

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-01/05-01/13**  
Date: **27 November 2015**

**TRIAL CHAMBER VII**

**Before: Judge Bertram Schmitt, Single Judge**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

**IN THE CASE OF**

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO  
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE BABALA  
WANDU and NARCISSE ARIDO***

**Public**

**Decision on Prosecution's Application for Non-Standard Redactions Related to  
Operational Communications**

To be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

**The Office of the Prosecutor**

Ms Fatou Bensouda

Mr James Stewart

Mr Kweku Vanderpuye

**Counsel for Jean-Pierre Bemba Gombo**

Ms Melinda Taylor

**Counsel for Aimé Kilolo Musamba**

Mr Paul Djunga Mudimbi

**Counsel for Jean-Jacques Mangenda Kabongo**

Mr Christopher Gosnell

**Counsel for Fidèle Babala Wandu**

Mr Jean-Pierre Kilenda Kakengi Basila

**Counsel for Narcisse Arido**

Mr Charles Achaleke Taku

**Legal Representatives of Victims**

**Legal Representatives of 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**

**Others**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section**

**Judge Bertram Schmitt**, acting as Single Judge on behalf of Trial Chamber VII ('Single Judge' and 'Chamber', respectively) of the International Criminal Court, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, having regard to Article 68 of the Rome Statute, Rules 76-77 and 81 of the Rules of Procedure and Evidence and Regulation 29 of the Regulations of the Court, issues the following 'Decision on Prosecution's Application for Non-Standard Redactions Related to Operational Communications'.

1. On 20 November 2015, the Office of the Prosecutor ('Prosecution') requested the Chamber to authorise certain limited redactions to email correspondence between the Prosecution and the Registry on the taking of Rule 68(2)(b)(iii) declarations for P-242 and P-243 ('Request').<sup>1</sup> Non-standard redactions are requested to protect the confidentiality of Registry operations.<sup>2</sup>
2. By 25 November 2015,<sup>3</sup> none of the defence teams responded to the Request.
3. The Request is therefore unopposed, and the Single Judge considers that the redactions sought are not prejudicial to the rights of the defence because they are limited and relate to information irrelevant to the material facts of the case.

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<sup>1</sup> Confidential redacted version of "Prosecution's Application for Non-Standard Redactions" 20 November 2015, ICC-01/05-01/13-1488-Conf-Exp, 23 November 2015, ICC-01/05-01/13-1488-Conf-Red (with *ex parte* annex showing requested redactions on CAR-OTP-0091-0301). The Prosecution was directed by the Chamber to file a confidential redacted version of the Request by 12:00 on 23 November, but it was filed late at 14:09. *See* Email from a Legal Office of the Chamber to the parties and Registry on 20 November 2015 at 17:58; Email from the Prosecution to the parties, Registry and Chamber on 23 November 2015 at 14:20 (apologising for the late filing). No prejudice is caused by this particular delay, but the Prosecution is reminded to do its utmost to comply with the Chamber's deadlines and, if this is not possible, to seek extensions of time before these deadlines expire.

<sup>2</sup> Request, ICC-01/05-01/13-1488-Conf-Red, para. 8.

<sup>3</sup> The response deadline was shortened to this date. Email from a Legal Office of the Chamber to the parties and Registry on 20 November 2015 at 17:58.

**FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY**

**GRANTS** the relief sought in the Request.

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

A handwritten signature in black ink, appearing to read 'Bertram Schmitt', is written over a horizontal line.

**Judge Bertram Schmitt, Single Judge**

Dated 27 November 2015

At The Hague, The Netherlands