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**TRIAL CHAMBER VII**

**Before: Judge Bertram Schmitt, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Raul Pangalangan**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

**IN THE CASE OF**

**THE PROSECUTOR**

*v.*

***JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO MUSAMBA, JEAN-JACQUES  
MANGENDA KABONGO, FIDÈLE BABALA WANDU AND NARCISSE ARIDO***

**Public, with Confidential Ex Parte (Bemba Defence only) Annexes 1, and 2, and  
Public Annex 3**

**Urgent Defence Request for an Order to Grant the Defence Provisional Legal  
Assistance**

**Source: Counsel for 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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## Introduction

1. The Defence for Mr. Jean-Pierre Bemba respectfully requests the intervention of the Honourable Trial Chamber to take steps to ensure Mr. Bemba's right to effective legal representation in this case.
2. The matter in this case has come to a head due to the decision of the Registry that from 1 July 2016 onwards, no legal aid resources would be allocated to the Defence for Mr. Bemba in ICC-01/05-01/13, even if the case entered into a possible appellate stage.<sup>1</sup>
3. Although the Defence requested the Registry in June to:
  - i. Review its calculations concerning Mr. Bemba's indigency (as required by its own legal aid policy);
  - ii. Advance legal aid in the interim, as *per* Regulation 85 of the Regulations of the Court; and
  - iii. Provide the funds which should have been provided to the Defence in 2015, if a timely decision on his indigency had been issued,<sup>2</sup>

the Defence has not received a decision on any of these requests.

4. As a result of this inaction, the Defence has reached a point where it has absolutely no funding.
5. Although the Court's legal framework vests the Registry with the primary duty to manage the legal aid resources of the Court, the Chamber has an overriding duty and power to take such steps as are necessary to ensure the

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<sup>1</sup> Confidential Ex Parte Annex 1.

<sup>2</sup> Confidential Ex Parte Annex 2.

fairness of the proceedings. This includes the overarching power of the Chamber to order that the Defence should be provided with necessary and reasonable resources, irrespective as to the source.

6. The Defence therefore respectfully requests the Trial Chamber to order the Registry to advance legal aid on a provisional basis, whilst the issue of Mr. Bemba's indigency is pending before either the Registrar, Trial Chamber III, or the Presidency.

### **Submissions**

7. The question of Defence financing in this case has, regrettably, consumed a significant number of filings during the pre-confirmation phase. Indeed, even a cursory survey of the pre-confirmation filings reflect the fact that Mr. Bemba's former Counsel was forced to divert a significant amount of his (unpaid) time to the quest of obtaining a modicum of payment to fund Defence preparation.
8. Without seeking to relitigate the merits of these prior rulings, it is apparent that the need to conduct such litigation in the first place had a negative impact on the ability of the Defence to focus its time and resources on essential Defence preparation as concerns the core issues at stake.
9. The current Defence also experienced this dilemma. In May 2015, the Article 70 Defence challenged the legal funding situation of the Defence in ICC-01/05-01/13. On 1 September 2015, the Registry determined that Mr. Bemba was partially indigent, and allocated 8, 334 euros *per* month.

10. The decision to allocate some funds – whilst welcome - was only a partial panacea. This level of funding, even when combined with the shared resources of Associate Counsel and a case manager who was appointed in both cases, was significantly lower than the funds allocated to the other Article 70 teams.<sup>3</sup>
11. Moreover, when the Defence tried to use the funds to conduct a pre-trial mission, it was informed that it could not because of the *pro bono* status of the Defence team members.
12. Given Mr. Bemba's paramount right to expeditious proceedings, rather than initiate further litigation which could delay the commencement of the trial, the Defence accepted Registry assurances that a solution to this issue would be found.
13. The eventual solution –several months in the making – was that at least a modicum of funds should be allocated to team members in order to eliminate their *pro bono* status. This solution was, however, eliminated by the Registry's subsequent decision to withdraw all future funding to the Defence.
14. Concretely, in March 2016, as the Article 70 case drew to a close, Counsel corresponded with the Registry to inquire as to the future funding situation of the Bemba Article 70 case. In verbal meetings, the undersigned also stressed the need to maintain at least a minimum level of funding in the Article 70 case.

