

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 20 July 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**

Public document

With Confidential, *Ex Parte*, Prosecution and Defence only Annexes A and B

Notification of documents communicated by the Governments of the Central African Republic and the Democratic Republic of Congo in relation to Rule 74 of the Rules of Procedure and Evidence

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

Counsel for the Defence of Jean-Pierre Bemba

Mr Nkwebe Liriss

Mr Aimé Kilolo Musamba

Legal Representatives of Victims

Ms Marie-Edith Douzima-Lawson

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

Ms Paolina Massidda

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

I. Introduction

1. On 2 July 2010, Trial Chamber III (“Chamber”) ordered the Office of the Prosecutor (“Prosecution”) to file its submissions regarding matters relevant to the preparation of the commencement of the trial including, *inter alia*, whether any issue of self-incrimination may arise in relation to the witnesses called by the Prosecution pursuant to Rule 74 of the Rules of Procedure and Evidence (“Rules”).¹

2. On 10 July 2010, the Prosecution filed its submissions indicating that it will not prosecute any of the witnesses it intends to present at trial, and informed the Chamber of its consultation with the authorities of the Central African Republic (“CAR”) and the Democratic Republic of Congo (“DRC”), and that it awaits their formal correspondence on the matter.²

3. The Prosecution, hereby informs the Chamber of the receipt of the said correspondence from the authorities of the CAR and the DRC including their assurances to witnesses testifying before this Court against possible prosecution in their national jurisdictions as set out, respectively, in Annexes A and B.³

II. Request for Confidentiality

4. The Prosecution requests that Annexes A and B be received by the Chamber as Confidential, *Ex Parte*, Prosecution and Defence only since they contain confidential documents from the Governments of the CAR and the DRC.



Luis Moreno-Ocampo, Prosecutor

Dated this 20th Day of July 2010
At The Hague, The Netherlands

¹ ICC-01/05-01/08-785, para 2 (i).

² ICC-01/05-01/08-793, para 13 – 16.

³ The DRC Government extends its assurances included in ICC-01/05-01/08-793-Conf-Exp-AnxE to the situation in the Central African Republic.