

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 26 September 2008

PRE-TRIAL CHAMBER III

Before: Judge Fatoumata Dembele Diarra, Presiding Judge
Judge Hans-Peter Kaul
Judge Ekaterina Trendafilova

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

**Public Document
URGENT**

Decision on the "Prosecution's Request for Extension of Page Limit for the Document Containing the Charges"

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

The Office of the Prosecutor

Fatou Bensouda, Deputy Prosecutor
Petra Kneuer, Senior Trial Lawyer

Counsel for the Defence

Nkwebe Liriss
Tjarda E. Van der Spoel
Aimé Kilolo-Musamba

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

PRE-TRIAL CHAMBER III (the “Chamber”) of the International Criminal Court (the “Court”) is seized of the “Prosecution’s Request for Extension of Page Limit for the Document Containing the Charges” (the “Request of the Prosecutor”) submitted on 25 September 2008.¹

1. The Prosecutor seeks an extension of page limit regarding the document containing the charges to be submitted in accordance with article 61(3) of the Rome Statute (the “Statute”).

2. The Prosecutor contends that the extension is necessary due to the complexity of the facts and his intention to present them with sufficient clarity and precision as well as their legal characterisation in order to give the defendant sufficient notice of the underlying allegations against him and to assist him in preparing adequately and effectively for the hearing on the confirmation of charges.

3. Thus, in the Chamber’s view the Prosecutor would also fulfil his responsibilities related to disclosure as required in the Chamber’s “Decision on the Evidence Disclosure System and Setting a Timetable for Disclosure between the Parties” (paragraphs 69 and 70).²

4. The Chamber notes article 61(3) of the Statute and regulation 37 of the Regulations of the Court (the “Regulations”). It further recalls that pursuant to regulation 37(2) of the Regulations “[t]he Chamber may, at the request of a participant, extend the page limit in exceptional circumstances”.

5. The Chamber finds that the reasons presented by the Prosecutor in his request constitute exceptional circumstances within the meaning of the above-stated provision.

¹ ICC-01/05-01/08-120-US-Exp.

² ICC-01/05-01/08-55.

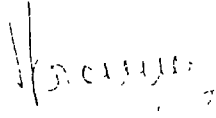
6. Mindful of the principle of publicity of proceedings and the fact that the Prosecutor instigated the classification of his request to which this decision responds, the Chamber is of the view that in the absence of any confidential information and other convincing arguments contained in the Request of the Prosecutor, the decision is issued as public and the Request of the Prosecutor is re-classified as public pursuant to regulation 23*bis* (3) of the Regulations of the Court.

FOR THESE REASONS, THE CHAMBER DECIDES

(a) to grant the Prosecutor the requested extension of forty (40) pages for the document containing the charges.

(b) to re-classify as public the document ICC-01/05-01/08-120-US-Exp.

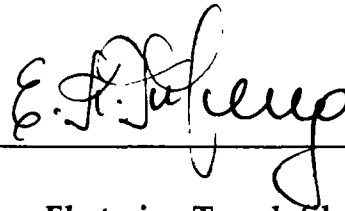
Done in both English and French, the English version being authoritative.



Judge Fatoumata Dembele Diarra
Presiding Judge



Judge Hans-Peter Kaul



Judge Ekaterina Trendafilova

Dated this 26 September 2008

At The Hague, The Netherlands