

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/05-01/13**

Date: **10 July 2016**

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, Presiding Judge
Judge Marc Perrin de Brichambaut
Judge Raul Pangalangan

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

**IN THE CASE OF
THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE BABALA
WANDU AND NARCISSE ARIDO**

Public with Confidential Annex A and B

**Public Redacted Version of
“Narcisse Arido’s Request for Protective Measures for Witness CAR-D24-P-0001”
(ICC-01/05-01/13-1716-Conf), filed 13 March 2016**

Source: Counsel for Narcisse Arido

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

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Melinda Taylor

Counsel for Aimé Kilolo Musamba

Paul Djunga Mudimbi

Steven Powles

Counsel for Jean-Jacques Mangenda Kabongo

Christopher Gosnell

Arthur Vercken De Vreuschmen

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Roland Azama Shalie Rodoma

Counsel for Narcisse Arido

Charles Achaleke Taku

Beth Lyons

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants

**The Office of Public Counsel for
Victims**

The Office of Public Counsel for the Defence

Xavier-Jean Keïta

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and

Other

Reparations Section

I. SUBMISSIONS

1. The Arido Defence requests protective measures for witness CAR-D24-P-0001 ('D24-1') pursuant to Trial Chamber VII's ('Trial Chamber') Directions on the Conduct of Proceedings¹ paragraphs 24 and 25.

2. Pursuant to Regulation 23*bis* of the Regulations of the Court ('RoC') and Regulation 24 of the Regulations of the Registry ('RoR'), this request is submitted confidential as it refers to matters affecting the security of a witness and protective measures.

3. Upon initial consultations with the VWU, the Arido Defence understood that the section would make an independent assessment as to the security threats to witness D24-1 and make recommendations as to the necessity of protective measures. As D24-1 originally desired to testify in public this was found to be a satisfactory approach. However, [REDACTED]. Moreover, [REDACTED]² [REDACTED]. For these reasons, on the basis of Rule 87 of the Rules of Procedure and Evidence ('RPE'), the Arido Defence now requests that:

- That location or information that could be used to locate [REDACTED] pursuant to sub-section (a);
- That the Prosecution be prevented from disclosing [REDACTED] pursuant to sub-section (b);
- That the testimony is treated with voice and image distortion pursuant to sub-section (c);
- That the Chamber maintains the use of the pseudonym D24-1 in place of [REDACTED] pursuant to sub-section (d); and
- That part of the proceedings are undertaken *in camera* [REDACTED] pursuant (e).

4. The requested measures are intended to ensure that D24-1 is able to give evidence [REDACTED].

¹ ICC-01/05-01/13-1209.

² See Annex B.

5. Without the measures, there is an objective and justifiable risk to D24-1. Firstly, [REDACTED]. Given this, as a precautionary measure, both the identity and locale where D24-1 lives should be kept confidential as strictly as possible.

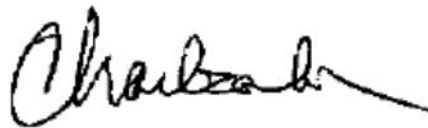
6. Secondly, as illustrated in [REDACTED],³ [REDACTED].

7. Finally, [REDACTED].

8. [REDACTED].

II. CONCLUSION

9. In light of the above, the Arido Defence respectfully requests Trial Chamber VII grant the protective measures requested in paragraph 3.



Chief Charles Achaleke Taku, Counsel for Mr. Arido

Dated this 10th Day of July 2016

The Hague, The Netherlands

³ See Annex A.