

PUBLIC ANNEX A

Melinda Alicia Taylor, Counsel, Human Rights and International Criminal Law
[REDACTED] The Hague
Email: mtaylor@iccpn.org Tel: [REDACTED]

14 June 2018

Dear Madame Prosecutor,

It is with the deepest regret that I feel compelled, on behalf my client Jean-Pierre Bemba, to address you in relation to your press statement concerning last Friday's Appeal Judgment, which acquitted Mr. Bemba of charges of war crimes and crimes against humanity committed in the Central African Republic (a case, referred to as the 'Main Case').

Although I act for Mr. Bemba in the Article 70 case, the parties in the Article 70 case have been granted the right to submit observations as to the impact of the Mr. Bemba's acquittal in the Main Case, on the appropriate sentence that should be imposed on him in the Article 70 case. This will occur at a hearing scheduled for 4 July 2018. The Trial Chamber also confirmed, in its decision on Mr. Bemba's application for interim release, that his acquittal, after over ten years of detention, has implications for other issues in the Article 70 case.

In the same way that convictions should be enforced and respected, an acquittal must also be given full legal effect. I am therefore approaching the 4 July 2018 hearing with the hope and expectation that the Prosecutor will review its past submissions concerning Mr. Bemba's Article 70 sentence – many of which drew upon his conviction in the Main case – and reflect on the extent to which it is appropriate and tenable to maintain its past stance, in light of his recent acquittal. And yet, your statement of 13 June 2018 appears to exhibit a partial and indeed personal objection to Mr. Bemba's acquittal, and further employs language which runs directly counter to the fact that Mr. Bemba is an acquitted person, who should be referred to, and treated as such.

I would therefore be grateful if you could kindly indicate whether you would be prepared to retract your statement, as a sign of the Office of the Prosecutor's abiding commitment to the principles of fairness and impartiality that are the golden thread of the Rome Statute framework.

I look forward to receiving your response in the coming days.

Yours sincerely,



Melinda Taylor

Ms Melinda Taylor
Counsel for Jean-Pierre Bemba Gombo
International Criminal Court
Oude Waalsdorperweg 10,
2597AK, The Hague,
The Netherlands

Via E-mail: mtaylor@iccepn.org

Reference: OTP/PD/20180619/KW

Date: 19 June 2018

Dear Ms Taylor,

I refer to your letter of 14 June 2018 which received Madam Prosecutor's due consideration. The Prosecutor has instructed me to provide this response on her behalf.

The Office of the Prosecutor believes that your letter misrepresents the reliance of Trial Chamber VII on the acquittal of Mr Bemba in the main case.

The issues related to Mr Bemba's sentence in the Article 70 case will be addressed timely and appropriately by the Office of the Prosecutor, in accordance with any further instructions of Trial Chamber VII. As you correctly point out, the Prosecutor's long-standing commitment to the principles of fairness and impartiality will continue to guide our submissions on the matter.

Accordingly, Madam Prosecutor will not retract her statement, properly made in the context of the recent decision of the Appeals Chamber.

Yours sincerely,



Kweku Vanderpuye
Senior Trial Lawyer