

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 06 August 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**

Confidential

**Decision shortening time for observations on the
"Prosecution's Motion to Exclude Defence Political-Military Strategy Expert"**

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 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

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 shortening time for observations on the "Prosecution's Motion to Exclude Defence Political-Military Strategy Expert".

1. On 3 August 2012, the Office of the Prosecutor ("prosecution") filed its "Prosecution's Motion to Exclude Defence Political-Military Strategy Expert" ("Application"),¹ requesting that the Chamber exclude the proposed defence's political-military strategy expert, CAR-D04-PPPP-0059 ("D04-59"), on the basis that the testimony of the witness is either not relevant to the issues of the case or, when arguably relevant, not properly the subject of expert testimony.² Further, the prosecution alleges that the proposed witness is not qualified to testify as an expert on military subjects,³ and that he has not been admitted into the Registry's list of experts.⁴
2. In making this ruling, the Chamber has considered, in accordance with Article 21(1) of the Rome Statute ("Statute"), Article 64(2) of the Statute and Regulation 34 of the Regulations of the Court.
3. Taking into account that the witness whose exclusion is requested by the prosecution is the second witness scheduled to testify for the defence, in order for the Chamber to be able to rule on the Application promptly, the time limit for the filing of observations needs to be reduced.

¹ Prosecution's Motion to Exclude Defence Political-Military Strategy Expert, 3 August 2012, ICC-01/05-01/08-2252-Conf.

² ICC-01/05-01/08-2252-Conf, paragraphs 1, 12, 14, 16 and 18.

³ ICC-01/05-01/08-2252-Conf, paragraph 17.

⁴ ICC-01/05-01/08-2252-Conf, paragraph 9.

4. For these reasons, the Chamber hereby ORDERS that the defence and the legal representatives of victims file their observations on the Application, if any, by no later than 16.00 on 10 August 2012.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this Monday 6 August 2012

At The Hague, The Netherlands