

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 6 September 2011

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

Order to Strike a Document from the Case Record

Order 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
Mr Assingambi Zarambaud

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

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

Trial Chamber III ("Chamber") of the International Criminal Court in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* issues the following Order to Strike a Document from the Case Record.

1. On 2 September 2011, the Chamber issued its Decision on the "Demande de mise en liberté provisoire de M. Jean-Pierre Bemba Gombo afin d'accomplir ses devoirs civiques en République Démocratique du Congo" ("Decision"), in which the Chamber ruled on the accused's request for provisional release into the territory of the Democratic Republic of the Congo ("Request for Provisional Release").¹ Paragraph 30 of the Decision instructed the parties and participants to "(i) file public redacted versions of their filings related to the Request for Provisional Release; or (ii) invite the Chamber to reclassify their filings pursuant to Regulation 23bis(3) of the Regulations if they believe that no redactions are necessary."²
2. On 5 September 2011, Mr Zarambaud filed a document entitled "Observations de Maître Zarambaud Assingambi, Représentant légal de victimes, sur la demande de mise en liberté provisoire de M. Jean-Pierre Bemba Gombo afin d'accomplir ses devoirs civiques en République démocratique du Congo, en date du 24 août 2011" ("Filing 1703").³ It appears that the document is intended to be a "redacted version" of Mr Zarambaud's observations on the Request for Provisional Release ("Filing 1660").⁴
3. Filing 1703 is not a proper redacted version of Filing 1660 because it (i)

¹ Decision on the "Demande de mise en liberté provisoire de M. Jean-Pierre Bemba Gombo afin d'accomplir ses devoirs civiques en République Démocratique du Congo", 2 September 2011, ICC-01/05-01/08-1691-Conf.

² ICC-01/05-01/08-1691-Conf, paragraph 30.

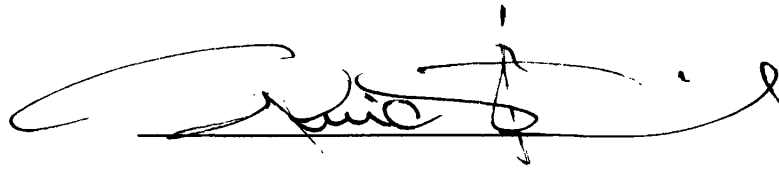
³ Observations de Maître Zarambaud Assingambi, Représentant légal de victimes, sur la demande de mise en liberté provisoire de M. Jean-Pierre Bemba Gombo afin d'accomplir ses devoirs civiques en République démocratique du Congo, en date du 24 août 2011, 5 September 2011, ICC-01/05-01/08-1703.

⁴ Observations de Maître Zarambaud Assingambi, Représentant légal de victimes, sur la demande de mise en liberté provisoire de M. Jean-Pierre Bemba Gombo afin d'accomplir ses devoirs civiques en République démocratique du Congo, en date du 24 août 2011, 29 August 2011, ICC-01/05-01/08-1660-Conf.

contains information that was not in Filing 1660; and (ii) removes information that was in Filing 1660, without making clear that such information has been redacted. Put otherwise, Filing 1703 is not a redacted version of Filing 1660 – it is a different document.

4. The proper procedure for filing a public redacted version of a document is to (i) place the words “Public Redacted Version of [title of document]” in the title of the document; and (ii) delete any parts of the document that refer to confidential information, replacing any deleted text with “[REDACTED]”. Under no circumstances may new information be added to the document.
5. Because Filing 1703 does not comply with the above procedure, the Chamber hereby orders, pursuant to Article 64(6)(f) of the Rome Statute and Regulation 29(1) of the Regulations of the Court, that:
 - (a) The Registry shall strike Filing 1703 from the case record; and
 - (b) Mr Zarambaud shall file an amended public redacted version of Filing 1660, in compliance with the procedure outlined above in paragraph 4, within the time limit set in paragraph 30 of the Decision.

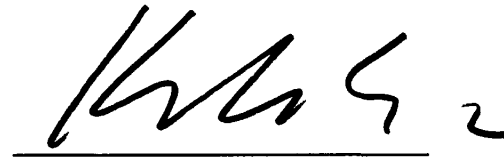
Done in both English and French, the English version being authoritative.



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 6 September 2011

At The Hague, The Netherlands