



Original: **English**

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

**Registry Submission on the Installation of Additional Software in the Courtrooms
and Certain Modalities of Evidence Presentation**

Source: Registry

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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Ms Petra Kneuer

Counsel for the Defence

Me Nkwebe Liriss

Me Aimé Kilolo Musamba

Legal Representatives of the Victims

Me Marie-Edith Douzima

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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REGISTRY

Registrar

Ms Silvana Arbia

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Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Ms Charlotte Dahuron Jacoby

Mr Ian Blacker

Mr Esteban Peralta

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

NOTING the status conference held on 24 of September 2010;

NOTING the request¹ submitted by the Office of the Prosecutor during the status conference for clarification on the possibility to deploy the software “Case Map” in the courtroom and two specific questions relating to the presentation of evidence during the trial;

NOTING the undertaking of the Registry to provide the Chamber and the Office of the Prosecutor with the requested clarification²;

NOTING regulations 21 and 24 bis of the Regulations of the Court and regulations 42 and 53 of the Regulations of the Registry;

SUBMITS the following:

A. Sketches drawn by a witness

1. The courtroom infrastructure allows for the presentation of evidence in the form of sketches made by the witnesses. Sketches can be made electronically using the smartboard technology or manually, using the document camera. Both the smartboard technology and the document camera are available in the courtroom and may be used by the witness with the assistance of the court clerk.

¹ ICC-01/05-01/08-T-25-CONF-ENG CT, page 26, line 16.

² ICC-01/05-01/08-T-25-CONF-ENG CT, page 30, line 25.

B. Broadcasting evidence

2. Evidence presented in the courtroom is not automatically broadcasted to the public. For a piece of evidence to be presented, the relevant party is to indicate whether it is public or confidential. The ALO/Courtroom Officer then instructs the Audiovisual Assistant accordingly. Hence, confidential evidence will be displayed inside the courtroom only.

C. Case Map

3. The Courtroom infrastructure supports an evidence presentation system, Ringtail Court Book. The training on the usage of this evidence presentation system is provided to all the Chambers, parties and participants appearing before the Court. The Registry technical services are equipped to provide full support and training necessary for the usage of the Ringtail. In addition to the training and support provided, a full audit of the various systems has been performed with a view of optimizing their efficiency and use.
4. Case Map is an evidence analysis tool currently used by the Office of the Prosecutor for the preparation of their case. The potential impact of the installation of this software on the courtroom machines is unknown and a feasibility assessment is being made. Currently, Registry technical services can not support this tool nor provide any training to other parties/participants using it. Furthermore, in an effort to uphold the principle of equality of arms, Case Map should be made available to other parties and participants. The Registry technical services are also assessing the additional technical infrastructure and resources required to provide this environment, support and training to other parties and participants. Hence, in order to provide a full assessment of the deployment of the application Court wide, additional three weeks are needed.

5. The technology in the courtrooms was designed to allow for the presentation of evidence and not for case preparation. Today it is the installation of Case Map that is requested, tomorrow it may be yet another case preparation tool. In its effort to optimise the use of technology in the courtrooms, the Registry underwent a detailed audit of its eCourt systems³ and surrounding processes. It is concluded that the courtroom technology is very complex and its supporting resources already extremely stretched. Adding additional systems to the existing infrastructure increases its complexity and the risk for technical breakdowns and unnecessary delays in the proceedings. Furthermore, adding additional systems in the courtrooms requires additional resources, time and budget.

RESPECTFULLY informs the Chamber that:

6. The Registry offers the possibility to install Case Map on a standalone⁴ laptop of the Office of the Prosecutor. As mentioned above, technical support related to this application can not be provided.

³ These systems include the evidence presentation tool, transcript management tool and other technical systems in the Courtrooms of the Court.

⁴ The laptop will not be connected to the Court's network

RESPECTFULLY suggests to the Chamber that:

1. The Registry will report to the Chamber once a full assessment is made.
2. The addition of further software applications in the courtroom be strongly discouraged in light of the abovementioned reasons and the proven availability of efficient and sufficient means to present evidence during the hearings.



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

Dated this 01 October 2010

At the Hague, the Netherlands