

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12/01/2014

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

**Defence request for extension of time limit to submit observations on the
admission of CHM-01 's written statement**

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

Ms Fatou Bensouda, Prosecutor

Mr. Jean-Jacques Badibanga, Senior Trial
Lawyer

Counsel for the Defence

Me Peter Haynes QC

Me Kate Gibson

Legal Representatives of the Victims

Maitre Marie-Edith Douzima-Lawson

Maitre Assingambi Zarambaud

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented

(Participation/Reparation)

Applicants

**The Office of Public Counsel for
Victims**

Ms. Paolina Massidda

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

Maitre Xavier-Jean Keita

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Herman von Hebel

Defence Support Section

Deputy Registrar

Mr. Didier Prier

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

A. BACKGROUND

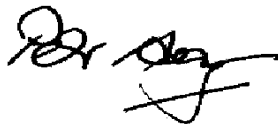
1. On 13 December 2013, the Trial Chamber issued an order that the parties submit observations concerning the admissibility of the written statement of Witness CHM-01 by 10 January 2014.¹
2. The Defence for Mr. Jean-Pierre Bemba Gombo incurred completely unforeseen and radical alterations to its composition and working methodology, as a result of the arrest of two Defence team members in November 2013.
3. This event triggered a host of ancillary work concerning the new composition of the team, and implications of the arrest for the rights of the Defence, which distracted the Defence from the core task of defending Mr. Bemba and responding to the numerous outstanding deadlines.
4. Although the Defence is now fully staffed, new members cannot be expected to integrate themselves fully into the team without first familiarising themselves with the case file and strategy of Mr. Bemba. The Defence thus faced a distinct disadvantage in terms of its ability to respond within the deadline, as compared to the Prosecution, which suffered no such alterations in the composition of its team.
5. Although the newly composed team has worked tirelessly over the judicial recess in order to meet the numerous deadlines imposed by the Chamber, the Defence simply did not have sufficient time and resources to devise a response to the Chamber's order of 13 December 2013, which comports to the standards of effective representation required by the Code of Professional Conduct for Counsel.
6. The Defence therefore respectfully requests the authorisation of the Trial Chamber III for an extremely modest extension of the deadline until Monday 13 January 2014. Such a discrete delay will not have any impact on the fairness and expeditiousness of the proceedings, and will ensure that the Defence is not

¹ ICC-002/05-01/08-2923.

prejudiced in terms of its ability to present its case to the Chamber on this issue. There is thus 'good cause' to grant the extension.

B. RELIEF SOUGHT

7. The Defence for Mr. Bemba respectfully requests the Trial Chamber to extend the deadline for observations concerning the admissibility of the written statement of Witness CHM-01 until Monday, 13 January 2014, 16:00 p.m.

A handwritten signature in black ink, appearing to read 'Peter Haynes', with a stylized flourish at the end.

Peter Haynes, Q.C.

Lead Counsel for Mr. Bemba

Done at The Hague, the Netherlands

12 January 2014