

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



Original: **English**

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

Date: **30 October 2018**

**THE PRESIDENCY**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

***IN THE CASE OF***

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO***

**Before:** Judge Chile Eboe-Osuji, President  
Judge Robert Fremr, First Vice-President  
Judge Marc Perrin de Brichambaut, Second Vice-President

**Confidential**

***Ex parte*, only available to the Registry and Mr Bemba**

**Decision referring a request arising under article 85 to Pre-Trial Chamber II**

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

**Counsel for Mr. Jean-Pierre Bemba  
Gombo**  
Mr Peter Haynes  
Ms Kate Gibson

**REGISTRY**

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**Registrar**  
Mr Peter Lewis

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**Other**  
Pre-Trial Chamber II

THE PRESIDENCY of the International Criminal Court notes that on 8 June 2018, the Appeals Chamber discontinued proceedings against Mr Jean-Pierre Bemba Gombo in respect of certain crimes and acquitted him in respect of all remaining charges brought against him in the case;<sup>1</sup>

NOTING that on 22 October 2018, the Presidency received ‘Mr. Bemba’s request for a variation of the time and page limits in relation to a claim under article 85 of the Statute’<sup>2</sup> (the ‘Request’);

RECALLING article 85 of the Rome Statute of the International Criminal Court (the ‘Statute’) and rules 173-175 of the Rules of Procedure and Evidence (the ‘Rules’);

CONSIDERING that the reference to ‘request’ in rule 173(1) of the Rules encompasses procedural requests associated with an application for compensation pursuant to article 85 of the Statute;

NOTING that, in view of the confidential and *ex parte* classification of the Request, the Presidency considers that the present decision should remain confidential until such time that the Chamber designated below has the opportunity to consider the appropriate level of classification of the Request;

HEREBY DESIGNATES Pre-Trial Chamber II as the Chamber to consider the Request, as well as any eventual request for compensation under article 85 of the Statute, pursuant to rule 173(1) of the Rules, without prejudice to any determination by the Chamber on the admissibility and/or merits of the Request;


HEREBY ORDERS the Registrar to notify the Request to Pre-Trial Chamber II.

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<sup>1</sup> Appeals Chamber, *The Prosecutor v. Jean-Pierre Bemba Gombo*, ‘Judgment on the appeal of Mr Jean-Pierre Bemba Gombo against Trial Chamber III’s “Judgment pursuant to Article 74 of the Statute”’, 8 June 2018, ICC-01/05-01/08-3636.

<sup>2</sup> ICC-01/05-01/08-3661-Conf-Exp.

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



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**Judge Chile Eboe-Osuji**  
**President**

Dated this 30 October 2018

At The Hague, The Netherlands