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

Date: 01/11/2017

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

**Defence's Request for an extension of time to file additional observations for
reparations**

Source: Defence for Mr. Jean-Pierre Bemba Gombo

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

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1. By this motion the Defence requests an extension of time for the filing of its additional observations on reparations¹ of 14 days.

2. On 2 June 2017, the Chamber appointed four experts to assist in the reparations proceedings, and ordered them to submit their report(s) by 15 September 2017.² The Chamber also ordered the Legal Representative of the Victims (“LRV”), the Office of Public Counsel for Victims (“OPCV”) and the Defence to submit any additional information they wish to be considered in the reparations order by 15 September 2017, and ordered the LRV, the OPCV, the Defence and the Trust Fund for Victims (“TFV”) to file submissions on the expert report(s), the submissions of other participants and any other last arguments, by 16 October 2017.³

3. On 11 August 2017, the Appointed Experts transmitted to the Registry a request for an extension of time until 20 November 2017 to submit their joint report.⁴ On 15 August 2017, the Registry transmitted the Request to the Chamber.⁵

4. On 30 August 2008, the Chamber granted the Experts’ request for extension on time and ordered them to submit their joint report to the Chamber on 20 November 2017. The LRV, the Defence and the OPCV were also permitted to file any additional information they wish to be considered in the reparations order on 20 November 2017. In addition the Chamber also set the date for the Defence, the OPCV and the TFV to file submissions of on the Experts’ report and the submissions of other participants for 18 December 2017.⁶

¹ ICC-01/05-01/08-3532-Red, para. 15; ICC-01/05-01/08-3559-Red, para. 8(ii).

² ICC-01/05-01/08-3532-Red.

³ ICC-01/05-01/08-3532-Red, paras. 15-16.

⁴ ICC-01/05-01/08-3554-Conf-Anx.

⁵ ICC-01/05-01/08-3554.

⁶ ICC-01/05-01/08-3559-Red.

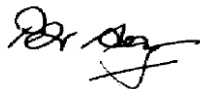
5. On 30 October 2017, the Appeals Chamber in the case of *Prosecutor –v- Jean-Pierre Bemba-Gombo* ordered the appellant (the defendant herein) to file further submissions on the issue of the contextual elements of crimes against humanity by 13 November 2017.⁷ The issue is plainly pivotal to the determination of the appeal, and involves considerable factual and legal research and analysis.

6. The Defence team has been substantially reduced in size since the closure of pleadings in the appeals phase, and the requirement to produce two substantial, yet important, filings within seven days of each other is beyond its resources.

7. Accordingly, the instruction of the Appeals Chamber is a new circumstance which amounts to good cause why the Trial Chamber should extend the deadline for the Defence to file its observations herein, pursuant to Regulation 35 of the Regulations of the Court.

8. The Defence of course has no objection to the deadlines for other parties and participants to the reparations process being similarly extended.

The whole respectfully submitted.



Peter Haynes QC
Lead Counsel of Mr. Jean-Pierre Bemba

Done at The Hague, The Netherlands, 1 November 2017

⁷ ICC-01/05-01/08-3564.