



Original: **English**

No.: **ICC-ICC-01/05-01/-8**

Date: **17 November 2008**

PRE-TRIAL CHAMBER III

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul
Judge Mauro Politi

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR
*v. Jean-Pierre Bemba Gombo***

**Public Document
Request for Withdrawal.**

Source: Defence

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

The Office of the Prosecutor

Fatou Bensouda, Deputy Prosecutor
Mrs Petra Kneuer, Senior Trial Lawyer

Counsel for the Defence

Nkwebe Liriss
Aimé Kilolo-Musamba

Legal Representatives of Victims

Legal Representatives of Applicants

[1 name per team maximum]

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

[2 names maximum]

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

[2 names maximum]

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 the 4th of July 2008 Tjarda Eduard van der Spoel accepted the assignment as Defence counsel to represent mr Jean-Pierre Bemba Gombo during the initial appearance. This assignment was prolonged for one month beginning of the 5th of July 2008.
2. On the 8th of August 2008 mr Tjarda Eduard van der Spoel accepted the assignment as temporary associate counsel.
3. On the 7th of October 2008 mr Tjarda Eduard van der Spoel notified the Registry that his appointment as judge at the Criminal Appeal Court of The Hague was now official commencing as of the 1st of December 2008.

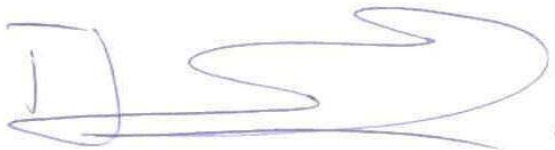
He also requested the Registrar to take him of the ICC Defence Counsel list as of the 1st of December 2008.
4. On the 5th of November 2008 mr Tjarda Eduard van der Spoel notified the Registry that as of 5 November 2008 he terminated his duties as associated Defence Counsel in mr Bemba's defence team, mentioning that this resignation was with mr Bemba's consent and approval.
5. At the Registry's request mr Tjarda Eduard van der Spoel submitted his resignation to the Registry by telefax of the 10th of November 2008 stating that the requested resignation as of the 5th of November 2008 is due to the fact that he has been appointed as a judge at the Criminal Appeals Court of the Hague.
6. On the 17th of November 2008 mr Tjarda Eduard van der Spoel was notified by the Chief of the Defence Support Section of the Registry that he should file his request for withdrawal before the Chamber, according to Regulation 78 of the Regulations of the Court. It was deemed that this provision did not apply to associate counsel, but the Chief Defence Support Section has been instructed otherwise.

7. **Conclusion:**

On above mentioned grounds Mr Tjarda Eduard van der Spoel seeks leave to withdraw as temporary associate defence counsel from the Bemba case.

Respectfully submitted on 17th November 2008, Rotterdam

Tjarda Eduard van der Spoel, temporary associate defence counsel



[
on behalf of
[Enter name and title of person on behalf of whom the document is signed, if
applicable]

Dated this

At [place, country]