

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/05-01/13**

Date: **31/01/2014**

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO,
AIMÉ KILOLO MUSAMBA,
JEAN-JACQUES MANGENDA KABONGO,
FIDÈLE BABALA WANDU
& NARCISSE ARIDO**

Confidential Document

Defence Response to Prosecution Filing: ICC-01/05-01/13-140-Conf

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

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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

Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

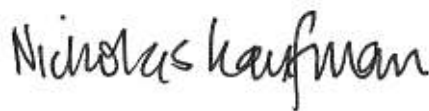
The Defence for Mr. Jean-Pierre Bemba Gombo hereby files its response to Prosecution filing ICC-01/05-01/13-140-Conf dated 31 January 2014.

The Prosecutor requests the extension of today's deadline for disclosing certain materials seized between 23 November 2013 and 31 January 2014. The materials in question were received by the Prosecutor in two batches - on 23 January 2014 and on 28 January 2014.

The Suspect vehemently objects to the extension sought – not least because it is made at the eleventh hour. The Single Judge has previously criticized similar conduct of the Prosecutor:

"CONSIDERING it utterly inappropriate and contrary to fundamental principles of good faith and fairness in the conduct of the proceedings that a request for extension of a time limit be filed on the very day on which that time limit expires, this being tantamount to making it impossible for the Chamber to reject the request for extension and in trying to create a fait accompli for the Chamber, also preventing the right to reply of the other parties to the proceedings".¹

The learned Single Judge is asked to reject the Prosecutor's present request.



Nicholas Kaufman

Counsel for Jean-Pierre Bemba Gombo

Jerusalem, Israel
Friday, January 31, 2014

¹ ICC-01/05-01/13-80-Conf.