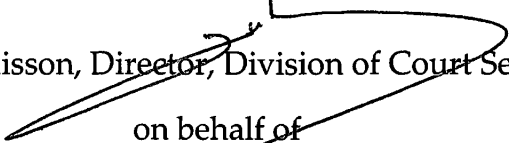
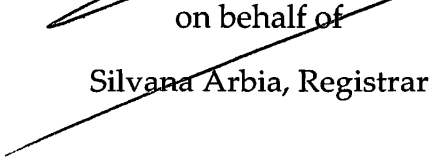
⁸ ICC-01/05-01/08-727-Conf-Exp and ICC-01/05-01/08-727-Conf-Exp-Anx, this summary is approved by the Chamber and is agreed by the Chamber to be communicated to the Central African Republic, the Democratic Republic of Congo and the victims who have already communicated with the Court in relation to the case

representatives⁹ of the victims who have communicated to the Court in relation to the case¹⁰;

SUBMITS the present document and its annexes *Confidential* to be in line with the confidentiality level of the different versions of the Defence's Application which remain classified as confidential and due to the reason that annex 1 contains the names of the staff of the Court¹¹;

TRANSMITS, in Annex 1, Memoranda of Service and the Notes Verbales communicated to the competent authorities of the Central African Republic and the Democratic Republic of Congo and, in Annex 2, the letters transmitting the summary of the Defence's Application to the Legal representatives;

RESPECTFULLY SUBMITTED,

Marc Dubuisson, Director, Division of Court Services

on behalf of
Silvana Arbia, Registrar


Dated this 25 March 2010
At The Hague in the Netherlands

⁹ The summary of the Defence's Application was transmitted to Ms Marie Edith Douzima-Lawson and Mr Célestin N'zala. Mr. Célestin N'zala is the new Legal Representative appointed by 4 Applicants so far whose applications will be transmitted to the Chamber in the near future

¹⁰ The transmission to the Legal representatives is made by electronic mails. The Legal representatives confirmed their receipt of the transmission by telephone and electronic mails

¹¹ ICC-01/05-01/08-704-Conf-Exp, ICC-01/05-01/08-704-Conf-Exp-Corr, ICC-01/05-01/08-704-Red1-Conf and ICC-01/05-01/08-704-Red2-Conf