

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/14-01/22**

Date: **8 July 2024**

ARTICLE 85 CHAMBER

Before: Judge Miatta Maria Samba, Presiding Judge
Judge Keebong Paek
Judge Beti Hohler

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF
*THE PROSECUTOR v. MAXIME JEOFFROY ELI MOKOM GAWAKA***

Public

Decision on the Registry's request for an extension of the time limit

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

The Office of the Prosecutor
Mr Karim A. A. Khan
Mr Mame Mandiaye
Ms Helen Brady

Counsel for Mr Mokom
Mr Philippe Laroche
Ms Sheila Paylan

Legal Representatives of Victims

The Office of Public Counsel for Victims

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

States Representatives

REGISTRY

Registrar
Mr Osvaldo Zavala Giler
Mr Marc Dubuisson

Counsel Support Section

Victims and Witnesses Unit

Detention Section

The Article 85 Chamber (the ‘Chamber’) of the International Criminal Court, having regard to regulation 35(2) of the Regulations of the Court (the ‘Regulations’) issues the following ‘Decision on the Registry’s request for an extension of the time limit’ in the case of *The Prosecutor v. Maxime Jeoffroy Eli Mokom Gawaka*.

1. On 13 June 2024, pursuant to an instruction from the Chamber,¹ the Registry filed an updated version of the Registry’s submissions (the ‘Updated Registry’s Submissions’).²
2. On 28 June 2024, the Chamber filed its Order for submission of public redacted versions of filings, in which it, *inter alia*, instructed the Registry to file a public redacted version or request reclassification as public of the Updated Registry’s Submissions and accompanying annexes by 5 July 2024.³
3. On 5 July 2024 at 18:20, the Registry sent an email requesting an extension of the time limit to file a public redacted version of the Updated Registry’s Submissions and accompanying annexes.⁴ The Registry submits that ‘matters took longer than anticipated’ within the Registry, which lead to limited time for Mr Mokom’s counsel to propose redactions to the annexes to the Updated Registry’s Submissions.⁵ The Registry therefore requests the extension of the time limit to allow Mr Mokom’s counsel to propose said redactions.⁶
4. Regulation 35(2) of the Regulations provides that ‘[a]fter the lapse of a time limit, an extension of time may only be granted if the participant seeking the extension can demonstrate that he or she was unable to file the application within the time limit for reasons outside his or her control.’
5. The Chamber notes that the Registry sent its request for an extension of time after the filing deadline of 16:00 on 5 July expired. The Chamber considers that the reason offered by the Registry for failing to meet the deadline set by the Chamber – that ‘matters took longer than

¹ Order instructing the Registry to re-file the Registry’s Submissions, 6 June 2024, [ICC-01/14-01/22-342](#).

² Updated Registry’s Submissions on the Defence Request for Compensation under Article 85 of the Rome Statute (ICC-01/14-01/22-329-Conf), ICC-01/14-01/22-343-Conf-Exp (confidential version notified on 18 June 2024), with confidential *ex parte* Annex I (ICC-01/14-01/22-343-Conf-Exp-AnxI), Annex II (ICC-01/14-01/22-343-Conf-Exp-AnxII), Annex III (ICC-01/14-01/22-343-Conf-Exp-AnxIII), Annex IV (ICC-01/14-01/22-343-Conf-Exp-AnxIV), Annex V (ICC-01/14-01/22-343-Conf-Exp-AnxV), Annex VI (ICC-01/14-01/22-343-Conf-Exp-AnxVI), Annex VII (ICC-01/14-01/22-343-Conf-Exp-AnxVII) and Annex VIII (ICC-01/14-01/22-343-Conf-Exp-AnxVIII).

³ Order for submission of public redacted versions of filings, [ICC-01/14-01/22-345](#), para. 8(d), p. 5.

⁴ Email from Registry to the Chamber, 5 July 2024 at 18:20.

⁵ Email from Registry to the Chamber, 5 July 2024 at 18:20.

⁶ Email from Registry to the Chamber, 5 July 2024 at 18:20.

anticipated' within the Registry – does not show circumstances outside of the control of the Registry that prevented it from filing the public redacted version within the time limit. Furthermore, the Registry's request did not specify how much time it would take to prepare a public redacted version.

6. The Chamber accordingly considers that the Registry has failed to comply with regulation 35(2) of the Regulations.
7. Nevertheless, in order to ensure the proper conduct of proceedings, the Chamber extends the time limit for the Registry to submit a public redacted version of the Registry's Updated Submissions and accompanying annexes to 12 July 2024. This deadline takes into account the fact that Mr Mokom's counsel now needs time to propose redactions to the annexes to the Updated Registry's Submissions.
8. The Chamber also consequently extends the deadline for Mr Mokom to file public redacted and confidential versions or request the reclassification as public or confidential of his Response to the Registry's Submissions (ICC-01/14-01/22-344-Conf-Exp) and its accompanying annex to 19 July 2024.

FOR THESE REASONS, THE CHAMBER HEREBY

GRANTS the Registry's request for an extension of time; and

INSTRUCTS the Registry and Mr Mokom to comply with the instructions in paragraphs 7-8 above.

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



Judge Miatta Maria Samba, Presiding Judge

Dated 8 July 2024

At The Hague, The Netherlands