

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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

Date: 4 June 2014

TRIAL CHAMBER III

Before: Judge Sylvia Steiner, Presiding Judge
Judge Joyce Aluoch
Judge Kuniko Ozaki

**SITUATION IN THE CENTRALAFRICANREPUBLIC
IN THE CASE OF
THE PROSECUTOR
V. JEAN-PIERRE BEMBA GOMBO**

Public Redacted Document

**Public Redacted version of: "Report pursuant to Chamber's decision on the
Prosecution's information on [REDACTED]", ICC-01/05-01/08-2867-Conf, 8
October 2013**

Source: The Office of the Prosecutor

Document to be notified in accordance with Regulation 31 of the *Regulations of the*

Court to:

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I. Introduction

1. On 25 October 2013, Trial Chamber III (“Chamber”) ordered the Office of the Prosecutor (“Prosecution”) to submit a report on the measures it intends to take in relation to the conduct of witnesses 169 and 178¹ (“Decision 2845”).

2. At this stage, the Prosecution will take no measures pursuant to Article 70 of the Statute regarding the conduct of witnesses 169 and 178.

3. The Prosecution undertakes to increase its measures to address the risk of [REDACTED] witnesses 169 and 178.

4. The Prosecution will continue to liaise with the Victims and Witnesses Unit (“VWU”) on the matter and will continue to monitor the situation.

II. Confidentiality

5. The Chamber ordered the Prosecution to file this report as confidential, available to the Chamber, the Registry, the parties and participants.²

III. Submissions

6. In its filing on the information [REDACTED] of witnesses 169 and 178 [REDACTED]³ (“Filing 2827”), the Prosecution informed the Chamber that it contacted witnesses 169 and 178 about their conduct, it briefed them about the

¹ ICC-01/05-01/08-2845-Conf-Red, Confidential redacted version of Decision on the Prosecution’s [REDACTED] [REDACTED] of 25 October 2013, 5 November 2013, para.13 (iii).

² *Ibid.*

³ ICC-01/05-01/08-2827-Conf-Red, Confidential redacted version of [REDACTED] [REDACTED] of 3 October 2013, 7 November 2013.

security implications of their behaviour, their impact on the security of other witnesses, offences under Article 70 and the consequences therein.⁴

7. In this regard, the Prosecution informed the Chamber that there has been no indication that witnesses 169 and 178 intended to harm any of the [REDACTED] witnesses.⁵ The Prosecution concluded this after it discussed the conduct of witnesses 169 and 178 with some of the [REDACTED].⁶ None of them reported threats, [REDACTED]. The Prosecution briefed witnesses 169 and 178 on, *inter alia*, offences under Article 70 of the Statute, to discourage them to continue [REDACTED].

8. The Prosecution informs the Chamber that, as of the date of this filing, it has not received any reports of a security nature from any of the [REDACTED] by the conduct of witnesses 169 and 178.

9. Based on the above, the Prosecution has no reason to undertake any measures pursuant to Article 70 of the Statute regarding the conduct of witnesses 169 and 178. The Prosecution will continue to monitor the situation.

10. With regard to measures addressing the potential security risks, the Prosecution maintains an [REDACTED] in order to ensure a [REDACTED]. The Prosecution continues its constant liaising with the VWU, which is responsible for the maintenance of the [REDACTED].

⁴ *Ibid*, para. 15.

⁵ *Ibid*, paras. 16 and 18.

⁶ *Ibid*, paras. 13 – 14.

11. In addition, the Prosecution will [REDACTED]. Notwithstanding the Chamber's order for the VWU to [REDACTED],⁷ [REDACTED]. It will also consider the feasibility of the implementation of local protective measures and [REDACTED].



Fatou Bensouda, Prosecutor

Dated this 4th Day of June 2014

At The Hague, The Netherlands

⁷ *Supra* 1, paras. 7 and 13(i).