



Original: **English**

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

Date: 15/12/2011

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

Request for leave to reply under Regulation 24(5) of the Court

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

Fatou Bensouda

Petra Kneur

Counsel for the Defence

Nkwebe Liriss

Aimé Kilolo-Musamba

Legal Representatives of the Victims

Marie-Edith Douzima Lawson

Zarambaud Assingambi

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

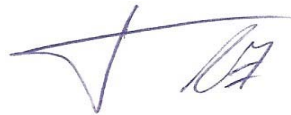
Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section Other**

1. The Defence received observations from the Prosecution and Legal Representatives for Victims, in response to its request for provisional release.
2. The Defence respectfully requests the Chamber's permission to reply briefly on three points:
 - (1) Concerning the allegation that the Defence has advanced no new circumstances: A comparison between the previous correspondence from the Government of [REDACTED] dated 28 July 2011, and the letters of 5 December 2011 will demonstrate to the Chamber that this is not the case.
 - (2) Concerning the allegation that ensuring police presence in [REDACTED] required hundreds of police officers, underlying the deficiencies in terms of the measures proposed by the State of [REDACTED]. The Chamber should be cognisant of the different context of provisional release, which cannot reasonably require identical responses in terms of protection and surveillance.
 - (3) Concerning the allegation of inadequate or insufficient security measures proposed by [REDACTED]. The Defence wishes to draw the attention of the Chamber to its ability to address this question through a technical evaluation of the measures proposed by the [REDACTED] to negate the risk of flight.
3. The Defence respectfully informs the Chamber that it has prepared the reply in question, and as such is just waiting for the Chamber's authorization to introduce this filing without any further delay.

4. For these reasons, the Defence seeks leave of the Chamber to authorize the Defence to file a reply under regulation 24(5) of the Court, and undertakes that this filing could be introduced immediately following receipt of such authorization.



Aimé Kilolo Musamba
Associate Counsel

Done at The Hague, the Netherlands

15 December 2011