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

Date: 23 August 2016

TRIAL CHAMBER III

Before: Judge Joyce Aluoch, Presiding Judge
Judge Geoffrey Henderson
Judge Chang-ho Chung

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF
THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO

PUBLIC

Request for an extension of time to file submissions relevant to reparations

Source: Registry

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

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Legal Representatives of the Victims

Ms Marie Edith Douzima Lawson

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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**Victims Participation and Reparations
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Ms Isabelle Guibal

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I. Introduction

1. On 22 July 2016, Trial Chamber III ("Trial Chamber") issued the "Order requesting submissions relevant to reparations" ("Order"),¹ setting the deadline of 15 September 2016 for, *inter alia*, the Registry to submit observations on several issues pertaining to the reparations proceedings in the case of *the Prosecutor v. Jean-Pierre Bemba Gombo* ("Case"), including:

- Whether the principles established by the Appeals Chamber in the *Lubanga* case need to be amended or supplemented in light of the circumstances of the Case;²
the criteria and methodology to be applied in the determination and assessment of (i) the eligibility of victims; (ii) the relevant harms and (iii) the scope of liability of Mr Bemba;³
- the types and modalities of reparations appropriate to address the harm relevant in the circumstances of the case, including factors relating to the appropriateness of awarding reparations on an individual basis, a collective basis, or both;⁴
- whether experts may be usefully appointed to assist the Chamber in determining any of the issues set above;⁵
- information regarding the current security situation in the Central African Republic;⁶ and
- any other issue the parties and participants wish to bring to the attention of the Chamber;⁷

¹ Trial Chamber III, "Order requesting submissions relevant to reparations", dated 22 July 2016, ICC-01/05-01/08-3410.

² *Ibid*, para 7.a.

³ *Ibid*, para 7.b.

⁴ *Ibid*, para 7.c.

⁵ *Ibid*, para 7.d.

⁶ *Ibid*, para 9.b.

⁷ *Ibid*, para 7.e.

2. On 16 August 2016, the Defence of Mr Bemba ("Defence") requested a 60 day extension of the deadline of 15 September 2016 to file its observations relevant to reparations ("Defence's Request");⁸
3. On 22 August 2016, the Legal Representative of Victims ("LRV") replied to the Defence's Request, submitting that she should benefit from an equal amount of time as the Defence to file her observations on reparations, in the event that the latter's request is granted by Trial Chamber.⁹

II. Applicable Law

4. The Registry submits the present request for a variation of the time limit in accordance with regulation 35 of the Regulations of the Court.

III. Submission


5. In order to implement the Trial Chamber's Order, the Registry intends to conduct preliminary consultations with relevant key interlocutors in the field, including intermediaries and civil society actors.
6. Moreover, the update on the current security situation requested by the Trial Chamber in its Order requires the collection, compilation and analysis of information from different sources, as well as multiple evaluation missions in a number of localities mentioned in the Chamber's "Judgment pursuant to Article 74 of the Statute".¹⁰
7. Due to the volatile security situation, the Registry currently operates with limited capacity on the ground and competing priorities which has resulted in

⁸ Defence, "Defence Request for an Extension of Time to File Submissions Relevant to Reparations", dated 16 August 2016, ICC-01/05-01/08-3423.

⁹ LRV, "Réponse de la Représentante légale des victimes à "Defence Request for an Extension of Time to File Submissions Relevant to Reparations"", dated 23 August 2016, ICC-01/05-01/08-3426.

¹⁰ Trial Chamber III, "Judgment pursuant to Article 74 of the Statute", dated 21 March 2016, ICC-01/05-01/08-3343.

it being currently unable to accommodate various field activities occurring simultaneously. As a consequence of the above, and although it is doing its utmost to comply with the Trial Chamber's Order, the Registry is foreseeing serious difficulties in submitting its observations on 15 September 2016, and therefore respectfully requests the Trial Chamber to grant the Registry an extension of 45 days to submit its observations.



Marc Dubuisson, Director, Division of Judicial Support Services
per delegation of the Registrar

Dated this 23 August 2016

At The Hague, The Netherlands