



Original: **English**

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

Date: 28 February 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
with Confidential Annex A**

Decision on the Trust Fund for Victims request for extension of time

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 James Stewart

Mr Jean-Jacques Badibanga

Counsel for the Defence

Mr Peter Haynes QC

Ms Kate Gibson

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**

Mr Xavier-Jean Keita

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, having regard to Regulation 35 of the Regulations of the Court (“Regulations”), issues the following “Decision on the Trust Fund for Victims request for extension of time”:

1. The Chamber recalls the procedural history set out in its recent extension of time decisions,¹ pursuant to which the deadline for the Legal Representative of the Victims (“LRV”), the Office of Public Counsel for Victims (“OPCV”), the Trust Fund for Victims (“TFV”) and the Defence for Mr Bemba (“Defence”) to file final submissions in the reparations proceedings is 28 February 2018.²
2. On 27 February 2018, the Chamber received a request from the TFV to extend the deadline for filing its final submissions by one week to 7 March 2018 (“Request”).³ The TFV states that “a sudden and significant increase of workload” arising from two of its field missions has affected both the capacity of its staff to finalise the submissions and the timeline for the Board review and approval process for its filing. The Request, which was received by way of email, is placed on the record by way of Annex A to this decision.
3. On 27 February 2018, the Chamber issued a ruling, by email in light of the time sensitive nature of the matter, granting the Request.⁴ The ruling and the reasons therefor, are placed on the record by way of this decision.

¹ Decision on the request from the reparations experts for an extension of time for the submission of their joint report, 30 August 2017, ICC-01/05-01/08-3559-Conf, paras 1-4 (a public redacted version was filed on the same day: ICC-01/05-01/08-3559-Conf); Decision on the Defence request for an extension of time to file additional observations for reparations, 8 November 2017, ICC-01/05-01/08-3569, paras 1-5; Decision on the Defence’s further request for a revision of the timetable for the filing of documents, 22 November 2017, ICC-01/05-01/08-3576, paras 1-7; Decision on the Legal Representatives request for extension of time, 28 November 2017, ICC-01/05-01/08-3580, with confidential Annex A, paras 1-4; Decision on the Legal Representative of the Victims request for extension of time, 14 December 2017, ICC-01/05-01/08-3587, paras 1-4; Decision on requests for further amendments to the reparations timetable, 29 January 2018, ICC-01/05-01/08-3601-Conf, paras 1-7. *See also* Order regarding follow-up matters arising from Expert Report ICC-01/05-01/08-3575-Anx-Corr2-Red, 22 December 2017, ICC-01/05-01/08-3588-Conf, paras 1-4.



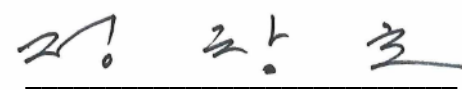
² The LRV, OPCV and TFV final submissions encompass submissions on the Expert Report, Expert Addendum, the submissions of other parties and participants and any other last arguments they wish for the Chamber to consider before rendering its reparations order. The Defence final submissions encompass this, as well as any additional information the Defence wishes to be considered in the reparations order, if any.

³ Email from the TFV to the Chamber, 27 February 2018, 08:43.

⁴ Email from the Chamber to the TFV, 27 February 2018, 15:43.

4. Pursuant to Regulation 35(2) of the Regulations, the Chamber may extend or reduce a time limit if good cause is shown, and, where appropriate, after having given the participants an opportunity to be heard.
5. The Chamber did not consider that responses to the Request were necessary, pursuant to Regulation 35(2), given the late filing of the Request.
6. The Chamber considers the Request to be extremely unfortunate at this late stage and that the TFV has had more than sufficient time to prepare its submissions. Further, no explanation was given for the very late and informal transmission of the Request, notwithstanding that the circumstances described in the TFV Request appear to have been ongoing for the past weeks. Nevertheless, the Chamber found it appropriate to grant the Request, being satisfied, having regard to the circumstances described in the Request, that finalisation of the submissions would not be possible by the original deadline. Noting that the Chamber would receive the remainder of the final submissions on schedule, it also did not consider that the delay by the TFV would significantly disrupt proceedings. Accordingly, the Chamber confirms, for the record, its decision to extend the deadline by one week, to 7 March 2018, as requested.

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

 <hr/> Judge Geoffrey Henderson	 <hr/> Judge Joyce Aluoch	 <hr/> Judge Chang-ho Chung
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Dated this 28 February 2018

At The Hague, The Netherlands