

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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

Date: 7 November 2016

TRIAL CHAMBER III

Before: Judge Joyce Aluoch, Presiding Judge
Judge Geoffrey Henderson
Judge Chang-ho Chung

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR
V. JEAN-PIERRE BEMBA GOMBO**

**Public Redacted Document
with
Confidential annexes A, B, C, and D**

**Public redacted version of "Prosecution's Proposal of a Public Redacted Version of
CAR-OTP-PPPP-0075's Testimony", 13 May 2011, ICC-01/05-01/08-1407-Conf**

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 24 June 2010, the Office of the Prosecutor (“Prosecution”) filed an application for protective and special measures for witnesses it intended to rely upon during trial.¹ On 6 July 2010, the Prosecution filed a corrigendum to this application.² With regard to Witness CAR-OTP-PPPP-0075 (“Witness 75”), the Prosecution requested that her entire testimony be heard in closed session. It submitted that such protection was necessary, as the substance of her testimony could potentially identify her to [REDACTED].³ On 8 October 2010, the Victims and Witnesses Unit (“VWU”) also recommended the entire hearing be held *in camera* to ensure the psychological well-being of the witness.⁴

2. On 28 March 2011, Trial Chamber III (“Chamber”) issued an oral decision authorizing Witness 75 to be heard entirely in closed session. In view of Witness 75’s specific circumstances, the Chamber considered that voice and image distortion, or partial private sessions, were insufficient to negate the risk of the witness being identified and her family life being destroyed. Furthermore, in order to respect the principle of publicity of the proceedings, the Chamber ordered the Prosecution to prepare a public redacted version of the transcripts of the hearing in closed session.⁵

3. Pursuant to the Chamber’s order, the Prosecution consulted with the VWU and prepared a redacted version of the witness’s testimony. The proposed redactions are highlighted in yellow in Annexes A, B, C and D appended to this filing. The Prosecution hereby submits the redacted transcripts for review and authorization to be released to the public.

¹ ICC-01/05-01/08-800-Conf-Exp with Conf-Exp-AnxA, Prosecution’s Request for Protective and Special Measures for Prosecution Witnesses at Trial, 24 June 2010.

² ICC-01/05-01/08-800-Conf-Exp-Corr with Conf-Exp-AnxA-Corr, Corrigendum to “Prosecution’s Request for Protective and Special Measures for Prosecution Witnesses at Trial”, 6 July 2010.

³ [REDACTED].

⁴ [REDACTED].

⁵ [REDACTED].

II. Request for confidentiality

4. The Prosecution requests that this submission including its annexes be received by the Chamber as “Confidential” as they relate to confidential information that is not known to the public.



Fatou Bensouda, Prosecutor

Dated this 7th Day of November 2016

At The Hague, The Netherlands