



Original: **French**

No.: **ICC-01/05-01/08**
Date: **3 September 2008**

PRE-TRIAL CHAMBER III

Before: Judge Fatoumata Dembele Diarra, Presiding Judge
Judge Hans-Peter Kaul, Judge
Judge Ekaterina Trendafilova, Judge

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR
v. JEAN-PIERRE BEMBA GOMBO**

Public Document

Decision to Unseal Certain Documents

Decision/Order/Judgment to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Fatou Bensouda, Deputy Prosecutor
Petra Kneuer, Trial lawyer

Counsel for the Defence

Nkwebe Liriss
Tjarda E. Van der Spoel
Aimé Kilolo-Musamba

Legal Representatives of the Victims

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

REGISTRY

Registrar
Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. **PRE-TRIAL CHAMBER III** (“the Chamber”) of the International Criminal Court (“the Court”) intends to unseal certain documents in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*;
2. On 25 August 2008, the Single Judge¹ held a status conference² during which the Prosecutor was asked whether he objected to making public three geographic maps of Bangui and one map of the Central African Republic featuring in annexes 7 and 8 to the “Prosecutor’s Application for Warrant of Arrest under Article 58”.³
3. The Chamber notes articles 57(3)(c), 67 and 68(1) of the *Rome Statute*, rule 15 of the *Rules of Procedure and Evidence*, regulations 8(c) and 23bis of the *Regulations of the Court* and regulation 14 of the *Regulations of the Registry*.
4. In accordance with regulation 23 bis of the *Regulations of the Court*, the Chamber considers that the classification under seal *ex parte* only available to the Prosecutor is no longer necessary since these maps are in the public domain and do not reveal any information about ongoing investigations.

FOR THESE REASONS, THE CHAMBER DECIDES

to unseal the following documents which are made public:

- 1) ICC-01/05-01/08-26-US-Exp-Anx 7A;
- 2) ICC-01/05-01/08-26-US-Exp-Anx 7B;
- 3) ICC-01/05-01/08-26-US-Exp-Anx 7C;

¹ ICC-01/05-01/08-53, *Decision Designating a Single Judge for the Period from 1 to 31 August 2008*.

² ICC-01/05-01/08-T-4-CONF-EXP-ENG ET, p.75, lines 20-25 and p. 76, lines 1-3. The Chamber is of the opinion that merely disclosing the existence of a closed session status conference, the transcript of which is confidential, without however disclosing the contents thereof does not undermine the confidentiality of that hearing.

³ ICC-01/05-01/08-26-US-Exp.

4) ICC-01/05-01/08-26-US-Exp-Anx 8.

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

[signed]

Judge Fatoumata Dembele Diarra
Presiding Judge

[signed] 3/9/08

Judge Hans-Peter Kaul
Judge

[signed]

Judge Ekaterina Trendafilova
Judge

Dated this 3 September 2008

At The Hague, the Netherlands