

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 15 November 2011

**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 document**

**Public Redacted Version of the Chamber's 10 November 2011 Order granting  
leave to reply**

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

**The Office of the Prosecutor**

Ms Fatou Bensouda

Ms Petra Kneuer

**Counsel for the Defence**

Mr Nkwebe Liriss

Mr Aimé Kilolo Musamba

**Legal Representatives of the Victims**

Mr Assingambi Zarambaud

Ms Marie-Édith Douzima-Lawson

**Legal Representatives of the 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**

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**Registrar**

Ms Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section**

**Other**

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court”) in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* issues the following Public Redacted Version of the Chamber’s 10 November 2011 Order granting leave to reply.

1. On 2 November 2011, the Office of the Prosecutor (“prosecution”) filed its Response regarding the Witness Schedule (“Prosecution Submission”),<sup>1</sup> in which it provided information on witness scheduling requested by the Chamber on 27 October 2011.<sup>2</sup>
2. On 8 November 2011, the Defence filed its response to the Prosecution Submission (“Defence Submission”).<sup>3</sup>
3. On 9 November 2011, the prosecution filed a request for leave, pursuant to Regulation 24(5) of the Regulations of the Court (“Regulations”), to reply to the Defence Submission.<sup>4</sup> In its request, the prosecution asserts that the Defence Submission raises an issue not addressed in the Prosecution Submission – namely, the possibility of Witness 69 testifying before the Court’s winter judicial recess.<sup>5</sup> The prosecution requests leave to reply to this one issue.<sup>6</sup>
4. The prosecution is correct that the possibility of Witness 69 testifying before the Court’s judicial recess was raised for the first time in the Defence Submission. For this reason, and because the Chamber may benefit from hearing the prosecution’s views on the issue, the Chamber

<sup>1</sup> Prosecution’s Response regarding the Witness Schedule, 2 November 2011, ICC-01/05-01/08-1874-Conf.

<sup>2</sup> Transcript of hearing on 27 October 2011, ICC-01/05-01/08-T-176-ENG ET, page 5, lines 4 to 9.

<sup>3</sup> Defence Response to Prosecution Further Revised Submissions on Scheduling, 8 November 2011, ICC-01/05-01/08-1893-Conf.

<sup>4</sup> Prosecution’s Request for leave to reply to “Defence Response to Prosecution Further Revised Submissions on Scheduling”, 9 November 2011, ICC-01/05-01/08-1896-Conf.

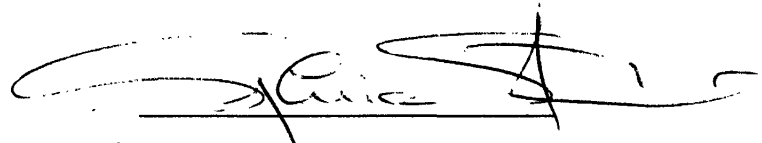
<sup>5</sup> ICC-01/05-01/08-1896-Conf, paragraphs 5-6.

<sup>6</sup> ICC-01/05-01/08-1896-Conf, paragraph 7.

finds the prosecution's request to be well-founded. Leave to reply will therefore be granted.

5. In addition to the scheduling of Witness 69's testimony, the prosecution's reply may also provide further information on Witness 36's [REDACTED] availability to testify, should any new information be available.
6. For the foregoing reasons, the Chamber:
  - a. GRANTS the prosecution's request for leave to reply, pursuant to Regulation 24(5) of the Regulations; and
  - b. ORDERS that the prosecution's reply shall be filed no later than 10:00 on Friday, 11 November 2011.

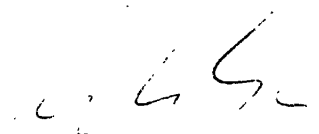
Done in both English and French, the English version being authoritative.



**Judge Sylvia Steiner**



**Judge Joyce Aluoch**



**Judge Kuniko Ozaki**

Dated this 15 November 2011

At The Hague, The Netherlands