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**International  
Criminal  
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Date: **14 October 2010**

**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 Document  
With  
Public Annex A**

**Corrigendum to Prosecution's Observations on 218 Applications for Victim's  
Participation in the Proceedings**

**Source:** The Office of the Prosecutor

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

**The Office of the Prosecutor**

**Counsel for the Defence of Jean-Pierre Bemba Gombo**

Mr Nkwebe Liriss

Mr Aimé Kilolo Musamba

**Legal Representatives of the Victims**

Ms Marie-Edith Douzima-Lawson

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Prosecution of Public Counsel for Victims**

Ms Paolina Massidda

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

**States' Representatives**

**Amicus Curiae**

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**REGISTRY**

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**Registrar**

Ms Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section**

Ms Fiona McKay

**Other**

## Introduction

1. Pursuant to Rule 89(1) of the Rules of Procedure and Evidence (“Rules”) and the oral order (“Order”)<sup>1</sup> issued by Trial Chamber III (“Chamber”) at the status conference held on 24 September 2010, the Office of the Prosecutor (“Prosecution”) submits the following observations on the applications for participation in the trial proceedings in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, transmitted to the parties and legal representatives by the Victims Participation and Reparations Section (“VPRS”) on 24 September 2010.<sup>2</sup>

2. For the reasons detailed below, the Prosecution requests the Chamber to grant authorization to participate as victims in the above-mentioned proceeding, pursuant to Article 68(3) of the Rome Statute (“Statute”), to all applicants *except* Applicants a/1574/10, a/1576/10, a/1458/10, a/1451/10, a/1782/10, and a/1790/10. The Chamber should defer its decisions on the six identified applications pending further information, documentation and, when necessary, amendment of the applications, as stated in detail in paragraphs 21 to 24 below. The VPRS should be charged with securing that information, documentation and amendments.

## Background

3. On 24 September 2010, the Chamber requested observations on 218 applications for participation as victims in the case.<sup>3</sup>

4. All the 218 applicants are natural persons. All applicants request to be allowed to participate in the trial proceedings against Jean-Pierre Bemba Gombo (“Accused”).

## Legal criteria for victim participation in the proceedings

5. The Prosecution considers that victims’ participation before the Court is an essential feature of the Rome Statute system and an important contribution to international justice.

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<sup>1</sup> ICC-01/05-01/08-T-25-CONF-ENG, 24 September 2010, page 24, lines 4-6. The Chamber requested the parties to present their observations on each set of victims’ applications within ten days of the notification.

<sup>2</sup> ICC-01/05-01/08-903, Third transmission to the parties and legal representatives of redacted versions of applications for participation in the proceedings, 24 September 2010.

<sup>3</sup> ICC-01/05-01/08-T-25-CONF-ENG, 24 September 2010, page 24, lines 4-6. The Chamber notified the Prosecution via e-mail on 1 October 2010 that the Prosecution had been granted an extension of the time limit to file its observations by 11 October 2010. See e-mail from Ms. Tonia Gillett on 1 October 2010 at 13:49.

Under the Statute, victims are actors in the administration of international justice rather than its passive subjects. Their participation is a statutory right, not a privilege bestowed on a case-by-case basis.

6. The Prosecution supports victims' participation when all statutory requirements are met. Consistent with its view of the unique and necessary perspective victims lend to the proceedings, the Prosecution supports a liberal approach in permitting applicants to amend or clarify deficient applications, if possible.

