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**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 Response to the Motion of the Legal Representative of Victims for an  
Extension of Time to File its Final Trial Brief and an Increase of the Page Limit**

**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**

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**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

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**States' Representatives**

**Amicus Curiae**

**REGISTRY**

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**Victims Participation and Reparations Other  
Section**

## A. INTRODUCTION

1. Given that the current date for the filing of Briefs by the Prosecution and Legal Representative of Victims ("LRV") is set for 2 June 2014, the Defence files this current response as a matter of urgency. It invites the Trial Chamber significantly to abbreviate all time periods for responses, and moreover, implores it to render all decisions affecting the time-line for and content of final briefs as expeditiously as possible for the benefit of all the parties and participants. For the avoidance of doubt, those decisions relate to:

- (i) the current application
- (ii) the observations of the parties concerning the necessity for separate sentencing briefs; and
- (iii) the observations of the defence as to the requirement for the translation of the Prosecution Brief into the primary language of the accused, and the suspension of time periods during the summer judicial recess.

2. That having been said, the Defence is unable to make informed submissions in response to the LRV's applications given its inadequacy in 2 material quantitative respects : it does not specify what period of extension is required; neither does it stipulate the number of additional pages it anticipates are needed.

3. The Defence nonetheless, makes the following general observations:

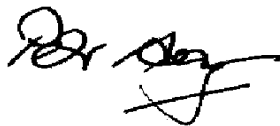
- (a) The participatory rights of victims are statutorily subordinate to the fundamental rights of the accused;
- (b) The Legal Representatives of Victims have throughout the trial adopted an overtly prosecutorial stance to the proceedings;
- (c) There was no discernible difference of approach of the two LRVs, let alone a conflict of interests or expression of separate views during the hearing of evidence;
- (d) The Trial Chamber took care in 7 February 2014 order to take steps necessary to ensure that Maitre Douzima-Lawson was provided with the resources and assistance necessary for representation of all participating victims in the case.

Had an extension of the page limit for her Final Trial Brief been necessary to ensure effective representation, the Trial Chamber would have presumably addressed this in its order.

(e) Notwithstanding the untimely and unhappy demise of Me Zarambaud Assingambi, the Chamber ought equally to consider the major disruption to the accused's representation caused by the arrest of his Lead Counsel and Case Manager, the hasty reorganisation of his legal team and the collateral interruption of the Article 70 proceedings of the trial process.

4. By reason of the aforementioned matters the Defence submits firstly, that any extension to the period for the LRV to submit its final trial brief, ought necessarily to suspend the commencement of the time period for any Response by the Defence, and, secondly, that, if any extension of the page limit granted to the LRV is justified at all, such extension should be minimal.

The whole respectfully submitted.



Peter Haynes QC  
Lead Counsel of Mr. Jean-Pierre Bemba

The Hague, The Netherlands

16 May 2014