

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **French**

No.: **ICC-01/05-01/08**
Date: **5 September 2008**

PRE-TRIAL CHAMBER III

Before: Judge Fatoumata Dembele Diarra, Single Judge

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

Confidential

**Decision Requesting Defence Observations on the Prosecutor's Request for a
Status Conference**

Decision 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
Tardja E. Van der Spoel
Aimé Kilolo-Musamba

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

Amicus Curiae

REGISTRY

Registrar

Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 4 September 2008, **Judge Fatoumata Dembele Diarra**, judge at the International Criminal Court (“the Court”), acting as Single Judge on behalf of Pre-Trial Chamber III (“the Chamber”)¹ received a request from the Prosecutor for a status conference (“the Prosecutor’s Request”)² which was notified to the Defence.
2. The Single Judge notes article 67 of the *Rome Statute*, rule 121(2)(b) of the *Rules of Procedure and Evidence* and regulations 24, 30, 31 and 34 of the *Regulations of the Court*.
3. The Single Judge recalls that under regulation 24(1) of the *Regulations of the Court*, “[t]he Prosecutor and the defence may file a response to any document filed by any participant in the case in accordance with the Statute, Rules, these Regulations [...]”.
4. The Single Judge recalls that under regulation 34 of the *Regulations of the Court*, the option to respond, which in this instance has been given to the Defence, must be exercised “within 21 days of notification in accordance with regulation 31 of the document to which the participant is responding”. As specified in the chapeau of regulation 34 of the *Regulations of the Court*, this time limit applies “unless otherwise decided”.
5. The Single Judge considers that, consistent with the fairness and expeditiousness of the proceedings and taking into account the option for the Defence to respond to the Prosecutor’s Request, a shorter time limit is justified in the instant case, given the date of the confirmation hearing scheduled for 4 November 2008 and the end of the evidence disclosure process scheduled for no later than 3 October 2008.³

¹ ICC-01/05-01/08-86.

² ICC-01/05-01/08-90-Conf.

³ ICC-01/05-01/08-55.

FOR THESE REASONS, THE SINGLE JUDGE

requests observations, if any, from Jean-Pierre Bemba Gombo's counsel on the Prosecutor's Request by Wednesday 10 September 2008.

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

[signed]

Judge Fatoumata Dembele Diarra

Single Judge

Dated this 5 September 2008

At The Hague, The Netherlands