

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-01/05-01/08

Date: 07/05/2012

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**

Confidential
Ex parte Defence, VWU and the Registry only
Defence request for an *ex parte* status conference

Source: Defence for Mr. Jean-Pierre Bemba Gombo

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

M. Aimé Kilolo-Musamba

Mr. Peter Haynes

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented

Applicants

(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

Deputy Registrar

Didier Preira

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Marc Dubuisson

A. SUBMISSIONS

1. Following the status conference of 27 March 2012 before Trial Chamber III ("the Chamber"), the Defence has been involved in ongoing helpful and productive exchanges with both VWU and the Registry with the view to organising the efficient and smooth presentation of its case.
2. In the context of these discussions, the Defence has identified several potential obstacles to calling the witnesses whose evidence it wishes to present to the Chamber. Following discussions with the Registry, the Defence has been advised to raise these issues with the Chamber in the context of an *ex parte* status conference.
3. This purpose of this status conference would be to allow the Defence to explain these potential obstacles to the Chamber; to allow VWU and the relevant specialists from the Registry to provide their views as to the potential solutions; and to respectfully seek guidance from the Chamber as to the best way to ensure Defence case preparations proceed in the most efficient manner.
4. The potential obstacles (and presumably the prospective solutions) directly relate to matters concerning Defence witnesses, their various locations, positions held, current status and their personal security concerns. None of these are matters which the Defence has any obligation or wish to disclose to the other party and participants at this stage. As such, the Defence submits the current filing as *ex parte* and confidential, pursuant to Regulation 23 *bis* (1) of the Regulations of the Court, and for the same reason requests that the status conference also be held in the absence of the other parties and participants.
5. The Defence further requests that the Status Conference be held as soon as possible.

The whole respectfully submitted.



Aimé KiloloMusamba
Lead Counsel



Peter Haynes
Co- Lead Counsel

Done on the 7th of May 2012

At The Hague, The Netherlands