

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 18 November 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***

**Urgent
PUBLIC**

With confidential annexes 1 and 2

Corrigendum to Notification of designation of common legal representatives

Source: Registry

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

The Office of the Prosecutor

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

Counsel for the Defence

Mr Nkwebe Liriss
Mr Aimé Kilolo-Musamba

Legal Representatives of the Victims

Ms Marie Edith Douzima Lawson
Mr Assingambi Zarambaud

Legal Representatives of the Applicants

Mr Celestin Nzala

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

Mr Xavier-Jean Keita

States' Representatives

Amicus Curiae

Registrar

Ms Silvana Arbia

Counsel Support Section

Esteban Peralta Lossilla

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Other

The Registrar of the International Criminal Court (the “Court”);

NOTING Trial Chamber III’s “Decision on common legal representation of victims for the purpose of the trial” dated 10 November 2010 (the “Decision”),¹ authorizing the Registry to designate two common legal representatives from the Central African Republic to represent the totality of the victims allowed to participate in the present case;

NOTING article 68(1) of the Rome Statute; rules 90(2) to 90(5) of the Rules of Procedure and Evidence, regulations 81(4) and 82 of the Regulations of the Court; regulations 109(2), 109(3) and 112 of the Regulations of the Registry, and articles 16 and 18 of the Code of Professional Conduct for Counsel;

CONSIDERING that in its Decision the Chamber decided that common legal representation is to be organized according to geographical groupings, whereby, for the purpose of representing an approximate equal number of victims, one legal representative would represent Group A,² and the other legal representative would represent Groups B,³ C⁴ and D;⁵

CONSIDERING that the Chamber endorsed the organization of victims within groups proposed by the Registry according to the places where the alleged crime was committed, and that such grouping allows, *inter alia*, victims from the same family or community to be represented by the same legal representative, and

¹ ICC-01/05-01/08-1005

² Group A: victims whose applications relate to alleged crimes committed in, or around, Bangui and PK 12.

³ Group B: victims whose applications relate to alleged crimes committed in, or around, Damara and Sibut.

⁴ Group C: victims whose applications relate to alleged crimes committed in, or around, Boali, Bossembélé, Bossangoa and Bozoum.

⁵ Group D: victims whose applications relate to alleged crimes committed in, or around, Mongoumba.

facilitates individual contacts between the victims and their legal representative, rendering their participation more meaningful;⁶

CONSIDERING the specificity of the dual status victims, the Registry created Group E which is composed of all dual status victims;

CONSIDERING that in its Decision, the Chamber has decided that victims accepted to participate in the case should be represented by lawyers that are from the Central African Republic;⁷

CONSIDERING further that the Office of the Public Counsel for Victims will assist the legal representatives designated for the provision of support and assistance in accordance with regulation 81(4) of the Regulations of the Court and as suggested by the Chamber;⁸

CONSIDERING that the legal representatives designated by the Registry have the responsibility to compose their support teams in a way that facilitates exchanges between the legal representatives who appear in Court and the victims they represent in the field;

CONSIDERING that Ms Marie Edith Douzima Lawson was designated as common legal representative of the victims authorized to participate in the pre-trial phase of the proceedings,⁹ and has thus since developed a familiarity with the legal and factual aspects of the case, that she has developed ties with a number of victims and applicants, and that she clearly expressed her availability and commitment to

⁶ ICC-01/05-01/08-1005, paragraphs 19 to 20

⁷ *Ibid*, paragraphs 28 to 30.

⁸ *Ibid*, paragraph 30.

