

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 1 May 2013

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***

**URGENT
Public**

**Order suspending the testimony of Witness D04-56 and convening a status
conference**

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr Jean-Jacques Badibanga

Counsel for the Defence

Mr Aimé Kilolo-Musamba

Mr Peter Haynes

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

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Mr Patrick Craig

Other

Trial Chamber III ("Trial Chamber" or "Chamber") of the International Criminal Court, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, issues the following Order suspending the testimony of Witness D04-56 and convening a status conference.

1. On 29 April 2013, the Chamber issued its "Order to hear the testimony of Witness D04-56 via video-link",¹ in which it (i) decided that the testimony of Witness D04-56 would be given *viva voce* before the Chamber by means of video technology; and (ii) ordered the Registry to make the necessary arrangements for the video-link testimony to start on Friday, 3 May 2013.²
2. By email of 30 April 2013, the defence for Mr Jean-Pierre Bemba Gombo ("defence") (i) informed the Chamber that the witness did not consent to testifying via video-link, and (ii) requested the Chamber to convene an urgent *ex parte* status conference in order to discuss the facilitation of this witness's testimony.³
3. In accordance with Article 21(1) of the Rome Statute, and pursuant to Rule 132(2) of the Rules of Procedure and Evidence and Regulations 30 and 54 of the Regulations of the Court, the Chamber hereby:

- a) SUSPENDS the testimony of Witness D04-56, until otherwise decided; and

¹ Public redacted version of "Order to hear the testimony of Witness D04-56 via video-link" of 29 April 2013, 1 May 2013, ICC-01/05-01/08-2608-Red.

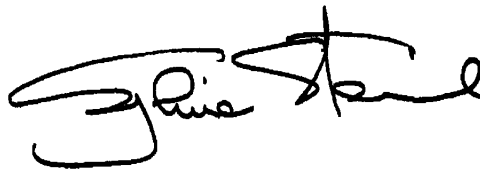
² ICC-01/05-01/08-2608-Red, paragraph 13.

³ Email sent from Legal Assistant of Mr Jean-Pierre Bemba to the Chamber, the parties, participants and relevant members of the Registry on 30 April 2013 at 16.16.

- b) ORDERS that a public status conference be held on Friday, 3 May 2013 at 10.00 in order to address the continuation of the presentation of evidence by the defence.

The attendees at the status conference shall be the defence, the Office of the Prosecutor, the legal representatives of victims, and representatives of the Registry, including the Victims and Witnesses Unit. If deemed necessary, a confidential or *ex parte* status conference may be held upon oral request, following the public hearing.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 1 May 2013

At The Hague, the Netherlands