

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13

Date: 5 August 2014

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF *THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE BABALA WANDU and NARCISSE ARIDO*

Public

Decision on the “Prosecution request for variation of time limit for confirmation response” dated 4 August 2014

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

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Ghislain Mabanga

Counsel for Jean-Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Göran Sluiter

Legal Representatives of Victims

Legal Representatives of Applicants

**The Office of Public Counsel for
Victims**

The Office of Public Counsel for the Defence

States Representatives

REGISTRY

Registrar

Herman von Hebel

Detention Section

I, Judge Cuno Tarfusser, having been designated as Single Judge of Pre-Trial Chamber II of the International Criminal Court;

NOTING the “Decision amending the calendar for the confirmation of charges” dated 28 May 2014 (“Second Amendment Decision”)¹, whereby the Chamber, in light of the timing of the transmission of Independent Counsel’s final report by the Dutch authorities, amended the calendar for the confirmation of the charges and granted *inter alia* the Prosecutor until 7 August 2014 for the filing of her reply to the written submissions in lieu of hearing of the Defence teams and the Defence teams until 14 August 2014 for the filing of their reply to the Prosecutor’s written submissions;

NOTING the “Prosecution request for variation of time limit for confirmation response” dated 4 August 2014 (“Prosecutor’s Request”)², whereby the Prosecutor (i) submits that, since the five defence submissions for the confirmation of the charges total 848 pages, “the seven days allotted to the Prosecution for its response are not sufficient to critically read, analyse, and frame a cogent, concise, response” and, accordingly, (ii) requests the Chamber “to extend the Prosecution’s 7 August 2014 time limit to respond to the Defence confirmation submissions by at least two weeks”;

NOTING articles 61 and 67 of the Statute; rule 121 of the Rules of Procedure and Evidence and regulation 35(2) of the Regulations of the Court;

CONSIDERING that the length and complexity of the submissions filed by each of the Defence teams is such as to make it indeed difficult for the Prosecutor to adequately respond to them within the time limit originally set;

CONSIDERING that, accordingly, good cause for an extension of the time limit originally set for the Prosecutor’s reply has been shown;

¹ ICC-01/05-01/13-443.

² ICC-01/05-01/13-608.

CONSIDERING that, by the same token, it is necessary and appropriate that the same extension be granted to the Defence teams, with a view to allowing them to benefit from the same time limit as the Prosecutor for the purpose of the submission of their replies;

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

GRANTS the Prosecutor's Request;

DECIDES to amend the calendar for the confirmation of the charges in writing as follows:

- the Prosecutor shall have until **21 August 2014** for the filing of her reply to the written submissions of the Defence teams;
- the Defence teams shall have until **11 September 2014** for the filing of their reply to the Prosecutor's written submissions.

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



Judge Cuno Tarfusser
Single Judge

Dated this Tuesday, 5 August 2014

The Hague, The Netherlands