

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 15 April 2016

**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 on “Defence Request for Authorisation to File a Public Version of  
its Final Trial Brief”**

**Decision 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 Peter Haynes  
Ms Kate Gibson  
Ms Melinda Taylor

**Legal Representatives of the Victims**

Ms Marie-Edith Douzima Lawson

**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 Keïta

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Trial Chamber III (“Chamber”) of the International Criminal Court, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, issues the following Decision on “Defence Request for Authorisation to File a Public Version of its Final Trial Brief” (“Decision”).

1. Through a series of emails,<sup>1</sup> the Chamber set up a system for the submission of proposed public redacted versions of the closing submissions filed by the Office of the Prosecutor (“Prosecution”), the Defence for Mr Jean-Pierre Bemba Gombo (“Defence”), and the legal representative of victims (“Legal Representative”) (“Proposals”). The system provided for a review of the proposed redactions on an *inter partes* basis, and, in the event of disputed redactions, submission to the Victims and Witnesses Unit (“VWU”) for its recommendations. In accordance with this system, the Legal Representative submitted her Proposals on 13 November 2015,<sup>2</sup> and the VWU transmitted the Defence and Prosecution Proposals, including the VWU’s recommendations, on 25 November 2015.<sup>3</sup>
2. On 21 March 2016, the Chamber issued its “Judgment pursuant to Article 74 of the Statute” (“Judgment”).<sup>4</sup>
3. Since the issuance of the Judgment, the Chamber has reviewed the Proposals, in light of the VWU’s recommendations and with reference to, *inter alia*, the information made public in the Judgment.

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<sup>1</sup> Emails from the Chamber to the parties, the Legal Representative, and the VWU on 19 November 2014, at 13.47, 18 February 2015, at 15.02, 19 February 2015, at 14.18, 16 September 2015, at 15.19, and 11 November 2015, at 16.09.

<sup>2</sup> Email from the Legal Representative to the Chamber and the parties on 13 November 2015, at 18.33. In the absence of disputed redactions, no intervention of the VWU was required and the documents were directly submitted to the Chamber.

<sup>3</sup> Email from the VWU to the Chamber on 25 November 2015, at 17.25.

<sup>4</sup> Judgment pursuant to Article 74 of the Statute, 21 March 2016, ICC-01/05-01/08-3343.

4. On 8 April 2016, the Defence filed its “Defence Request for Authorisation to File a Public Version of its Final Trial Brief” (“Request”),<sup>5</sup> in which it requests that the Chamber:<sup>6</sup>

**AUTHORISE** the Defence to file a public redacted version of its Final Trial Brief in the form annexed [to its Request]; or, in the alternative,

**AUTHORISE** the filing of a public redacted version of the Final Trial Brief in a form approved by the Trial Chamber by 18 April 2016.

5. On 14 April 2016, the Chamber (i) approved the Proposals, subject to a number of amendments and clarifications; and (ii) instructed the parties and the Legal Representative to revise the Proposals accordingly and file them by 22 April 2016 (“Instructions”).<sup>7</sup> In these circumstances, as the Instructions rendered the Request moot, the Chamber does not consider it necessary to receive responses to the Request.
6. Accordingly, the Chamber hereby **DISMISSES** the Request as moot.

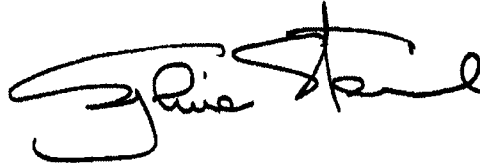
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<sup>5</sup> Defence Request for Authorisation to File a Public Version of its Final Trial Brief, 8 April 2016, ICC-01/05-01/08-3361.

<sup>6</sup> ICC-01/05-01/08-3361, para. 22.

<sup>7</sup> Email from the Chamber to the parties on 14 April 2016, at 17.22.

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



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**Judge Sylvia Steiner**



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**Judge Joyce Aluoch**



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**Judge Kuniko Ozaki**

Dated this 15 April 2016

At The Hague, the Netherlands