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<sup>3</sup> The total amount available to the Article 70 Bemba Defence was approximately 21 000 euros. This is also not a completely accurate representation of the amount of resources available on a full time basis as the Associate Counsel and Case Manager had ongoing commitments to the Main Case. In contrast, other Article 70 Defence teams were allocated approximately 35 000 euros per month (including funds for investigations).

15. Subsequently, on 12 May 2016, all Article 70 Defence teams were informed by the Counsel Support Section (CSS) that after the closing submissions (i.e. from 2 June 2016 onwards), they would receive the funds corresponding to Lead Counsel (which was roughly the amount allocated to the Bemba Article 70 Defence thus far).<sup>4</sup>
16. After the conclusion of closing submissions, the Defence attempted to meet the Registry in order to confirm its entitlement to receive funding, which was the equivalent of one Lead Counsel.
17. On 2 June 2016, the Registry informed the Defence that due to the fact that the allotment for the Defence teams had decreased, Mr. Bemba was no longer considered partially indigent, and that as such, no funds would be provided from this point onwards.
18. In response to Defence concerns regarding the lack of notice, and the impact that this would have on support staff, the Registry agreed to extend funding until the end of June, but confirmed that from that point onwards (including for any potential appellate phase), there would be no additional funds for the Bemba Defence in ICC-01/05-01/13.<sup>5</sup>
19. It should be noted that the Registry had at that point received documentation from the Defence in the Main case, which supported the conclusion that Mr. Bemba had no disposable funds, which were available to remunerate the Article 70 Defence team from that point onwards. The Registry has, moreover, confirmed the continuing applicability of the asset freeze ordered by Trial Chamber III.

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<sup>4</sup> Public Annex 3.

<sup>5</sup> Confidential Ex Parte Annex 1.

20. In the absence of any practical ability to recover funds, the decision of the Registry effectively stripped Mr. Bemba of any legal representation in ICC-01/05-01/13.
21. Although Counsel had initially agreed to act on a *pro bono* basis, for the reasons set above, this status cannot be maintained for more than *de minimis* periods. The Registry also informed the Defence that as of July 2016, its *pro bono* assistant programme was cancelled, and that ‘gratis’ assistance would need to be processed through the Human Resources intern scheme. The length of either internships or *pro bono* appointment is, in any case, 6 months; Counsel and the support staff on the Bemba team had already exceeded this time period.
22. The Registry has also previously acknowledged that *pro bono* members should be viewed as “added value to the defence above and beyond the resources deemed ‘reasonably necessary as determined by the Registrar for an effective and efficient defence’”.<sup>6</sup> Pre-Trial Chamber I, in turn, affirmed that relying on *pro bono* assistance was not a viable alternative to necessary and reasonable resources.<sup>7</sup>
23. There is thus no expectation or requirement that Counsel or Support Staff should continue to represent an accused on a *pro bono* basis if no funding is available, and there is no prospect of it being available in the near future. Trial Chamber III has, in this regard, underscored that in accordance with the Chamber’s duty to ensure a fair and impartial trial (which depends on effective legal representation), the Trial Chamber should not condone the

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<sup>6</sup> ICC-01/11-01/11-390-Red, para. 22.

<sup>7</sup> ICC-01/11-01/11-390-Red, para. 41.

possibility of periods of time (of more than *de minimis* length) "during which defence funding is unavailable and uncertain."<sup>8</sup>

24. In response to this decision, the International Bar Association concluded that,<sup>9</sup>

The Chamber's decision resonates with common sense. It clearly reflects the importance that the ICC judges place on ensuring that the defendant's lack of access to his or her resources does not hamper the fair and expeditious conduct of the proceedings. To have counsel appearing pro bono for several months must hamper the effective preparation of the defence.

25. The European Court of Human Rights has also affirmed that the formal appointment of a lawyer does not in itself satisfy the right to effective legal representation, in circumstances in which the Defence has inadequate or no funding.<sup>10</sup>

26. When viewed in conjunction with:

*firstly*, the Court's own acknowledgement that Mr. Bemba does not have the power to freely dispose of assets due to the freeze ordered by the Court;

*secondly*, unequivocal indicia that these assets have suffered significant depreciation and/or are now encumbered by substantial debt;

*thirdly*, documentation which had been submitted to the Registry in ICC-01/05-01/08, which affirmed that Mr. Bemba did not have the

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<sup>8</sup> ICC-01/05-01/08-568, para. 6.

