

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



Original: English

No.: ICC-01/05-01/08  
Date: 7 December 2012

**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**

**Prosecution's Observations on the "Registry report to the Chamber on the feasibility of the modalities of specific arrangements in relation to witness testimony"**

**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 Gombo**

Mr. Aimé Kilolo Musamba

Mr. Peter Haynes

**Legal Representatives of Victims**

Ms. Marie-Edith Douzima Lawson

Mr. Zarambaud Assingambi

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for Victims**

**The Office of Public Counsel for the Defence**

**States Representatives**

**Amicus Curiae**

## **REGISTRY**

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**Registrar**

Ms. Silvana Arbia

**Counsel Support Section**

**Deputy Registrar**

Mr. Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section**

**Other**

1. On 30 November 2012, the Trial Chamber III ("Chamber") issued a decision<sup>1</sup> inviting the Office of the Prosecutor ("Prosecution") to file observations on the "Registry report to the Chamber on the feasibility of the modalities of specific arrangements in relation to witness testimony" <sup>2</sup> ("Registry's report"). The Prosecution files its observations "public" as it does not divulge any confidential information.<sup>3</sup>

2. The Registry's report was necessitated by the various obstacles encountered in enabling one or more Defence witnesses to travel to the seat of the Court in The Hague. The Prosecution agrees that the possible alternative measures of video-link from other locations that may be more convenient to the witnesses and/or hearing testimony *in situ* can assist the process. The Prosecution is amenable to any of the proposed alternatives, provided that it has adequate prior notice of the witness schedule to allow for meaningful preparation and that the well-being and protection of victims, witnesses, and Court personnel are adequately guaranteed.




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Fatou Bensouda, Prosecutor

Dated this 7<sup>th</sup> Day of December 2012

At The Hague, The Netherlands

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<sup>1</sup> ICC-01/05-01/08-2448, Decision shortening time for observations on the 'Registry report to the Chamber on the feasibility of the modalities of specific arrangements in relation to witness testimony', 30 November 2012.

<sup>2</sup> ICC-01/05-01/08-2447-Conf, Registry report to the Chamber on the feasibility of the modalities of specific arrangements in relation to witness testimony, 28 November 2012.

<sup>3</sup> The Prosecution takes note of the public hearing on 2 October 2012 (ICC-01/05-01/08-T-252-ENG ET) and the Chamber's public decision shortening the time for observations on the Registry's report (ICC-01/05-01/08-2448).