7. The Appeals Chamber has determined that an applicant must meet the following requirements before the Court will authorize participation as a victim in the proceedings under Article 68(3) of the Statute:

- (i) the applicant qualifies as a victim pursuant to Rule 85 of the Rules;
- (ii) the applicant's personal interests are affected by legal or factual issues raised in the proceedings at hand.<sup>4</sup>

8. With respect to first requisite - qualification as a victim under Rule 85 of the Rules - the following four criteria must be satisfied for victim status to be warranted, regardless of the stage of the proceedings in which the applicant wishes to participate:

- (i) the applicant must be a natural person as set forth in Rule 85(a) or an organization or institution as set forth in Rule 85(b) of the Rules;
- (ii) the applicant must have suffered personal harm;
- (iii) the crime from which the harm resulted must fall within the jurisdiction of the Court;  
and
- (iv) there must be a causal link between the crime and the harm the applicant personally suffered.<sup>5</sup>

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<sup>4</sup> ICC-01/04-556 OA4 OA5 OA6, Judgment on victim participation in the investigation stage of the proceedings in the appeal of the OPCD against the decision of Pre-Trial Chamber I of 7 December 2007 and in the appeals of the OPCD and the Prosecutor against the decision of Pre-Trial Chamber I Decision of 24 December 2007, 19 December 2008, at para. 45; ICC-01/04-01/06-1335 OA9 OA10, Decision, *in limine*, on Victim Participation in the appeals of the Prosecutor and the Defence against Trial Chamber I's Decision entitled "Decision on Victims' Participation, 16 May 2008, at para. 36.

<sup>5</sup> ICC-01/04-01/06-601-tEN, Decision on applications for participation in proceedings a/0004/06 to a/0009/06, a/0016/06, a/0063/06, a/0071/06 to a/0080/06 and a/0105/06 in the case of The Prosecutor v. Thomas Lubanga Dyilo, 20 October 2006, page 9; ICC-01/04-01/06-228-tEN, Decision on the Applications for Participation in the Proceedings of a/0001/06, a/0002/06 and a/0003/06 in the case of the Prosecutor v. Thomas Lubanga Dyilo and of the investigation in the Democratic Republic of the Congo, 28 July 2006, page 7.

9. Applicants are required to make a *prima facie* showing that these four requisites are met.<sup>6</sup> In reviewing applications, Chambers will generally not delve into the credibility of applicants' statements or require rigorous corroboration.<sup>7</sup> Rather, Chambers will "assess the applicants' statements first and foremost on the merits of their intrinsic coherence, as well as on the basis of the information otherwise available" to the Chamber.<sup>8</sup>

10. The first step in the determination of whether the applicant is a "natural person" within the meaning of Rule 85 of the Rules is an inquiry into whether the applicant has provided adequate proof of identity.<sup>9</sup> Chambers have recognized that a balance must be achieved between the need to establish an applicant's identity with certainty, on the one hand, and the applicant's personal circumstances, on the other.<sup>10</sup> Bearing in mind that the chaotic circumstances present in a given situation may preclude applicants from obtaining or producing copies of official identity papers and to ensure that victims are not unfairly deprived of the opportunity to participate, Chambers have considered non-official identification documents or, in appropriate cases, a statement signed by two credible witnesses attesting to the identity of the applicant.<sup>11</sup> Further, "when assessing whether an applicant has suffered harm as a result of the loss of a family member, the Court requires proof of the identity of the family member and of his or her relationship with the applicant."<sup>12</sup>

11. The established jurisprudence requires that there be a causal link between the charges and the harm. Whether the applicant is seeking to participate in the pre-trial or trial proceedings in a particular case, the harm suffered by the applicant must have a demonstrable link to the charges to be tried in the case.<sup>13</sup> "If the applicant is unable to demonstrate a link between the harm suffered and the particular crimes charged, then even if his or her personal

<sup>6</sup> ICC-02/05-01/07-58, Decision on 6 Applications for Victims' Participation in the Proceedings, 17 June 2010, at para. 7; ICC-01/04-01/07-579, Public Redacted Version of the "Decision on the 97 Applications for Participation at the Pre-Trial Stage of the Case", 10 June 2008, at para. 67.

<sup>7</sup> ICC-01/04-01/07-579, at para. 67.