<sup>9</sup> IBA Report, 'The ICC's trials: an examination of key judicial developments at the International Criminal Court between November 2009 and April 2010', 1 February 2010, p. 35. [www.ibanet.org/Document/Default.aspx?DocumentUid=37A78E35-BE36-47C9...](http://www.ibanet.org/Document/Default.aspx?DocumentUid=37A78E35-BE36-47C9...)

<sup>10</sup> See *Artico v. Italy*, Judgment of May 13, 1980, para. 33; *Airey v Ireland*, App. No. 6289/73, 9 October 1979, paras. 26, 28;



power to freely dispose of certain listed assets, even if the freeze was lifted;

*fourthly*, indications that the Registry had improperly applied its own indigency formula;<sup>11</sup> and

*fifthly*, Mr. Bemba's understandable reluctance to request friends and family to provide private funds to the Defence,

it was clear that the Defence had a duty to invoke the Registrar's obligation to conduct a new assessment of Mr. Bemba's financial status (which is triggered at each new phase of the proceedings).<sup>12</sup>

27. The Defence therefore requested the Registry to review its indigency calculation, and to provide legal aid on a provisional basis, pending this review.

28. Although this new phase commenced on the 2 June, and despite the requirement set out in Regulation 85(1) of the Regulations of the Court that indigency assessments must be completed within one month, the Defence have yet to receive a decision from the Registry.

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<sup>11</sup> In assessing whether Mr. Bemba could contribute to the costs of his Defence, the Registry took into consideration whether he was able pay the minimum skeleton amount which applies at this phase. Nonetheless, according to the official ICC legal aid policy, the Registry has committed itself to adopting the opposite position, namely:

The starting point for the determination of indigence is that, where the MDM is higher than the monthly cost of defence for the most onerous phase of the proceedings i.e. that of the trial, when the maximum extent of the legal team is in place, the person will be deemed not indigent and his or her request will be refused. On the other hand, where the MDM is <0, indigence will be recognized to the full extent, i.e. the Court will pay all costs in conformity with regulation 83 of the RoC. ICC-ASP/12/3 (para. 30)

If the Registry had adopted this standard in its 2 June 2016 assessment, it would have continued to provide at least the same level of funding at the current phase of the proceedings, and in any appellate phase.

<sup>12</sup> ICC-ASP/12/3, para. 31. It was indeed, unfair for the Registry to eliminate their contribution to Mr. Bemba's monthly funds without first making such an assessment.

29. Given the current phase of the proceedings, the requirements of the Article 70 Defence are, perhaps understandably, not a priority for the Registry.
30. Mr. Bemba's right to effective legal representation cannot, however, be put on hold. There are filings which need to be responded to,<sup>13</sup> disclosure which needs to be reviewed, and as per the Trial Chamber's instruction in ICC-0/05-01/13-1936, the Defence is waiting to receive materials from the Registry which were in the possession of the Independent Counsel.
31. For this reason, the case law of the ICC has consistently recognised that the right to a fair trial and the right to equality of arms demand that sufficient funding be allocated to the Defence during all phases of the trial proceedings.<sup>14</sup> The right to effective legal representation at trial, continues up until the issuance of the trial judgment itself, and can persist through any subsequent sentencing or appeal proceedings.<sup>15</sup> It is, moreover, artificial and unfair to eliminate the right to legal representation for any discrete 'phases' of the trial itself.<sup>16</sup>
32. The Registry has itself recognised that it is necessary and reasonable to allocate the Article 70 Defence teams at least a core level of funding for this phase (the funds which are equivalent to a Lead Counsel).
33. The *chapeau* to Article 67(1) provides that defendants appearing before the ICC should be entitled to enjoy the minimum guarantees set out therein in

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<sup>13</sup> See ICC-01/05-01/13-1966.

<sup>14</sup> ICC-01/04-01/07-T-341-ENG.

<sup>15</sup> ICC-01/05-01/06-2800, pp. 23-24.

