

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 28 March 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***

Public

**Decision postponing the commencement of the presentation of evidence by the
legal representatives of victims**

Decision to be notified, in accordance with regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Ms Fatou Bensouda

Ms Petra Kneuer

Counsel for the Defence

Mr Aimé Kilolo Musamba

Mr Peter Haynes

Legal Representatives of the Victims

Ms Marie Douzima-Lawson

Mr Assingambi Zarambaud

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Ms Maria Luisa Martinod Jacome

Detention Section

**Victims Participation and Other
Reparations Section**

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court” in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, issues the following Decision postponing the commencement of the presentation of evidence by the legal representatives of victims (“Decision”).

1. On 6 March 2012, the Chamber issued its “Order on the implementation of Decision on the supplemented applications by the legal representatives of victims to present evidence and the views and concerns of victims”.¹ In the order, the Chamber indicated that it was desirable that the victims called to testify were to appear before the Chamber as of 23 April 2012.²

2. On 27 March 2012, a status conference was held in order to discuss issues related to the presentation of evidence by the defence of Mr Jean-Pierre Bemba (“defence”) and the legal representatives of victims.³ During the status conference, the defence requested that the commencement of the presentation of evidence by the legal representatives of victims be postponed “a couple of days or perhaps a week later than 23 April.” (“defence’s request”).⁴ At the same status conference, the Victims and Witness Unit (“VWU”) informed the Chamber that the procedures for the issuance of passports for the victims authorised to appear before the Chamber have been initiated and the VWU is working closely with the Registry’s field operations section in order to expedite the entire process.⁵ However, the VWU informed the Chamber that it was difficult at this stage to anticipate whether it would be possible to meet the deadline of 23 April 2012.⁶ The VWU agreed to update the Chamber on a

¹ Order on the implementation of Decision on the supplemented applications by the legal representatives of victims to present evidence and the views and concerns of victims, 6 March 2012, ICC-01/05-01/08-2158 with Confidential Annex.

² ICC-01/05-01/08-2158, paragraph 5.

³ Transcript of hearing on 27 March 2012, ICC-01/05-01/08-T-219-ENG-ET.

⁴ ICC-01/05-01/08-T-219-ENG-ET, page 12, line 7.

⁵ ICC-01/05-01/08-T-219-ENG-ET, page 17, lines 5 to 14.

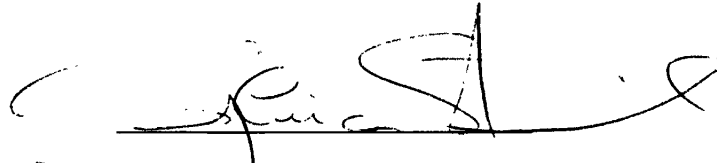
⁶ ICC-01/05-01/08-T-219-ENG-ET, page 18, lines 2 to 3.

weekly basis and to inform it of any possible delays at least two weeks before the deadline.⁷

3. After analysing the defence's request and the information provided by the VWU, the Chamber is satisfied that a postponement on the commencement of the presentation of evidence by the legal representatives of victims will not affect the fair and expeditious conduct of the proceedings and it is not inconsistent with the rights of the accused and the protection of victims and witnesses.
4. For the reasons set out above, and in accordance with Article 64(2) and (6)(f) of the Rome Statute, the Chamber hereby:
 - (i) GRANTS the defence's request and postpones the date of the commencement of the presentation of evidence by the legal representatives of victims to 26 April 2012;
 - (ii) ORDERS the VWU to inform the Chamber, parties and participants no later than 12 April 2012 whether or not the victims authorised to appear before the Chamber will be able to commence their testimony as of 26 April 2012.

⁷ ICC-01/05-01/08-T-219-ENG-ET, page 17, line 24 to page 18, line 5.

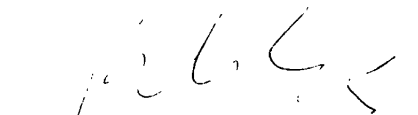
Done in English and French, the English version being authoritative.



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 28 March 2012

At The Hague, The Netherlands