

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 07 February 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

**Order on the legal representation of victims previously represented by
Me Assingambi Zarambaud**

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr Jean-Jacques Badibanga

Counsel for the Defence

Mr Peter Haynes

Ms Kate Gibson

Legal Representatives of the Victims

Ms Marie-Édith Douzima-Lawson

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

Ms Paolina Massidda

The Office of Public Counsel for the Defence

Mr Xavier-Jean Keïta

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman Von Hebel

Counsel Support Section

Victims and Witnesses Unit

Mr Patrick Craig

Detention Section

Victims Participation and Reparations Section

Ms Fiona McKay

Other

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court”) in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* (“Bemba case”) issues the following Order on the legal representation of victims previously represented by Me Assingambi Zarambaud.

1. On 10 November 2010, the Chamber issued its “Decision on common legal representation of victims for the purpose of trial”,¹ in which, *inter alia*, it (i) authorised the Registry to designate two common legal representatives from the Central African Republic (“CAR”) to represent the totality of victims allowed to participate in the *Bemba* case;² (ii) endorsed the Registry’s proposal for a core team to be composed of one counsel (remunerated at the P-5 level) and one assistant (remunerated at the P-1 level);³ and (iii) clarified the role of the Office of Public Counsel for victims (“OPCV”), underlining that in the present case, the OPCV’s most appropriate role is to assist the legal representatives by way of legal research and advice and, as the case may be, in the courtroom.⁴

2. On 18 November 2010, the Registry filed a “Corrigendum to Notification of designation of common legal representatives”, in which it stated that Mr Assingambi Zarambaud (“Me Zarambaud”) had been designated as common legal representative of victims belonging to Group A (victims whose applications relate to alleged crimes committed in or around Bangui and PK 12) and Group E (dual status victims); and that Ms Marie-Edith Douzima-Lawson (“Me Douzima”) had been designated as common legal representative of victims belonging to Group B (victims whose applications relate to alleged crimes committed in or around Damara and Sibut); Group C (victims whose applications relate to alleged crimes

¹ Decision on common legal representation of victims for the purpose of trial, 10 November 2010, ICC-01/05-01/08-1005.

² ICC-01/05-01/08-1005, paragraph 34.

³ ICC-01/05-01/08-1005, paragraphs 24 to 27 and 35.

⁴ ICC-01/05-01/08-1005, paragraph 30.

committed in or around Boali, Bossembélé, Bossangoa and Bozoum); and Group D (victims whose applications relate to alleged crimes committed in or around Mongoumba).⁵

3. During the course of the proceedings before the Trial Chamber, a total of 5229 victims were granted authorisation to participate in the trial proceedings.⁶
4. By email of 16 January 2014, the Chamber, the parties and participants and the Registry were informed of the passing of Me Zarambaud during the night of 15 to 16 January 2014.⁷
5. On 5 February 2014, the Registry filed its "Report concerning the status of the legal representation of victims represented in the case by the late Mr Assingambi Zarambaud",⁸ in which it states that Me Douzima has informed the Registry that she is willing to take over the representation of the victims previously represented by Me Zarambaud, provided that the level of support to the legal representation of victims remains unchanged. In addition, the Registry submits that "such an arrangement would ensure the continuity of the proper legal representation of victims at the current

⁵ Corrigendum to Notification of designation of common legal representatives, 18 November 2010, ICC-01/05-01/08-1012-Corr, pages 6 and 7.

⁶ Decision defining the status of 54 victims who participated at the pre-trial stage, and inviting the parties' observations on applications for participation by 86 applicants, 22 February 2010, ICC-01/05-01/08-699; Corrigendum to Decision on the participation of victims in the trial and on 86 applications by victims to participate in the proceedings, 12 July 2010, ICC-01/05-01/08-807-Corr; Decision on 772 applications by victims to participate in the proceedings, 18 November 2010, ICC-01/05-01/08-1017; Decision on 653 applications by victims to participate in the proceedings, 23 December 2010, ICC-01/05-01/08-1091; Corrigendum to the Decision on 401 applications by victims to participate in the proceedings and setting a final deadline for the submission of new victims' applications to the Registry, 21 July 2011, ICC-01/05-01/08-1590-Corr; Decision on 270 applications by victims to participate in the proceedings, 25 October 2011, ICC-01/05-01/08-1862; Decision on 418 applications by victims to participate in the proceedings, 15 December 2011, ICC-01/05-01/08-2011; Decision on 471 applications by victims to participate in the proceedings, 9 March 2012, ICC-01/05-01/08-2162; Decision on 1400 applications by victims to participate in the proceedings, 21 May 2012, ICC-01/05-01/08-2219; Decision on the tenth and seventeenth transmissions of applications by victims to participate in the proceedings, 19 July 2012, ICC-01/05-01/08-2247-Conf; Decision on 799 applications by victims to participate in the proceedings, 5 November 2012, ICC-01/05-01/08-2401.

⁷ Email from the legal representatives' case manager/legal assistant to the Chamber on 16 January 2014 at 12.23.

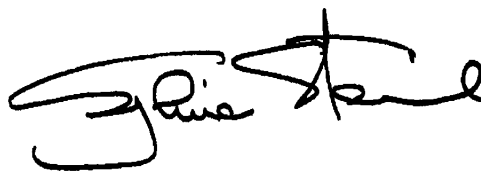
⁸ Report concerning the status of the legal representation of victims represented in the case by the late Mr Assingambi Zarambaud, 5 February 2012, ICC-01/05-01/08-2961, paragraph 3.

stage of the case, and would guarantee that the proceedings will be conducted without undue delay”.⁹

6. In accordance with Article 21(1) of the Rome Statute (“Statute”), the Chamber has considered Article 68(3) of the Statute, Rule 90 of the Rules of Procedure and Evidence and Regulations 79, 80 and 81 of the Regulations of the Court (“Regulations”).
7. In the present case, in view of the stage of the proceedings, the need to ensure continuity of the legal representation of victims, and Me Douzima’s submissions in this regard, the Chamber considers it appropriate for Me Douzima to represent the victims previously assigned to Me Zarambaud. In order to enable Me Douzima to adequately fulfil her mandate, the Chamber further considers that Me Douzima should continue to benefit from the assistance of two assistants in the CAR as well as two legal assistants/case managers, therefore ensuring that the level of support to the legal representation of victims remains unchanged.
8. In addition, the Chamber invites Me Douzima to continue to seek assistance from the OPCV in accordance with the OPCV’s mandate under Regulation 81(4) of the Regulations.
9. In view of the above, the Chamber hereby:
 - (a) Authorises the Registry to assign the victims previously represented by Me Zarambaud to Me Douzima; and
 - (b) Instructs the Registry to continue to provide Me Douzima with the assistance of a support team as set out in paragraph 7 above.

⁹ ICC-01/05-01/08-2961, paragraph 3.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 7 February 2014

At The Hague, the Netherlands