<sup>16</sup> ICC-01/05-01/06-2800, paras. 45-47, 48 "Without prejudice to the rights of the accused during any appellate stage, at least until the end of the trial (as defined above), he is protected by Article 67 of the Statute, and his rights thereunder should not be undermined simply because a particular stage of the trial proceedings"

full equality. If the Registry has deemed that it is necessary and reasonable to allocate a certain amount of legal aid in order to ensure the effective representation of Me. Kilolo, Mr. Mangenda, Mr. Babala and Mr. Arido, then there is no conceivable justification for compelling Mr. Bemba to be tried (or to respond to procedural motions) during the same phase with no resources.

34. The right to a fair trial also encompasses the right to a fair appeal. At this point in time, the Defence is completely unaware of the potential outcome. It is, however, certain that irrespective of the outcome, the judgment will need to be studied, and Mr. Bemba will need to receive independent, effective, timely, and informed legal advice as to the implications of the judgment on his rights.

35. It is therefore impractical and unfair to defer the issue of the funding of the Article 70 Bemba Defence until the commencement of a potential appeal phase. This would only replicate the problems faced by the Defence at the pre-confirmation phase; that is, rather than dedicating time and resources to the Defence of Mr. Bemba, the Defence would be compelled to focus on ancillary financial issues.

36. Defence team members (such as case managers) also need some degree of certainty in order to ensure their availability for a potential appeal. Thus, when faced with the scenario that the Defence could be reduced to skeleton staff pending the issuance of the judgment, Trial Chamber 1 observed that:<sup>17</sup>

[...] the Registrar must bear in mind that identifying the future members of an enhanced defence team for the period following the Article 74 Decision is in itself likely to take two to three months (see above). At the other extreme, if the Chamber is likely to take only a short period of time to deliver the Article 74 Decision following the closing submissions (e.g. approximately

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<sup>17</sup> ICC-01/04-01/06-2800, paras. 55-57.

four months), the Registrar needs to weigh the financial advantage of saving resources by dissolving the defence team as against the disruption that will be caused to the later proceedings once the Article 74 Decision is handed down [...]

It would in all likelihood be wholly unfair to the accused to dissolve his defence team following the closing submissions, leaving one lead counsel, a legal assistant and a case manager, who would -depending on the outcome of the Article 74 Decision - have to recruit a new team and file the accused's appeal in 30 days. It is of note that the prosecution will inevitably be in a far more advantageous position in this regard, since the Prosecutor is not under any obligation to lay off staff following the concluding submissions.

37. This degree of certainty is, however, undermined in circumstances in which there are prolonged delays in the consideration of a request for legal aid.

38. Apart from the fact that the Registry has already exceeded the one month deadline for its evaluation of Mr. Bemba's indigency, the prospect of further delays is foreshadowed by the fact that Mr. Bemba's financial status has ramifications for the reparations proceedings before Trial Chamber III. This is reflected by the fact that the Defence has been alerted to the existence of an internal working group, which is apparently seized of the issue of Mr. Bemba's assets.<sup>18</sup>

39. The fair trial rights of Mr. Bemba in ICC-01/05-01/13 should not, however, be prejudiced by virtue of delays, irrespective as to whether they are occasioned by Registry processes, or the division of responsibilities between different Chambers or internal entities.

40. This is consistent with rulings of the European Court of Human Rights to the effect that the right to a fair trial under Article 6 of the Convention includes

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<sup>18</sup> This would appear to stem from Trial Chamber III rulings: see ICC-01/05-01/08-596-Red, para. 16.

the right to an expeditious and effective system for considering requests for legal aid.<sup>19</sup>

41. The traditional judicial remedy for protecting the Defence against adverse consequences due to disputes in legal aid, which is to request a stay of the proceedings whilst issues of funding are resolved,<sup>20</sup> is plainly inappropriate in the circumstances of a defendant, who wishes to exercise his right to expeditious proceedings.

42. The more appropriate remedy would therefore be to order the Registry to provide funding on a provisional basis, pending the final resolution of Mr.

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<sup>19</sup> See *Tabor v. Poland*, App. No. 12825/02, 27 June 2006, para 46: "46. Lastly, the Court observes that the Katowice Regional Court's decision refusing the applicant legal aid was issued on 17 January 2000. The Court emphasises that this was one month after the prescribed time-limit for lodging a cassation appeal had expired. That left the applicant, for obvious reasons, without any realistic opportunity of seeking legal assistance of his choice for the lodging of a cassation appeal, it being recalled that professional legal representation was obligatory, and of bringing his case to the Supreme Court. The Court is therefore of the view that the manner in which the relevant court handled the applicant's request for legal aid was not compatible with the requirement of diligence."

