

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 23 August 2010

TRIAL CHAMBER III

Before: Judge Sylvia Steiner, Presiding Judge
Judge Joyce Aluoch
Judge Kuniko Ozaki

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

Public Document

**With a confidential ex parte annex available only to the defence and the
prosecution**

**Report on an incorrect notification to the parties of 192 applications for victim
participation**

Source: Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor
Ms Petra Kneuer, Senior Trial Lawyer

Counsel for the Defence

Mr Nkwebe Liriss
Mr Aimé Kilolo-Musamba

Legal Representatives of the Victims

Ms Marie-Edith Douzima-Lawson
Ms Paolina Massidda

Legal Representatives of the 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

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Fiona McKay

Other

The Registrar of the International Criminal Court (the “Court”);

NOTING the “Second report to Trial Chamber III on applications to participate in the proceedings” filed by the Registry on 14 June 2010 (the “Report”)¹;

NOTING the “Decision defining the status of 54 victims who participated at the pre-trial stage, and inviting the parties’ observations on applications for participation by 86 applicants” issued by Trial Chamber III (the “Chamber”) on 22 February 2010²;

NOTING the “Transmission to the parties of redacted versions of 192 applications for participation in the proceedings” filed by the Registry on 15 July 2010³;

NOTING the “Prosecution’s Observations on the 192 Applications for Victim’s Participation in the Proceedings” (the “Observations”) filed on 19 August 2010⁴;

NOTING articles 64(10) and 68(1) of the Statute, rules 89(1) and rule 137(1) of the Rules of Procedure and Evidence and regulation 86(5) of the Regulations of the Court;

CONSIDERING that pursuant to article 64, paragraph 10 of the Statute and rule 137, sub-rule 1 of the Rules of Procedure and Evidence, the Registrar is responsible for creating and maintaining a full and accurate record of all proceedings before the Trial Chamber;

¹ ICC-01/05-01/08-796-Conf-Exp and Annexes.

² ICC-01/05-01/08-699

³ Transmission to the parties of redacted versions of 192 applications for participation in the proceedings, 15 July 2010, ICC-01/05-01/08-824-Conf-Exp. See also email communications of 16 June and 9 July 2010 between the Legal Adviser and Legal Officer to the Trial Division and DCS.

⁴ Prosecution’s Observations on the 192 Applications for Victim’s Participation in the Proceedings, ICC-01/05-01/08-858, 19 August 2010, paragraph 3, footnote 3.

CONSIDERING that in its Observations, the Office of the Prosecutor stated that “the Prosecution received (ICC-01/05-01/08-824-Conf-Exp) 198 annexes (ICC-01/05-01/08-796-Conf-Exp-Anx2-Red ICC-01/05-01/08-796-Conf-Exp-Anx2-Red to ICC-01/05-01/08-796-Conf-Exp-Anx199-Red) for 191 applicants, and not 192 applicants as indicated in the Chamber’s order”.⁵

CONSIDERING that the Registry has indeed mistakenly transmitted to the parties 191 applications in a redacted version instead of 192, due to an incorrect stamping procedure which affected a number of other applications;

RESPECTFULLY INFORMS the Chamber and the participants that corrected stamps have been applied to the annexes as explained hereinafter;

1- the redacted version of victim application a/0663/10 was registered twice as ICC-01/05-01/08-796-Conf-Exp-Anx152-Red and as ICC-01/05-01/08-796-Conf-Exp-Anx153-Red; therefore victim application a/0663/10 will keep stamp ICC-01/05-01/08-796-Conf-Exp-Anx152-Red;

2- the redacted version of victim application a/0664/09 was registered ICC-01/05-01/08-796-Conf-Exp-Anx154-Red while the unredacted version of this application is ICC-01/05-01/08-796-Conf-Exp-Anx153; therefore victim application a/0664/09 has been re-stamped ICC-01/05-01/08-796-Conf-Exp-Anx153-Red;

3- the redacted version of victim application a/0664/10 was registered ICC-01/05-01/08-796-Conf-Exp-Anx155-Red while the unredacted version of this application is ICC-01/05-01/08-796-Conf-Exp-Anx154; therefore victim application a/0664/10 has been re-stamped ICC-01/05-01/08-796-Conf-Exp-Anx154-Red;

⁵ Prosecution’s Observations on the 192 Applications for Victim’s Participation in the Proceedings, ICC-01/05-01/08-858, 19 August 2010, paragraph 3, footnote 3.

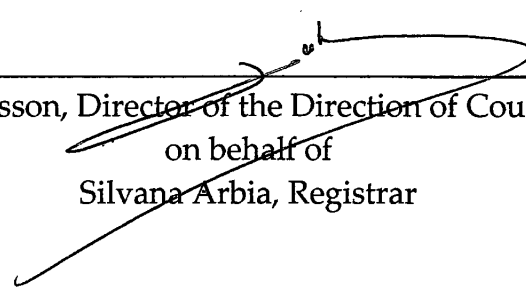
4- the redacted version of victim application a/0665/09 was registered ICC-01/05-01/08-796-Conf-Exp-Anx156-Red while the unredacted version of this application is ICC-01/05-01/08-796-Conf-Exp-Anx155; therefore victim application a/0665/09 has been re-stamped ICC-01/05-01/08-796-Conf-Exp-Anx155-Red;

5- the redacted version of victim application a/0665/10 was registered ICC-01/05-01/08-796-Conf-Exp-Anx157-Red while the unredacted version of this application is ICC-01/05-01/08-796-Conf-Exp-Anx156; therefore victim application a/0665/10 has been re-stamped ICC-01/05-01/08-796-Conf-Exp-Anx156-Red;

6- application number a/0666/09, while it was transmitted to the Chamber on 14 June 2010, was never transmitted to the parties in a redacted form; victim application a/0666/09 is now stamped ICC-01/05-01/08-796-Conf-Exp-Anx157-Red;

NOTIFIES to the Prosecution and the Defence the redacted version of the application number a/0666/09 attached to the current filing and registered as:
ICC-01/05-01/08-796-Conf-Exp-Anx157-Red.

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



Marc Dubuisson, Director of the Direction of Court Services
on behalf of
Silvana Arbia, Registrar

Dated this 23 August 2010

At The Hague, The Netherlands