

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 7 September 2010

TRIAL CHAMBER III

Before: Judge Sylvia Steiner, Presiding Judge
Judge Joyce Aluoch
Judge Kuniko Ozaki

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

Public Document - URGENT

**Decision setting a time-limit for the submission of new victims' applications
for participation**

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

The Office of the Prosecutor

Ms Fatou Bensouda

Ms Petra Kneuer

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

Ms Maria Luisa Martinod Jacome

Detention Section

Victims Participation and Reparations Section

Ms Fiona McKay

Other

Trial Chamber III (“Trial Chamber” or “Chamber”) of the International Criminal Court (“Court” or “ICC”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, (“Bemba case”) issues the following Decision setting a time-limit for the submission of new victims’ applications for participation .

1. The Trial Chamber held a status conference on Monday 30 August 2010 at which the Chamber received submissions from the parties in relation to the possible date for the commencement of the trial, having decided that “proceedings shall continue, pending the outcome of the appeal against the decision on admissibility and abuse of process challenge.”¹
2. On 11 June 2010, the Victims Participation and Reparation Section (“VPRS”) filed its “Second report to Trial Chamber III on applications to participate in the proceedings,”² *ex parte*, Registry only, in which 192 victims’ applications for participation were transmitted to the Chamber.
3. Additionally, the VPRS filed its, *ex parte*, Registry only, “Supplementary report on common legal representation”³ on 13 July 2010, in which it submitted that there are presently a further 900 applications that have been received by the Registry and that are still to be transmitted to the Chamber pursuant to Regulation 86 (5) of the Regulations of the Court.
4. The Trial Chamber notes that pursuant to Article 68(3) of the Rome Statute, “the Court shall permit the victims to present their views and concerns at stages of the proceedings determined to be appropriate by the Court and in a manner which is not prejudicial to or inconsistent with the rights of the suspects and a fair and impartial trial.”

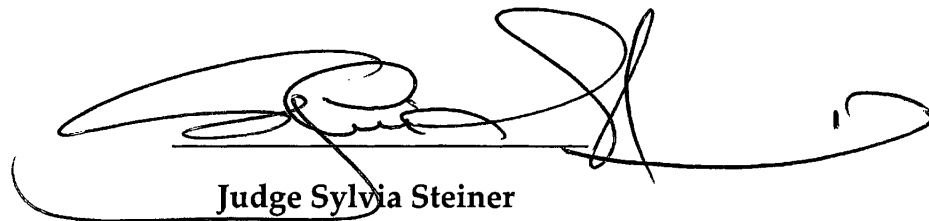
¹ Transcript of hearing on 30 August 2010, ICC-01/05-01/08-T-24-ENG ET WT, page 16, lines 12 – 14.

² Second report to Trial Chamber III on applications to participate in the proceedings, 11 June 2010, ICC-01/05-01/08-796-Conf-Exp.


³ Supplementary report on common legal representation, 13 July 2010, ICC-01/05-01/08-821-Conf-Exp.

5. However, considering the volume of applications already received by the Registry but not yet notified to the Chamber and also the fact that the Chamber is still in the process of reviewing the 192 applications notified before the judicial recess, the Chamber considers it necessary to manage the applications process in the interests of efficient trial preparation and in order not to further delay the commencement of trial.
6. In consideration of fixing a new trial date and in order to allow sufficient time for the Registry to transmit the applications to the Chamber and the parties, and for the parties to file their observations on these applications, it is appropriate for the Chamber to establish a deadline for the submission of any more victims' applications to participate in the trial proceedings at the initial stage.
7. The Chamber notes this deadline will only apply with regard to new applications that have not yet been received by the Registry and it does not affect the submission of applications for reparations pursuant to Rule 94 of the Rules of Procedure and Evidence.
8. The Chamber considers that any applications that are received after the deadline date may still be considered for the purpose of allowing victims to participate in further stages of the trial proceedings. Whatever form of participation the Chamber will allow as regards applications made after the deadline will be ruled upon by the Chamber on an application by application basis.
9. For the above reasons, the Trial Chamber hereby fixes a deadline of 15 September 2010 for the submission of any new victims' applications to the Registry for participation in the initial stages of trial proceedings.

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



Judge Sylvia Steiner



Judge Joyce Aluoch



Judge Kuniko Ozaki

Dated this 7 September 2010

At The Hague, The Netherlands