<sup>8</sup> *Ibid*, paras. 67, 132

<sup>9</sup> ICC-02/04-179 OA, Judgment on the appeals of the Defence against the decisions entitled "Decision on victims' applications for participation a/0010/06, a/0064/06 to a/0070/06, a/0081/06, a/0082/06, a/0084/06 to a/0089/06, a/0091/06 to a/0097/06, a/0099/06, a/0100/06, 23 February 2009, at paras. 35-38; ICC-01/04-01/06-1119, Decision on victims' participation, 18 January 2008, at para. 87.

<sup>10</sup> ICC-01/04-01/06-1119, at para. 87.

<sup>11</sup> *Ibid*, at para. 88; ICC-01/04-01/07-579, at paras. 44-59.

<sup>12</sup> ICC-02/05-02/09-147-Red, Public Redacted Version of "Decision on the 52 Applications the Pre-Trial Stage of the Case" for Participation at the Pre-Trial Stage of the Case", 9 October 2009, at para. 6; *see also* ICC-02/04-179 OA, at paras. 35-38.

<sup>13</sup> ICC-01/04-01/06-1432 OA9 OA10, Judgment on the appeals of The Prosecutor and The Defence against Trial Chamber I's Decision on Victims' Participation of 18 January 2008, 11 July 2008, at paras. 2, 62-65 ("For the purposes of participation in the trial proceedings, the harm alleged by a victim and the concept of personal interests under article 68(3) of the Statute must be linked with the charges confirmed against the accused.").

interests are affected by an issue in the trial, it would not be appropriate under Article 68(3) of the Statute, in conjunction with Rules 85 and 89(1) of the Rules, for his or her views and concerns to be presented.”<sup>14</sup>

12. Rule 85 of the Rules, as interpreted by the Appeals Chamber, requires that the applicant suffered personal harm. The Appeals Chamber defined “harm” within the meaning of Rule 85(a) of the Rules as “loss, injury or damage”<sup>15</sup> and explained that cognizable harm under Rule 85(a) includes material, physical and psychological injuries.<sup>16</sup> The most important requirement identified by the Appeals Chamber for identifying qualifying “harm” is that the loss or injury must be suffered personally by the applicant.<sup>17</sup> It may be inflicted on an individual or collective basis - “in a variety of different ways such as physical or mental injury, emotional suffering or substantial impairment of his or her fundamental rights” - but the harm must always be personal to the applicant.<sup>18</sup>

## **Factual analysis of the applications**

### **A. Applications that *prima facie* meet the requirements for victim participation**

13. The Prosecution submits that the following 181 Applicants, all natural persons, unqualifiedly meet all of the requirements under Article 68(3) of the Statute for participation in the proceedings at the trial stage: a/0746/10, a/0748/10, a/0749/10, a/0750/10, a/0751/10, a/0752/10, a/0840/10, a/0845/10, a/0847/10, a/0862/10, a/0863/10, a/0887/10, a/0891/10, a/0894/10, a/0961/10, a/0962/10, a/0966/10, a/0967/10, a/0969/10, a/0975/10, a/0977/10, a/0980/10, a/0984/10, a/1005/10, a/1007/10, a/1008/10, a/1009/10, a/1015/10, a/1016/10, a/1017/10, a/1018/10, a/1019/10, a/1030/10, a/1293/10, a/1294/10, a/1295/10, a/1354/10, a/1449/10, a/1452/10, a/1455/10, a/1456/10, a/1457/10, a/1463/10, a/1470/10, a/1471/10, a/1473/10, a/1477/10, a/1482/10, a/1483/10, a/1484/10, a/1488/10, a/1491/10, a/1504/10, a/1506/10, a/1507/10, a/1508/10, a/1511/10, a/1512/10, a/1516/10, a/1517/10, a/1519/10, a/1520/10, a/1525/10, a/1527/10, a/1528/10, a/1529/10, a/1530/10, a/1531/10, a/1532/10, a/1533/10, a/1534/10, a/1535/10, a/1536/10, a/1538/10, a/1546/10, a/1551/10, a/1552/10, a/1553/10, a/1558/10, a/1559/10, a/1560/10, a/1562/10, a/1564/10, a/1565/10, a/1566/10,

<sup>14</sup> ICC-01/04-01/06-1432 OA9 OA10, at para. 64.

