

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 19 November 2012

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

Decision requesting the VWU's observations on the « Requête tendant à obtenir levée des mesures coercitives pesant sur le témoin D04-49 (Article 64-6-f du Statut de Rome) »

Order 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 Aimé Kilolo Musamba

Mr Peter Haynes

Legal Representatives of the Victims

Ms Marie Edith Douzima-Lawson

Mr Assingambi Zarambaud

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

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Ms Maria-Luisa Martinod-Jacome

Detention Section

Victims Participation and Reparations Section

Other

Mr Ghislain M. Mabanga

Trial Chamber III (“Chamber”) of the International Criminal Court in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* issues the following Decision requesting the VWU’s observations on the « Requête tendant à obtenir levée des mesures coercitives pesant sur le témoin D04-49 (Article 64-6-f du Statut de Rome) »

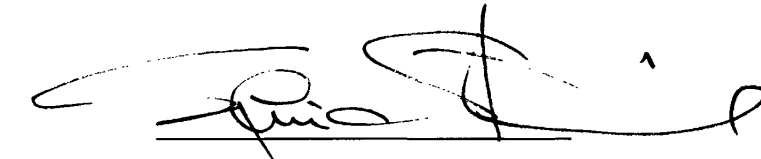
1. On 19 November 2012, Maître Ghislain M. Mabanga, the duty counsel appointed by the Registry in order to ensure that witness CAR-D04-PPPP-0049 (“Witness D04-49”) was notified and informed of the provisions of Rule 74 of the Rules of Procedure and Evidence (“Rules”),¹ filed the « Requête tendant à obtenir levée des mesures coercitives pesant sur le témoin D04-49 (Article 64-6-f du Statut de Rome) » (“Request”),² in which he requested the Chamber to lift a series of coercive measures allegedly imposed upon Witness D04-49 by the Victims and Witnesses Unit (“VWU”).

2. In order to issue an informed decision on the matter, the Chamber finds it necessary to hear the VWU’s observations on the duty counsel’s Request and allegations. Thus, in accordance with Article 21 of the Rome Statute (“Statute”) and consistent with its obligation to protect the safety, physical and psychological well-being, dignity and privacy of witnesses, pursuant to Articles 64(6)(e), 64(6)(f) and 68(1) of the Statute and Rule 86 of the Rules, the Chamber orders the VWU to file its observations on the Request, no later than by 16.00 on 21 November 2012.

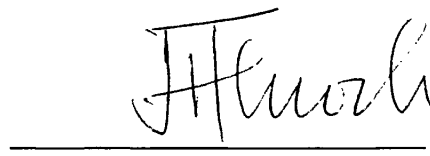
¹ Enregistrement de la désignation de Maître Ghislain Mabanga en qualité de conseil de permanence, 11 October 2012, ICC-01/05-01/08-2338-Conf and Annex ICC-01/05-01/08-2338-Conf.

² Requête tendant à obtenir levée des mesures coercitives pesant sur le témoin D04-49 (Article 64-6-f du Statut de Rome), 19 November 2012, ICC-01/05-01/08-2416.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 19 November 2012

At The Hague, The Netherlands