

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 9 April 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 on the Defence Application for an Extension of Time

Decision 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 “Requête de la Défense aux fins d’extension de délai conformément à la Norme 35 du Règlement de la Cour” (“Request”)¹ filed on 7 April 2010, which requests a 3 working day extension of the time limit² in which to file its reply to the observations by the Office of the Prosecutor (“prosecution”)³ and the legal representatives⁴ on the defence “Application Challenging the Admissibility of the Case pursuant to Articles 17 and 19(2)(a) of the Rome Statute” (“Application on admissibility of the case”) in the case *Prosecutor v Jean-Pierre Bemba Gombo*, filed on 25 February 2010.⁵
2. At the status conference of 29 March 2010, the Chamber granted the Office of the Public Counsel for the Victims (“OPCV”) an extension of time to 1 April 2010 to file its observations on the Application on admissibility of the case. In consequence, the Chamber ordered that “[t]he Defence time limit for a response is extended, in turn, from 7 to 9 April at 16.00 hours”.⁶
3. The defence submits that although the 42 page submission of the OPCV (in English) with 102 annexes was filed on 1 April 2010, the defence was only notified on 6 April 2010, thereby reducing the time for reply to 3 working days, for reasons outside of its control.⁷ In addition, the defence submits that it needs to translate the submission in order properly to analyse its content.⁸

¹ ICC-01/05-01/08-747.

² ICC-01/05-01/08-747, paragraph 7.

³ Prosecution’s Response to Motion Challenging the Admissibility of the Case by the Defence for Jean-Pierre Bemba Gombo pursuant to Articles 17 and 19(2)(a) of the Rome Statute, 29 March 2010, ICC-01/05-01/08-739.

⁴ Observations de la Représentante légale des victimes à la requête de la Défense en vue de contester la recevabilité de l’affaire conformément aux articles 17 et 19(2)(a) du Statut de Rome, 29 March 2010 (notified on 30 March 2010), ICC-01/05-01/08-740 ; Response by the Legal Representatives of Victims to the Defence Challenge on Admissibility of the Case pursuant to articles 17 et [sic] 19(2)(a) of the Rome Statute with 102 Annexes Confidential *ex parte* OPCV only and same Annexes Public Redacted, 1 April 2010 (notified on 6 April 2010), ICC-01/05-01/08-742.

⁵ ICC-01/05-01/08-704-Conf-Exp-tENG.

⁶ Transcript of hearing on 29 March 2010, ICC-01/05-01/08-T-21-ENG ET WT, page 30, lines 8-10.

⁷ ICC-01/05-01/08-747, paragraph 4.

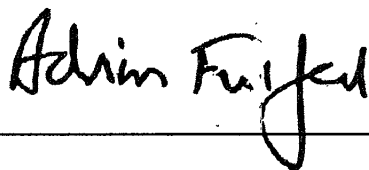
⁸ ICC-01/05-01/08-747, paragraph 5.

4. Given these circumstances, the defence submits that it will not be able adequately to prepare a reply within the existing timeframe. Therefore, pursuant to Regulation 35 of the Regulations of the Court, the defence requests an extension of 3 working days in order to file its reply.⁹
5. The prosecution and the OPCV have indicated by email on 8 April 2010 that they do not oppose the Request.¹⁰
6. In light the late notification date, 6 April 2010, which was four days after the filing of the OPCV's submissions, and given the extent of the materials, the Chamber accepts that an extension of time is necessary, and good cause has been demonstrated, pursuant to Regulation 35(2) of the Regulations of the Court.
7. For these reasons, the Chamber hereby extends the relevant time-limit to 14 April 2010 by 16.00.

⁹ ICC-01/05-01/08-747, paragraph 7.

¹⁰ Email communication to the Chamber through the Legal Adviser to the Trial Division.

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



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge Joyce Aluoch

Dated this 9 April 2010

At The Hague, The Netherlands