<sup>15</sup> *Ibid*, at para. 31.

<sup>16</sup> *Ibid*, at para. 32. See also ICC-02/04-164 OA, Decision on the participation of victims in the appeal, 27 October 2008, at para. 8 (“treating ‘psychological trauma’ and ‘emotional harm’ as falling within the concept of ‘mental harm’”).

<sup>17</sup> ICC-01/04-01/06-1432 OA9 OA10, at para. 32.

<sup>18</sup> *Ibid*, at para. 34.

a/1567/10, a/1568/10,a/1572/10, a/1575/10, a/1578/10, a/1579/10, a/1753/10, a/1754/10, a/1757/10, a/1772/10, a/1774/10, a/1784/10, a/1785/10, a/1786/10, a/1787/10, a/1788/10, a/1791/10, a/1794/10, a/1798/10, a/1799/10, a/1804/10, a/1808/10, a/1917/10, a/1919/10, a/1920/10, a/1921/10, a/1924/10, a/1925/10, a/1927/10, a/1929/10, a/1930/10, a/1935/10, a/1937/10, a/1939/10, a/1941/10, a/1942/10, a/1944/10, a/1945/10, a/1946/10, a/1950/10, a/1951/10, a/1952/10, a/1953/10, a/1954/10, a/1956/10, a/2183/10, a/2228/10, a/2230/10, a/2232/10, a/2233/10, a/2237/10, a/2239/10, a/2240/10, a/2245/10, a/2246/10, a/2247/10, a/2250/10, a/2251/10, a/2252/10, a/2253/10, a/2254/10, a/2255/10, a/2256/10, a/2260/10, a/2261/10, a/2275/10, a/2276/10, a/2277/10, a/2278/10, a/2279/10, a/2281/10, a/2284/10, a/2283/10, a/2282/10, a/2285/10, a/2286/10, a/2287/10, a/2288/10, a/2289/10, a/2290/10, a/2291/10, a/2292/10, a/2293/10, a/2294/10, a/2295/10, a/2296/10, a/2297/10, a/2298/10, a/2299/10, a/2300/10, a/2301/10, a/2303/10, a/2304/10, a/2305/10, a/2306/10, a/2307/10.

14. The applications submitted by Applicants a/0848/10, a/1006/10, a/1020/10, and a/1401/10 provide electoral cards and baptism cards<sup>19</sup> as proof of identity. These items are not included in the list of documents previously cited as acceptable to establish the identity of the victim, by the Pre-Trial Chamber<sup>20</sup> and endorsed by the Chamber.<sup>21</sup> However, as the Chamber has recognised, the list of documents developed as proof of identity is not exhaustive; it is merely a sample of the types of documents that have been used by Chambers of this Court in determining proof of identity.<sup>22</sup> In the Prosecution's view, electoral cards and baptism cards can and, in this case, should be considered as sufficient proof of identity. These applicants should therefore be allowed to participate in the trial proceedings. Alternatively, if the Chamber concludes that any or all of these identity documents are insufficient, the Prosecution submits that these applicants be requested to provide adequate proof of identity.

#### **B. Applications bearing redactions that may be sufficient to meet the requirements for participation**

15. The applications mentioned in the following paragraphs bear redactions that make it difficult for the Prosecution to determine whether the applicants meet all the requirements for participation in the trial proceedings against the Accused.

<sup>19</sup> Applicants a/0848/10 and a/1020/10 submitted electoral cards. Applicants a/1006/10 and a/1401/10 submitted baptism cards.

<sup>20</sup> ICC-01/05-01/08-320, at paras. 36-38.