*Berlinski v Poland*, Applications nos. 27715/95 and 30209/96, 20 June 2002:

73. In this respect the applicants complained that on 6 October 1993, when appealing against the bail order of 5 October 1993, they both had requested that an official defence counsel be provided for them. However, the prosecutor had not replied to the request nor had referred it to the court, thereby breaching the requirements of Article 69 of the Code of Criminal Procedure. The applicants stated that they had had no lawyer until 17 October 1994, when the Lublin District Court had appointed a defence counsel under Article 70 § 1 of the Code out of concern for their state of mind. As a result they had not been able properly to defend themselves, in breach of Article 6 §§ 1 and 3 (c) of the Convention.

77. The Court observes that it is undisputed that the applicants lacked means to employ a private representative in the context of criminal proceedings against them. It is also uncontested that the applicants' request for an official lawyer to be appointed was ignored by the authorities, with the result that they had no defence counsel for more than a year. Given that a number of procedural acts, including questioning of the applicants and their medical examinations, were carried out during that period (see §§ 40-45 above), the Court finds no justification for this restriction which deprived the applicants of the right to adequately defend themselves during the investigation and trial.

78. Accordingly, there has been a breach of Article 6 §§ 1 and 3 (c) of the Convention.

See also *A.B. v Slovakia*, App. No. 41784/98, 4 March 2003, 43, 55, 60, 61; *Campbell and Fell v. the UK*, App. No. 7878/77, 28 June 1984, para. 107

<sup>20</sup> *Prosecutor v Brdjanin and Talic*, "Decision on Second Motion by Brdjanin to Dismiss the Indictment", 16 May 2001 (cited in ICC-01/04-01/06-1486, footnote 8); *Prosecutor v. Ojdanic et al.*, Decision On Interlocutory Appeal On Motion For Additional Funds, para. 14.

Bemba's financial status. This is consistent with the fact that a finding that an accused is entitled to legal aid is declaratory;<sup>21</sup> if an accused is entitled to legal aid after the Registry has conducted its investigations, it follows that the accused was also entitled to legal aid at the commencement of the investigation. There is therefore no justification for denying the Defence remuneration for necessary and reasonable work conducted in the interceding period.

43. The very nature of provisional funding demands that it be allocated on an immediate basis, to ensure that the Defence can continue to represent the suspect or accused whilst the substantive determination is pending with the Registry.

44. The Registry's failure to issue a positive determination that Mr. Bemba is entitled to such provisional legal aid is therefore, in effect, a constructive denial of the request. By deferring its decision on the Defence request, the Registry has compelled the Defence to proceed without any funding or prospect of remuneration, thus incurring the very prejudice which provisional legal aid aims to eliminate. Given that provisional legal aid has been applied in favour of several suspects and victims appearing before the Court,<sup>22</sup> it is also unreasonable and arbitrary to deprive Mr. Bemba of its protection.

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<sup>21</sup> ICC-01/04-01/10-142, para. 16: "there is no provision in the legal assistance scheme or in the statutory framework of the Court which would operate to preclude the retroactive payment of legal assistance to a time before an application for legal assistance was made in the circumstances hereinbefore outlined. In this regard, it should be reiterated that the right of the suspect to legal assistance paid by the Court where he lacks sufficient means to pay for it himself emanates from article 67(l)(d) and that the decision of the Registrar as to the indigence of the suspect and his entitlement to legal assistance is merely declaratory of the fact that the requisite conditions for the right to paid legal assistance are satisfied and does not per se give rise to or create the right in question."

<sup>22</sup> See ICC 01/04-490-tENG, 26 March 2008, pp. 3-4; ICC-01/04-01/06-63; ICC-01/04-01/07-79, ICC-01/04-01/07-298; ICC- 01/04-01/07-562; ICC-01/04-01/07-563, ICC-CPI-20120117-PR762

45. Such a constructive denial of provisional legal aid is judicially reviewable.<sup>23</sup>

Although questions of indigency are appealable to the Presidency, ICC case law reflects the fact that the Chamber seized of the case has the power to intervene to ensure that administrative delays or procedures do not prejudice the right of the suspect or accused to effective legal representation.

