

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **05 November 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

**Public Redacted Version of “Prosecution’s Revised Order of its Witnesses at Trial and
Estimated Length of Questioning” (ICC-01/05-01/08-975-Conf)**

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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1. During the Status Conference on 21 October 2010, Trial Chamber III (“Chamber”) instructed the Office of the Prosecutor (“Prosecution”) to file a revised order of its witnesses including the estimated length of their direct testimony.¹

2. Pursuant to the Chamber’s instructions, the Prosecution revised its order of witnesses to implement the Chamber’s directions.² The revised order also contains a few modifications in line with its submissions and observations during the status conferences on 24 September and 21 October 2010, namely grouping corroborative witnesses [REDACTED],³ ensuring that [REDACTED] witnesses can testify consecutively and without interruption by the winter recess of the Court [REDACTED],⁴ and hearing the military expert after the relevant factual testimony.⁵ The revised order, below, includes a very general estimate of each witness’s direct testimony, for scheduling purposes. But the Prosecution notes that developments in the case may affect the length of particular witnesses’ actual trial testimony, and it also assures the Chamber that throughout the trial it will make ongoing efforts to shorten its case wherever possible.

1. CAR-OTP-WWWW-0038 - estimated length of questioning: 7 hours;
2. Expert witness on gender crime and PTSD - Dr. Adeyinka M. Akinsulure-Smith - estimated length of questioning: 4 hours;
3. CAR-OTP-WWWW-0022 - estimated length of questioning: 8 hours;
4. CAR-OTP-WWWW-0087 - estimated length of questioning: 8 hours;
5. CAR-OTP-WWWW-0068 - estimated length of questioning: 8 hours;
6. CAR-OTP-WWWW-0023 - estimated length of questioning: 8 hours;
7. CAR-OTP-WWWW-0081 - estimated length of questioning: 8 hours;
8. CAR-OTP-WWWW-0082 - estimated length of questioning: 8 hours;
9. CAR-OTP-WWWW-0080 - estimated length of questioning: 6 hours;
10. CAR-OTP-WWWW-0042 - estimated length of questioning: 8 hours;
11. CAR-OTP-WWWW-0073 - estimated length of questioning: 8 hours
12. CAR-OTP-WWWW-0079 - estimated length of questioning: 8 hours;
13. CAR-OTP-WWWW-0029 - estimated length of questioning: 8 hours;

¹ ICC-01/05-01/08-T-30-ENG, p. 8, lines 17 to 23.

² The Prosecution implemented the Chamber’s directions in the two status conferences on 21 October 2010, ICC-01/05-01/08-T-30-ENG, p. 7, line 5 to p. 9, line 8 and ICC-01/05-01/08-T-29-CONF-EXP-ENG.

³ [REDACTED]

⁴ [REDACTED]

⁵ ICC-01/05-01/08-T-30-ENG, p. 16, line 17 to p. 17, line 1.

14. CAR-OTP-WWWW-0119 - estimated length of questioning: 8 hours;
15. Expert witness on sexual violence as a tool of war - Dr André Tabo - estimated length of questioning: 4 hours;
16. CAR-OTP-WWWW-0075 - estimated length of questioning: 8 hours;
17. CAR-OTP-WWWW-0006 - estimated length of questioning: 6 hours;
18. CAR-OTP-WWWW-0009 - estimated length of questioning: 8 hours;
19. CAR-OTP-WWWW-0063 - estimated length of questioning: 6 hours;
20. Expert witness on linguistics - Professor William Samarin - estimated length of questioning: 4 hours;
21. CAR-OTP-WWWW-0209 - estimated length of questioning: 7 hours;
22. CAR-OTP-WWWW-0110 - estimated length of questioning: 6 hours;
23. CAR-OTP-WWWW-0112 - estimated length of questioning: 6 hours;
24. CAR-OTP-WWWW-0108 - estimated length of questioning: 4 hours;
25. CAR-OTP-WWWW-0169 - estimated length of questioning: 7 hours;
26. CAR-OTP-WWWW-0173 - estimated length of questioning: 7 hours;
27. CAR-OTP-WWWW-0178 - estimated length of questioning: 7 hours;
28. CAR-OTP-WWWW-0033 - estimated length of questioning: 7 hours;
29. CAR-OTP-WWWW-0045 - estimated length of questioning: 6 hours;
30. CAR-OTP-WWWW-0032 - estimated length of questioning: 3 hours;
31. CAR-OTP-WWWW-0044 - estimated length of questioning: 5 hours;
32. CAR-OTP-WWWW-0015 - estimated length of questioning: 7 hours;
33. CAR-OTP-WWWW-0036 - estimated length of questioning: 7 hours;
34. CAR-OTP-WWWW-0065 - estimated length of questioning: 7 hours;
35. CAR-OTP-WWWW-0031 - estimated length of questioning: 4 hours;
36. CAR-OTP-WWWW-0151 - estimated length of questioning: 4 hours;
37. CAR-OTP-WWWW-0047 - estimated length of questioning: 6 hours;
38. CAR-OTP-WWWW-0213 - estimated length of questioning: 7 hours;
39. Military expert witness - General Daniel Opande - estimated length of questioning: 4 hours;
40. CAR-OTP-WWWW-0069 - estimated length of questioning: 8 hours.

3. In estimating the length of questioning, the Prosecution proposes the concept adopted by Trial Chamber II in the *Katanga* case,⁶ in which only the actual time of questioning and answers is calculated, excluding objections, legal arguments, questions posed by other parties or participants, cross-examination, re-direct examination and delays due to technical problems or relay interpretation.⁷ Based on that concept, the Prosecution estimates a maximum of 260 hours to question its witnesses.

Request for confidentiality

4. The Prosecution requests that this submission be received by the Chamber as Confidential, as it pertains to information that may identify protected witnesses to the public.



Luis Moreno-Ocampo, Prosecutor

Dated this 5th Day of November 2010

At The Hague, The Netherlands

⁶ Pursuant to Regulation 55 of the Regulations of the Registry, the court officer shall record the time at which the testimony commenced and ended, the duration of the questioning by the participants and the Chamber. This is consistent with the practice adopted by Trial Chamber II, see ICC-01/04-01/07-1665-Corr, Directions for the conduct of the proceedings and testimony in accordance with rule 140, 1 December 2009, at para 11.

⁷ See ICC-01/05-01/08-T-25-CONF-ENG, p. 4, line 22 to p. 5, line 22.