<sup>21</sup> ICC-01/05-01/08-699, at para.36.

<sup>22</sup> ICC-01/05-01/08-699, at para.36.

16. The applications submitted by Applicants a/0864/10, a/0865/10, a/0892/10, a/1752/10, a/1755/10, and a/1756/10 provide membership cards (“*cartes d’adhésion*”) as proof of identity. The Prosecution notes that the membership cards are included in the list of documents cited as generally acceptable by the Pre-Trial Chamber<sup>23</sup> and endorsed by the Chamber.<sup>24</sup> In these instances, however, redactions on the cards, render it impossible to identify the organizations or associations to which the membership cards relate. The Prosecution leaves it in the hands of the Chamber to determine whether these membership cards are sufficient to establish identity. Alternatively, if the Chamber concludes that they are insufficient, the Prosecution submits that these applicants be requested to provide adequate proof of identity.

17. Applicants a/1010/10 and a/1497/10 provide identity documents that, due to the extent of the redactions applied to the applications, cannot be identified by the Prosecution. The Prosecution therefore is not able to comment on whether the two above-mentioned applicants have provided sufficient proof of identity.

18. The unredacted portions of applications from Applicants a/1401/10,<sup>25</sup> a/1406/10, a/1447/10, a/1460/10,<sup>26</sup> a/1461/10, a/1466/10, a/1475/10, a/1479/10, a/1487/10, a/1496/10, a/1548/10 and a/1550/10 appear to largely meet the requirements for participation in the trial proceedings against the Accused. However, because of redactions the Prosecution cannot determine whether the crimes against the applicants were committed within the locations of the charges confirmed against the Accused.<sup>27</sup> The Prosecution therefore submits that the Chamber may determine that there is a sufficient link between the crimes alleged by the applicants and the charges in the instant case. Alternatively, the Prosecution suggests that these applicants be requested to provide additional information.

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<sup>23</sup> ICC-01/05-01/08-320, Fourth Decision on Victims' Participation, 12 December 2008, at paras. 36-38. “*Carte d’association*” is one the documents listed as acceptable proof of identity.

<sup>24</sup> ICC-01/05-01/08-699, Decision defining the status of 54 victims who participated at the pre-trial stage, and inviting the parties' observations on applications for participation by 86 applicants, 22 February 2010, at para.36.

<sup>25</sup> The Prosecution further notes that applicant a/1401/10 provided identity documents (in para. 16) that are not on the list of documents considered as acceptable by the Pre-Trial Chamber and endorsed by the Chamber.

<sup>26</sup> With regard to applicant a/1460/10 the Prosecution also observe that in para. 18 this applicant did not specifically allege that she was raped.

<sup>27</sup> The Prosecution notes that the territorial scope of the charges confirmed against the Accused includes a substantial part of the territory of the CAR. See ICC-01/05-01/08-424, paras. 117, 150, 188, 277, 322, 333, 486.



### **C. Applications that omit relevant information but may be presumed to meet the requirements for participation**

19. Applicants a/1460/10, a/1469/10, a/1500/10, a/1543/10, a/1570/10, a/1776/10, a/1779/10 and a/1810/10 claim that they were subject to sexual violence, but do not specifically allege that they were raped by the troops of the *Mouvement de Libération du Congo* (“MLC”). In light of the similarity of the crimes allegedly suffered by these applicants to the crime of rape with which the Accused is charged,<sup>28</sup> the Prosecution submits that these applicants’ claims indicate a causal link between the charges and the harm they suffered. They, therefore, should be allowed to participate in the trial proceedings. Alternatively, should the Chamber consider this information insufficient, the Prosecution suggests that these applicants be requested to provide clarification with regard to the crimes that they suffered.

