

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 4 November 2010

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 on the “Prosecution’s Revised Order of its Witnesses at Trial and Estimated Length of Questioning”

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

The Office of the Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor

Ms Petra Kneuer, Senior Trial Lawyer

Legal Representatives of the Victims

Ms Marie Edith Douzima-Lawson

Counsel for the Defence

Mr. Nkwebe Liriss

Mr Aimé Kilolo Musamba

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**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Trial Chamber III (“Trial Chamber” or “Chamber”) of the International Criminal Court (“Court”) in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* issues the following Order on the “Prosecution’s Revised Order of its Witnesses at Trial and Estimated Length of Questioning” (“Submission”).¹

1. On 21 October 2010, the Chamber requested the Office of the Prosecutor (“prosecution”) to file a revised order of its witnesses as well as a new estimate on the length of questioning.²
2. On 26 October 2010, the prosecution filed its confidential Submission, in which it submits that it has implemented the Chamber’s instructions with regard to grouping some of the witnesses and the general order in which witnesses are to be called.³ The prosecution also provides the Chamber with a revised estimate on the length of questioning for each proposed witness, specifying that although it is difficult to predict with accuracy the actual length of each witnesses’ testimony, the prosecution “will make ongoing efforts to shorten its case wherever possible”.⁴
3. The Chamber approves the revised order of witnesses, which reflects the Chamber’s suggestions made during the status conference on 21 October 2010.⁵ Any subsequent amendment of the order of witnesses shall require the prior authorisation of the Chamber.
4. The Chamber notes the efforts made by the prosecution to shorten the estimated length of questioning witnesses. At this stage, the Chamber will refrain from setting a time-limit for the presentation of the evidence to be

¹ Prosecution’s Revised Order of its Witnesses at Trial and Estimated Length of Questioning, 26 October 2010, ICC-01/05-01/08-975-Conf.

² Transcript of hearing on 21 October 2010, ICC-01/05-01/08-T-30-ENG, page 8, lines 17- 23.

³ ICC-01/05-01/08-975-Conf, paragraph 2.

⁴ ICC-01/05-01/08-975-Conf, paragraph 2.

⁵ ICC-01/05-01/08-T-30-ENG, page 8, lines 3- 23.

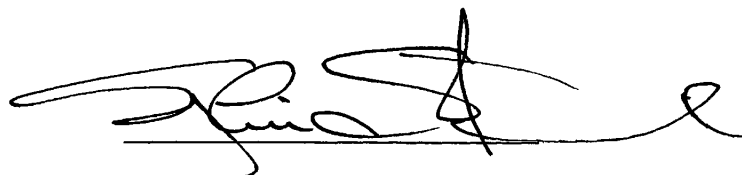
relied on by the prosecution.⁶ However, given the duty of the Chamber, set out in Article 64(2) of the Rome Statute (“Statute”), to ensure that proceedings are conducted expeditiously, the Chamber will continue to review the matter in order to prevent unnecessary delays and to maintain effective use of time.⁷

5. Finally, considering the principle of publicity of proceedings enshrined in Articles 64(7) and 67(1) of the Statute and the duty to protect witnesses as necessary in accordance with Article 68(1), the Chamber orders the prosecution to file a public redacted version of its confidential Submission.
6. For these reasons, pursuant to Regulations 43 and 54(d) of the Regulations of the Court, the Chamber hereby:
 - i) Approves the witness order proposed by the prosecution;
 - ii) Orders the prosecution to file a public redacted version of its Submission by 16.00 on 5 November 2010.


⁶ See Regulation 54 c) and d) of the Regulations of the Court.

⁷ See Regulation 43 of the Regulations of the Court.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 4 November 2010

At The Hague, The Netherlands