

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 10 June 2015

TRIAL CHAMBER VII

Before: Judge Chile Eboe-Osuji, Presiding
Judge Olga Herrera Carbuccion
Judge Bertram Schmitt

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 redacted version of

**Victims and Witnesses Unit's Observations on the "Prosecution Application for
Delayed Disclosure" (ICC-01/05-01/13-985-Conf-Exp)**

Source: The Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Counsel for Aimé Kilolo Musamba

Counsel for Jean-Jacques Mangenda Kabongo

Counsel for Fidèle Babala Wandu

Counsel for Narcisse Arido

Legal Representatives of Victims

Legal Representatives of 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

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

Victims Participation and Reparations Section

Other

The Registrar of the International Criminal Court (the “Court”);

NOTING the “Prosecution Application for Delayed Disclosure” submitted by the Prosecution on 5 June 2015 (the “Application”);¹

NOTING the e-mail communication received from Trial Chamber VII (the “Chamber”) on 5 June 2015;²

NOTING articles 43(6), 64 and 68(1) and (4) of the Rome Statute, rules 16 to 19 and 81(4) of the Rules of Procedure and Evidence, regulation 23*bis* (2) of the Regulations of the Court and regulation 79 of the Regulations of the Registry;

CONSIDERING that in its Application, the Prosecution sought delayed disclosure of the identity and interview records of Prosecution Witness CAR-OTP-P-0261 (D04-0023 in the main case) until 30 days before the start of the trial, or, in the alternative, until the Victims and Witnesses Unit’s (the “VWU” or “Unit”) assessment is completed and the Registrar’s decision on protective measures is implemented;

CONSIDERING that the Chamber directed the VWU to file observations on the Application by 10 June 2015;

RESPECTFULLY SUBMITS the “Victims and Witnesses Unit’s Observations on the “Prosecution Application for Delayed Disclosure” (ICC-01/05-01/13-985-Conf-Exp)”:

¹ ICC-01/05-01/13-985-Conf-Exp.

² E-mail from Trial Chamber VII Communication received at 13:09.

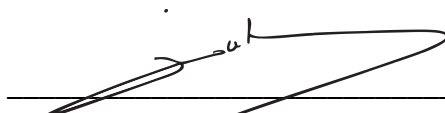
1.

2. At this juncture, the VWU wishes to inform the Chamber that

the
mission initially planned for May 2015 had to be postponed. The upcoming
mission is now scheduled for the week commencing

3. For the purpose of the Application, the Unit is of the view that the disclosure
of the identity of the Witness should not take place

4. Depending on the outcome of its assessment, the Unit estimates, that should
any protective measures be required, the implementation of such measures
could be completed by the first week of



Marc Dubuisson, Director of the Division of Court Services
per delegation of
Herman von Hebel, Registrar

Dated this 10 June 2015

At The Hague, The Netherlands