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No.: **ICC-01/05-01/08**
Date: **28 October 2016**

TRIAL CHAMBER III

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

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR
v. JEAN-PIERRE BEMBA GOMBO**

Urgent - Public Document
Order on the Registry request for extension of time to identify experts

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

The Office of the Prosecutor

Ms Fatou Bensouda
Mr Jean-Jacques Badibanga

Counsel for the Defence

Mr Peter Haynes
Ms Kate Gibson
Ms Melinda Taylor

Legal Representatives of the Victims

Ms Marie-Edith Douzima-Lawson

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Isabelle Guibal

Trust Fund for Victims

Mr Pieter de Baan

Trial Chamber III (“Chamber”) of the International Criminal Court, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, issues the following “Order on the Registry Request for Extension of Time to Identify Experts”.

I. Procedural background

1. On 22 July 2016, the Chamber issued an order (“22 July 2016 Order”)¹ requesting the Defence for Mr Bemba (“Defence”), the Legal Representative of Victims (“LRV”), the Office of the Prosecutor, the Registry and the Trust Fund for Victims (“TFV”) to file observations relevant to reparations by 15 September 2016.² In particular, the Chamber requested the Registry to *inter alia* provide a list of experts available to assist the Chamber in its determinations of various issues, including: “the mapping of victims, identification of traumas and assessment of harms suffered by victims of mass crimes, including a financial or monetary assessment, needs of prioritization and differentiation in categories of victims, including victims of sexual violence and child victims, and expertise on manners appropriate to avoid re-traumatization, stigmatisation and/or discrimination and to ensure gender inclusion in the proceedings leading to and the design of reparations in the case”.³
2. On 25 August 2016, upon request from the Defence and the LRV,⁴ the Chamber granted an extension of the deadline to 17 October 2016.⁵
3. On 7 October 2016, upon request from the TFV,⁶ the Chamber granted another extension of the deadline to 31 October 2016.⁷

¹ Order requesting submissions relevant to reparations, 22 July 2016, [ICC-01/05-01/08-3410](#).

² [ICC-01/05-01/08-3410](#), paras 7 and 9.

³ [ICC-01/05-01/08-3410](#), footnote 12.

⁴ Defence Request for an Extension of Time to File Submissions Relevant to Reparations, 16 August 2016, [ICC-01/05-01/08-3423](#), paras 4 and 31; Réponse de la Représentante légale des victimes à « Defence Request for an Extension of Time to File Submissions Relevant to Reparations », 22 August 2016, [ICC-01/05-01/08-3426](#), page 7.

⁵ Order on the Requests for extension of time to file submissions relevant to reparations, 25 August 2016, [ICC-01/05-01/08-3429](#), page 7.

4. On 27 October 2016, the Registry requested an extension of the deadline to 31 December 2016 for the provision of the list of experts (“Request”).⁸ The Registry submits that its current list of experts does not include any individual with expertise in some of the areas identified by the Chamber.⁹ It argues that, in order to identify such experts, it needs to undertake a call for expression of interest.¹⁰ In this regard, it submits that, to date, it has prepared and translated into the relevant languages a draft call for expression of interest.¹¹ The Registry envisages, as next steps: (i) disseminating the call; (ii) allowing sufficient time for candidates to apply; and (iii) screening the candidates for verification and shortlisting purposes.
5. On 27 October 2016, the Defence informed the Chamber that it does not intend to respond to the Request.¹²

II. Analysis

6. Pursuant to regulation 35 (2) of the Regulations of the Court, a Chamber may extend or reduce a time limit if good cause is shown.
7. The Chamber notes that it took the Registry almost three months after the issuance of the 29 July 2016 Order to review its current list of experts and to conclude that it does not include any individual with expertise in some of the areas identified by the Chamber.¹³ This contributed to the delay currently encountered. However, the identification of suitable experts is important for the proper adjudication of the issues identified by the Chamber. The Chamber notes the various steps the Registry plans to undertake prior to providing the list of experts.

⁶ Request for an extension of the time limit, 30 September 2016, [ICC-01/05-01/08-3437](#), para. 1.

⁷ Order on the Trust Fund for Victims’ request for an extension of the time limit, 7 October 2016, [ICC-01/05-01/08-3442](#), page 6.

⁸ Request for an extension of time to identify experts, 27 October 2016, [ICC-01/05-01/08-3452](#).

⁹ [ICC-01/05-01/08-3452](#), para. 6.

¹⁰ [ICC-01/05-01/08-3452](#), para. 7.

¹¹ [ICC-01/05-01/08-3452](#), para. 7.

¹² See Email from the Defence to the Chamber on 27 October 2016 at 18:23.

¹³ [ICC-01/05-01/08-3452](#), para. 6.

8. For the foregoing reasons, the Chamber considers that good cause has been shown warranting the time extension.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

GRANTS the Request for an extension of the time limit; and

ORDERS the Registry to provide the list of experts outlined in paragraph 9 a. of the 22 July 2016 Order by 31 December 2016.

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



Judge Joyce Aluoch



Judge Geoffrey Henderson



Judge Chang-ho Chung

Dated this 28 October 2016

At The Hague, The Netherlands