



Original: **French**

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

Date: **7 January 2009**

PRE-TRIAL CHAMBER III

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Mauro Politi
Judge Hans-Peter Kaul

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR
*v. JEAN-PIERRE BEMBA GOMBO***

Public Document

Registrar's Decision on the Indigence of Victims a/0271/08, a/0272/08, a/0273/08, a/0275/08, a/0277/08, a/0283/08, a/0284/08, a/0285/08, a/0286/08, a/0287/08, a/0288/08, a/0289/08, a/0290/08, a/0294/08, a/0390/08, a/0391/08, a/0393/08, a/0394/08, a/0395/08, a/0396/08, a/0468/08, a/0469/08, a/0470/08, a/0471/08, a/0472/08, a/0473/08, a/0474/08, a/0475/08, a/0476/08, a/0477/08, a/0478/08, a/0479/08, a/0480/08 and a/0481/08

Source: Registrar

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 Victims

Marie Edith Douzima Lawson

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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Defence**

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Amicus Curiae

REGISTRY

Registrar

Silvana Arbia

Deputy Registrar

Didier Preira

**Victims Participation and Reparations
Section**

Fiona McKay

THE REGISTRAR of the International Criminal Court,

PURSUANT TO article 43(6) of the *Rome Statute*;

PURSUANT TO rules 16(1)(b) and 16(1)(c) and 90(5) of the *Rules of Procedure and Evidence*;

PURSUANT TO regulations 83 to 85 of the *Regulations of the Court*;

PURSUANT TO regulations 113 and 131 to 136 of the *Regulations of the Registry*;

NOTING Pre-Trial Chamber III's decision of 29 December 2008¹ setting the dates for the start and finish of the confirmation hearing as 12 and 18 January 2009 respectively;

NOTING Pre-Trial Chamber III's decision of 12 December 2008 entitled *Fourth Decision on Victims' Participation*,² granting Applicants a/0271/08, a/0272/08, a/0273/08, a/0275/08, a/0277/08, a/0283/08, a/0284/08, a/0285/08, a/0286/08, a/0287/08, a/0288/08, a/0289/08, a/0290/08, a/0294/08, a/0390/08, a/0391/08, a/0393/08, a/0394/08, a/0395/08, a/0396/08, a/0468/08, a/0469/08, a/0470/08, a/0471/08, a/0472/08, a/0473/08, a/0474/08, a/0475/08, a/0476/08, a/0477/08, a/0478/08, a/0479/08, a/0480/08 and a/0481/08 the status of victims authorised to participate in the proceedings relating to the confirmation hearing in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*;

NOTING the appointment of Ms Douzima Lawson (hereinafter "the Legal Representative") as the common legal representative for all victims authorised to participate in the proceedings in the case of *The Prosecutor v. Jean-Pierre Bemba*, with

¹ ICC-01/05-01/08-336.

² ICC-01/05-01/08-320.

the exception of the applicants represented to date by the Office of Public Counsel for Victims;³

ISSUES THE FOLLOWING DECISION

CONSIDERING that Pre-Trial Chamber III granted victim status to the Applicants on 12 December 2008;⁴

CONSIDERING that all the Applicants, with the exception of Applicants a/0271/08, a/0273/08, a/0275/08 and a/0294/08, have provided information on their moveable and immoveable assets, their occupation and the number of their dependants;

CONSIDERING that a preliminary assessment of this information pursuant to regulation 84(1) of the *Regulations of the Court* suggests, *prima facie*, that the Applicants do not have sufficient means to pay all or part of the costs of their legal representation before the Court;

CONSIDERING that in order to facilitate the investigation into their indigence, the Applicants, with the exception of Applicants a/0271/08, a/0273/08, a/0275/08 and a/0294/08, have freely authorised the Registrar or her representative to make all necessary enquiries with financial institutions and land registries and, if required, to have access to their bank accounts, and have undertaken to inform the Registrar of any change in their financial situation;

FOR THESE REASONS

DECIDES provisionally to consider all the Applicants, with the exception of Applicants a/0271/08, a/0273/08, a/0275/08 and a/0294/08, wholly indigent under regulation 85(1) *in fine* of the *Regulations of the Court*, pending the outcome of the investigation into the Applicants' property and assets;

³ ICC-01/05-01/08-343.

⁴ ICC-01/05-01/08-320.

DECIDES that the extent of the legal assistance to be granted to the Applicants shall be determined on a case-by-case basis in accordance with the modalities for the participation of the Applicants as specified by Pre-Trial Chamber III;

INVITES the Applicants to file an application for legal assistance whenever necessary to take any action required to preserve their interests in the proceedings;

INFORMS the Applicants that they may apply to the Presidency for a review of this decision within fifteen days from the date of its notification, pursuant to regulation 85(4) of the *Regulations of the Court*;

NOTIFIES this decision to Ms Douzima Lawson in her capacity as Legal Representative of the Applicants.

[signed]

on behalf of the Registrar
Didier Preira, Deputy Registrar

Dated this 7 January 2009

At The Hague, The Netherlands