

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12 February 2014

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

**Order requesting observations on
“Defence Motion on Privileged Communications”**

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 Peter Haynes

Ms Kate Gibson

Legal Representatives of the Victims

Ms Marie-Edith Douzima Lawson

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

Mr Xavier-Jean Keïta

States Representatives

Amicus Curiae

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section Other**

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* issues the following “Order requesting observations on ‘Defence Motion on Privileged Communications’”.

1. On 6 February 2014, the defence filed its “Defence Motion on Privileged Communications” (“Defence Motion”), in which it requests that the Chamber:¹

ORDER that Mr. Bemba should enjoy privileged communications with members of his current Defence team;

ORDER the cessation of any monitoring or recording of communication between Mr. Bemba and his current Defence team, including but not limited to the monitoring or recording of phone conversations, meetings at the UNDU or the holding cell at the ICC premises;

ORDER the cessation of any monitoring of communication devices of members of the current team whether by the Registry, the Prosecution or any national authorities; and

ORDER the Prosecution to respond to the questions set out in the Letter of 16 January 2014 concerning the monitoring of privileged communications and or communications devices of the members of the current Defence team.

2. In order to take an informed decision on the Defence Motion, the Chamber considers it necessary to hear observations from the Office of the Prosecutor (“prosecution”) and the Registry which should be submitted no later than 19 February 2014.

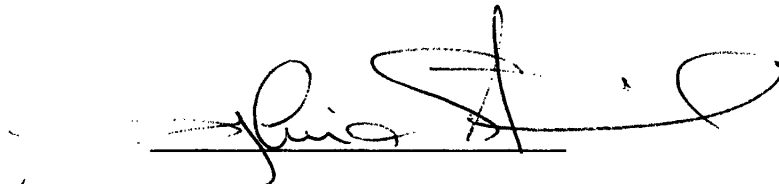
3. Considering that the personal interests of the victims are not affected, the Chamber does not consider it necessary to receive observations from the legal representative of victims.

4. Accordingly, pursuant to Regulation 28 of the Regulations of the Court, the Chamber hereby DIRECTS the prosecution and the Registry to submit their observations on the Defence Motion by Wednesday, 19 February 2014.

¹ Defence Motion on Privileged Communications, 6 February 2014, ICC-01/05-01/08-2963 and Annex A, paragraph 12.

The observations should be filed with the appropriate level of confidentiality, depending on their content.

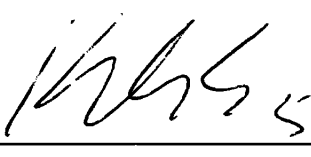
Done in both English and French, the English version being authoritative.



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 12 February 2014

At The Hague, The Netherlands