

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 30 August 2013

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

**Fourth Order on the submission into evidence of material used during the
questioning of witnesses**

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr Jean-Jacques Badibanga

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**

Ms Paolina Massidda

**The Office of Public Counsel for the
Defence**

Mr Xavier-Jean Keita

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

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* hereby delivers the following Fourth Order on the submission into evidence of material used during the questioning of witnesses.

1. Pursuant to Articles 64(2) and (10) and 69 of the Rome Statute (“Statute”), Rules 63 and 64 of the Rules of Procedure and Evidence (“Rules”) and Regulations 28(2) and 34(a) of the Regulations of the Court, the Chamber hereby orders the parties to file, by 13 September 2013, submissions identifying all materials which they wish to submit into evidence ranging in date from the testimony of Witness D04-21 to the testimony of Witness D04-30. The filings should include all information relevant to the Chamber’s three-part admissibility test, in accordance with the Statute and the Rules. In particular, the party seeking an item’s admission should demonstrate, in line with the test applied by the Chamber,¹ that the item (i) is relevant to the case; (ii) has probative value; and (iii) is sufficiently relevant and probative to outweigh any potential prejudicial effect that could be caused by its admission.
2. The Chamber further orders that any objections to the admission of an item into evidence shall be raised by 20 September 2013. Thereafter, any party wishing to reply to the objection shall do so in writing by 27 September 2013.


¹ See First decision on the prosecution and defence requests for the admission of evidence, 15 December 2011, ICC-01/05-01/08-2012-Conf and Public Redacted version filed on 9 February 2012, ICC-01/05-01/08-2012-Red, paragraphs 13 to 17 and Decision on the Prosecution’s Application for Admission of Materials into Evidence Pursuant to Article 64(9) of the Rome Statute, 6 September 2012, ICC-01/05-01/08-2299-Conf and Public Redacted version filed on 8 November 2012, ICC-01/05-01/08-2299-Red, paragraphs 7 to 10.

- The Chamber will issue a decision on the requests for the admission of evidence in due course.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 30 August 2013

At The Hague, the Netherlands