46. For example, in the *Mbarushimana* case, the Pre-Trial Chamber found that the Registry erred by relying on bureaucratic requirements as a basis for refusing to provide retrospective remuneration for defence preparation that had been conducted, whilst these requirements were being fulfilled.<sup>24</sup>

47. Similarly, in the *Gaddafi* case, the Pre-Trial Chamber appointed Counsel pursuant to Regulation 76 of the Regulations of the Court in order to preserve the rights of the Defence, pending verification of the formal requirements for the assignment of legal assistance. In so doing, the Chamber stressed that the provisional nature of the appointment by the Chamber had no impact of the scope of legal representation.<sup>25</sup>

48. Most importantly, when faced with prolonged practical disputes between the Defence and the Registry concerning the disposability of Mr. Bemba's assets, Trial Chamber III intervened to order the Registry to provide Defence funding both prospectively and retrospectively.<sup>26</sup>

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<sup>23</sup> See Decision on Ieng Sary's Appeal regarding the Appointment of a Psychiatric Expert, 21 October 2008. 002/19-09-2007-ECCC/OCIJ (PTC10), paras. 22, concerning the right to judicial review of the failure to issue a timely decision.

<sup>24</sup> ICC-01/04-01/10-142

<sup>25</sup> ICC-01/11-01/11-390-Red, para. 35.

<sup>26</sup> In October 2009, the Chamber ordered the Registry to pay the Defence a set monthly amount (which corresponded to the amount available under legal aid) retrospectively to March 2009, and prospectively: ICC-01/05-01/08-568, para. 8

49. In so doing, the Chamber cited its power under Article 64(6)(f) to “rule on any other relevant matters”,<sup>27</sup> and further emphasised that procedural formalities should not “unreasonably extend a situation in which the accused lacks sufficient means to pay for his legal assistance under Article 67 of the Rome Statute (“Statute”).”<sup>28</sup>
50. In line with this precedent, if the minimum threshold required to ensure effective assistance is not in dispute, the Court has a duty to ensure that the Defence can actually avail themselves of this amount; otherwise, the right to effective assistance is wholly illusory.
51. The issue as to whether the Defence should be funded through legal aid (which can potentially be recovered through Regulation 85 (4) if Mr. Bemba is found to have disposable assets), or an advance payment (which can be recovered through any disposable frozen assets) is also a question of semantics, not substance.
52. If there are indeed assets which are available to remunerate the Article 70 Defence, then the Registry will be in a position to recover Defence costs from these assets as and when the asset freeze is lifted. If there are not, then this would only serve to confirm Mr. Bemba’s entitlement to legal aid.
53. It would be consistent with both scenarios for the Court to allocate provisional funding to the Defence, whilst the Court’s determination of the specific legal basis for funding the Defence is pending before the Registry, or litigated before the Presidency or Trial Chamber III.

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<sup>27</sup> ICC-01/05-01/08-596-Red, para. 15.

<sup>28</sup> ICC-01/05-01/08-596-Red, para. 15.



54. Failing to do so – due to questions of semantics - is unreasonable, and risks undermining the fairness of the proceedings in this case for no objectively justifiable reason.
55. Finally, the Defence underscores that this is a case brought by the Prosecution, and confirmed by the Pre-Trial Chamber. The fact that the proceedings have resulted in significant budgetary expenses is certainly not the fault of the Defence or Mr. Bemba. The onus does not fall on either Mr. Bemba or the Defence to compensate - to its own detriment - for the expenses incurred by other parties and participants in this case.
56. To the contrary, given that the Court chose to proceed with this case, it has a corollary duty to ensure that Mr. Bemba has sufficient funds to defend himself throughout all relevant phases, in a fair and equitable manner.

### **Relief Sought**

57. For the reasons set out above, the Defence for Mr. Bemba respectfully requests the Honourable Trial Chamber to take steps to ensure Mr. Bemba's right to effective legal representation, by ordering the Registry to provide provisional legal aid, from 1 July 2016 onwards, until such time that a final determination on the financial status of Mr. Bemba is issued by the Court.



Melinda Taylor

Counsel for Mr. Jean-Pierre Bemba

Dated this 12<sup>th</sup> day of August 2016

At The Hague, The Netherlands