20. Applicant a/2231/10 indicates the date of victimization on about 22 October 2002. The time-frame alleged by the Prosecution and upheld in the Confirmation Decision is “on or about 26 October 2002 to 15 March 2003,”<sup>29</sup> which the Chamber accepts.<sup>30</sup> The Prosecution considers that the charged time-frame permits applicants to claim victim status if they allege they were victims of acts that occurred close to the specified dates and within a general margin of appreciation. However, if the Chamber considers the date here - 22 October 2002 - insufficient, the Prosecution suggests that the applicant be requested to provide additional information.

### **D. Applications in respect of which, decisions should be deferred until additional information is provided**

21. Applicants a/1574/10 and a/1576/10 made applications pursuant to Rule 89(3) of the Rules on behalf of two victims of rape, but provide neither the express consent of the two victims nor documents to prove their identities. The Prosecution therefore suggests that these applications be deferred and that the applicants be given the opportunity to provide the outstanding documentation.

<sup>28</sup> ICC-01/05-01/08-424, Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute on the Charges of the Prosecutor Against Jean-Pierre Bemba Gombo, 15 June 2009, page 185.

<sup>29</sup> ICC-01/05-01/08-424, at para. 254.

<sup>30</sup> ICC-01/05-01/08-836, Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, at para. 51.

22. Applicants a/1782/10 and a/1790/10 claim that they personally suffered harm because of the rape and subsequent death of their sisters. They fail to provide death certificates of their deceased sisters as well as proof of the relationship between the applicants and the victims. Furthermore, Applicant a/1782/10 does not provide proof of the Applicant's own identity. The Prosecution suggests that decisions on these applications be deferred until sufficient documentation is obtained.

23. With regard to Applicant a/1458/10, the Prosecution notes that it is unclear whether this applicant demonstrates that he suffered "personal harm" from the crimes alleged. Applicant a/1458/10 submitted the application on his own behalf, and claims personal harm in relation to the fact that the MLC troops pillaged the family home where he lived with his parents and the rest of the family.<sup>31</sup> The Prosecution suggests that this application be deferred until more information is obtained with regard to the ownership of the property allegedly pillaged, and the application is amended, if necessary.

24. Applicant a/1451/10 is a father who, acting with the consent of the victim, his son, submitted an application for the beating that the latter suffered when the MLC occupied the applicant's home. As beating is not a crime within the scope of the charges against the Accused,<sup>32</sup> the applicant fails to allege the required causal link between the beating injuries suffered by the victim and the specific crimes confirmed against the Accused. However, applicant a/1451/10 also alleges in another section that his home was pillaged by the MLC troops. In one of the annexes attached to his application, Applicant a/1451/10 states: "... *la demande de participation que j'ai présenté en mon nom personnel*" (translation: "the application for participation that I have submitted on my own behalf"). The Prosecution therefore suggests that this application be deferred until clarification is obtained as to whether the applicant intends to apply for participation on his own behalf with regard to the pillaging. The Prosecution also notes that proof of identity of the applicant is not attached; if the application is resubmitted it should also include proof of identity.

## Conclusion

25. For the foregoing reasons, the Prosecution requests the Chamber to grant the following Applicants authorization to participate as victims in the proceedings at the trial

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<sup>31</sup> Applicant a/1458/10 claimed 30.000.000 FCA for the damages that he allegedly suffered.

<sup>32</sup> ICC-01/05-01/08-424, page 185.