⁹ ICC-01/05-01/08-343

represent and maintain close contacts with a larger number of victims throughout the entirety of the proceedings in the case;

CONSIDERING that Ms Marie Edith Douzima Lawson's clients, including applicants as well as victims already accepted to participate in the case, fall predominantly into Groups B, C and D;

CONSIDERING that the Registry has carefully considered other legal representatives of applicants that are on the List of Counsel maintained by the Registry and involved in the present case, and has decided to designate a second legal representative, Mr Assingambi Zarambaud for the following reasons:

- his extensive relevant experience, including the representation of a large number of victims and his involvement in criminal proceedings in the Central African Republic and elsewhere;
- his strong connection with the local situation and familiarity with the context of the case, and
- his expressed availability and commitment to represent and to maintain close contact with a large number of victims throughout the entirety of the proceedings in the case;

CONSIDERING that no conflict of interests has so far arisen in the representation of victims allowed to participate in the present case, that article 16 of the Code of Professional Conduct for Counsel obliges legal representatives to ensure that no such conflict arises and, in case of difficulties or objections raised by a victim during the period of transition, to communicate the issue to the Registry and the Chamber so that appropriate measures are taken;

CONSIDERING that the Registry has informed the Office of the Public Counsel for Victims of the designation of new legal representatives designated to represent the victims¹⁰ accepted to participate in the case;

CONSIDERING that, according to both the “Decision on the Observations on legal representation of unrepresented applicants” issued by the Chamber on 9 December 2009 and this Decision, the representation of the Office of the Public Counsel for Victims can be deemed ceased;¹¹

For these reasons,

INFORMS the Chamber, the parties and participants that Mr Assingambi Zarambaud¹² has been designated as common legal representative of current and future victims of:

- Group A: victims whose applications relate to alleged crimes committed in, or around, Bangui and PK 12 and
- Group E: dual status victims;

INFORMS the Chamber, the parties and participants that Ms Marie Edith Douzima Lawson¹³ has been designated as common legal representative of current and future victims of:

¹⁰ The Registry notes here that, so far, 134 applications to participate in the trial were deemed accepted by the Chamber, but that this number does not reflect the number of victims that were allowed to participate, since, according to the jurisprudence of TCIII, it is possible that within one application, two individuals (a victim and a person acting on his/her behalf) were allowed to participate in the proceedings.

¹¹ ICC-01/05-01/08-651, operative b)

¹² Annex 1 attached hereto: *Designation letter to Mr Assingambi Zarambaud*

¹³ Annex 2 attached hereto: *Designation letter to Ms Marie Edith Douzima Lawson*

- Group B: victims whose applications relate to alleged crimes committed in, or around, Damara and Sibut;
- Group C: victims whose applications relate to alleged crimes committed in, or around, Boali, Bossembélé, Bossangoa and Bozoum; and
- Group D: victims whose applications relate to alleged crimes committed in, or around, Mongoumba;

INVITES Mr Assingambi Zarambaud and Ms Marie Edith Douzima Lawson to report to the Registry and the Chamber should one or more of their future clients be separated, by being present in another group, from *family or community*;

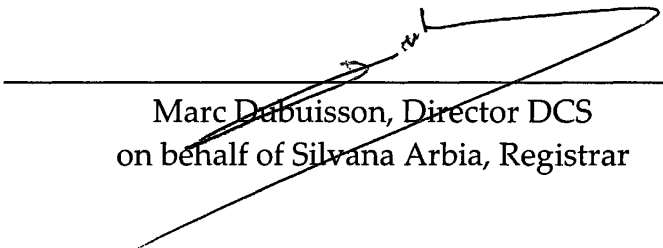
INVITES both legal representatives to inform the Registry and the Chamber subsequently should any conflict of interests occur in the future;

INVITES the Office of the Public Counsel for Victims to take the necessary steps for the transmission of the files in its possession to the relevant newly appointed common legal representatives;

INVITES both legal representatives to inform the Registry as highlighted in the designation letters of any additional resources required to facilitate their effective representation.

SUBMITS annexes 1 and 2 to the present document as confidential because their disclosure to the public may lead to the identification of the reference number of dual status victims;

TRANSMITS, in annex 1, the list of victims currently represented respectively by Mr Assingambi Zarambaud and by Ms Marie Edith Douzima Lawson, and in annex 2, the explanatory note of this corrigendum.



Marc Dabuisson, Director DCS
on behalf of Silvana Arbia, Registrar

Dated this 18 November 2010

At The Hague, The Netherlands