

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 5 March 2010

TRIAL CHAMBER III

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge Joyce Aluoch

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

Public Document

**Order granting the prosecution's application for an extension of time limit
pursuant to Regulation 35 of the Regulations of the Court**

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

The Office of the Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor
Ms Petra Kneuer, Senior Trial Lawyer

Counsel for the Defence

Mr Nkwebe Liriss
Mr Aimé Kilolo-Musamba

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

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. Trial Chamber III (“Chamber”) is seized of the “Prosecution’s Application for the Extension of time Limit Pursuant to Regulation 35 of the Regulations of the Court to Respond to the Defence’s « Requête aux Fins d’Obtenir une Décision Ordonnant la Correction et le Dépôt du Second Document Amendé Contenant les Charges »” (“Application”), filed on 1 March 2010.¹ The Office of the Prosecutor (“prosecution”) requests a two week extension of the time limit, to 22 March 2010, to respond to the defence application which, *inter alia*, requests the Chamber to order the prosecution to submit a new Document Containing the Charges.²

2. The prosecution submits that, given the importance and complexity of the issues raised by the defence application, “further and adequate time” is required properly to consider it.³ The prosecution emphasises that the large number of corrections to the Second Amended Document Containing the Charges proposed by the defence requires “a particularized analysis on each point raised” in light of the Document and the Pre-Trial Chamber’s Decision on the Confirmation of the Charges.⁴ In the prosecution’s view, the extension sought will not cause prejudice to the defence.⁵

3. The defence responded on 3 March 2010, indicating that it does not oppose the Application.⁶ However, the defence submits that the time limit should only be extended until 18 March 2010, and any failure by the prosecution to

¹ Prosecution’s Application for the Extension of time Limit Pursuant to regulation 35 of the Regulations of the Court to Respond to the Defence’s « Requête aux Fins d’Obtenir une Décision Ordonnant la Correction et le Dépôt du Second Document Amendé Contenant les Charges », 1 March 2010, ICC-01/05-01/08-708.

² Requête aux Fins d’Obtenir une Décision Ordonnant la Correction et le Dépôt du Second Document Amendé Contenant les Charges, 12 February 2010, ICC-01/05-01/08-694.

³ ICC-01/05-01/08-708, paragraph 6.

⁴ ICC-01/05-01/08-708, paragraph 8.

⁵ ICC-01/05-01/08-708, paragraph 6.

⁶ Réponse de la Défense à la requête du bureau du Procureur sollicitant l’extension de délai pour répondre à la « Requête aux Fins d’Obtenir une Décision Ordonnant la Correction et le Dépôt du Second Document Amendé Contenant les Charges », 3 March 2010, ICC-01/05-01/08-712, paragraph 1. The defence was instructed to file a response to the Application by 16.00 on 3 March 2010, by way of an email from the Legal Adviser to the Trial Division sent on 1 March 2010.

abide by this deadline will be taken into consideration by the defence in its submissions on the detention of Mr Jean Pierre Bemba Gombo due on 19 March 2010.⁷

4. For the reasons set out in the Application, pursuant to Regulation 35(2) of the Regulations of the Court which provides that the Trial Chamber may extend a time limit if good cause is shown, the Chamber hereby grants the extension sought. The Chamber is persuaded that it is necessary for the prosecution to be granted an extension of time until 22 March 2010 in order to respond properly to this application, and it is not apparent that this will cause any material prejudice to the accused.

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



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge Joyce Aluoch

Dated this 5 March 2009

At The Hague, The Netherlands

⁷ ICC-01/05-01/08-712, paragraph 2.