stage pursuant to Rule 89(1) of the Rules and Article 68(3) of the Statute: a/0746/10, a/0748/10, a/0749/10, a/0750/10, a/0751/10, a/0752/10, a/0840/10, a/0845/10, a/0847/10, a/0848/10, a/0862/10, a/0863/10, a/0887/10, a/0891/10, a/0894/10, a/0961/10, a/0962/10, a/0966/10, a/0967/10, a/0969/10, a/0975/10, a/0977/10, a/0980/10, a/0984/10, a/1005/10, a/1006/10, a/1007/10, a/1008/10, a/1009/10, a/1015/10, a/1016/10, a/1017/10, a/1018/10, a/1019/10, a/1020/10, a/1030/10, a/1293/10, a/1294/10, a/1295/10, a/1354/10, a/1449/10, a/1452/10, a/1455/10, a/1456/10, a/1457/10, a/1463/10, a/1470/10, a/1471/10, a/1473/10, a/1477/10, a/1482/10, a/1483/10, a/1484/10, a/1488/10, a/1491/10, a/1504/10, a/1506/10, a/1507/10, a/1508/10, a/1511/10, a/1512/10, a/1516/10, a/1517/10, a/1519/10, a/1520/10, a/1525/10, a/1527/10, a/1528/10, a/1529/10, a/1530/10, a/1531/10, a/1532/10, a/1533/10, a/1534/10, a/1535/10, a/1536/10, a/1538/10, a/1546/10, a/1551/10, a/1552/10, a/1553/10, a/1558/10, a/1559/10, a/1560/10, a/1562/10, a/1564/10, a/1565/10, a/1566/10, a/1567/10, a/1568/10, a/1572/10, a/1575/10, a/1578/10, a/1579/10, a/1753/10, a/1754/10, a/1757/10, a/1772/10, a/1774/10, a/1784/10, a/1785/10, a/1786/10, a/1787/10, a/1788/10, a/1791/10, a/1794/10, a/1798/10, a/1799/10, a/1804/10, a/1808/10, a/1917/10, a/1919/10, a/1920/10, a/1921/10, a/1924/10, a/1925/10, a/1927/10, a/1929/10, a/1930/10, a/1935/10, a/1937/10, a/1939/10, a/1941/10, a/1942/10, a/1944/10, a/1945/10, a/1946/10, a/1950/10, a/1951/10, a/1952/10, a/1953/10, a/1954/10, a/1956/10, a/2183/10, a/2228/10, a/2230/10, a/2232/10, a/2233/10, a/2237/10, a/2239/10, a/2240/10, a/2245/10, a/2246/10, a/2247/10, a/2250/10, a/2251/10, a/2252/10, a/2253/10, a/2254/10, a/2255/10, a/2256/10, a/2260/10, a/2261/10, a/2275/10, a/2276/10, a/2277/10, a/2278/10, a/2279/10, a/2281/10, a/2284/10, a/2283/10, a/2282/10, a/2285/10, a/2286/10, a/2287/10, a/2288/10, a/2289/10, a/2290/10, a/2291/10, a/2292/10, a/2293/10, a/2294/10, a/2295/10, a/2296/10, a/2297/10, a/2298/10, a/2299/10, a/2300/10, a/2301/10, a/2303/10, a/2304/10, a/2305/10, a/2306/10, and a/2307/10 .

26. The Prosecution submits that redactions to applications by Applicants a/0864/10, a/0865/10, a/0892/10, a/1010/10, a/1401/10, a/1406/10, a/1447/10, a/1460/10, a/1461/10, a/1466/10, a/1475/10, a/1479/10, a/1487/10, a/1496/10, a/1497/10, a/1548/10, a/1550/10, a/1752/10, a/1755/10, and a/1756/10 make it difficult to state with certainty that the applicants meet the requirements. The Chamber may determine that the unredacted applications meet the requirements.

27. Though Applicants a/1460/10, a/1469/10, a/1500/10, a/1543/10, a/1570/10, a/1776/10, a/1779/10, a/1810/10, and a/2231/10 omit information in their applications, the Prosecution

submits that they can be presumed to meet the requirements; alternatively, the Chamber may request additional information.

28. The Prosecution submits that applications made by Applicants a/1574/10, a/1576/10, a/1458/10, a/1451/10, a/1782/10, and a/1790/10 should be deferred until further information, documentation and amendment of the applications is obtained.



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**Luis Moreno-Ocampo, Prosecutor**

Dated this 14<sup>th</sup> Day of October 2010

At The Hague, The Netherlands