

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 7 April 2016

**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**

**Decision on "Prosecution's Request for Extension of Page Limit of its  
Sentencing Submissions"**

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

**The Office of the Prosecutor**

Ms Fatou Bensouda  
Mr Jean-Jacques Badibanga

**Counsel for the Defence**

Mr Peter Haynes  
Ms Kate Gibson  
Ms Melinda Taylor

**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**

Mr Xavier-Jean Keïta

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court” or “ICC”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, issues the following Decision on “Prosecution’s Request for Extension of Page Limit of its Sentencing Submissions” (“Decision”).

1. On 21 March 2016, the Chamber issued its “Decision on ‘Defence Request for clarification of the Decision on the timetable and on the sentencing procedure’ and related issues”,<sup>1</sup> in which it, *inter alia*, ordered the Office of the Prosecutor (“Prosecution”), legal representative of victims (“Legal Representative”), and Defence for Mr Bemba Gombo (“Defence”) submissions concerning the applicable principles and appropriate sentence (“Sentencing Submissions”) be limited to 30 pages.<sup>2</sup>
2. On 4 April 2016, the Prosecution filed its “Prosecution’s Request for Extension of Page Limit of its Sentencing Submissions” (“Request”),<sup>3</sup> in which it requests the Chamber to grant an extension of the page limit of the Prosecution’s Sentencing Submissions to 40 pages.<sup>4</sup> The Prosecution submits that the scope and importance of issues to be addressed in the Sentencing Submissions constitute an exceptional circumstance within the meaning of Regulation 37(2) of the Regulations of the Court (“Regulations”).<sup>5</sup>
3. On 5 April 2016, in line with the schedule set by the Chamber,<sup>6</sup> the Defence informed the Chamber that it did “not wish to respond in

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<sup>1</sup> Decision on “Defence Request for clarification of the Decision on the timetable and on the sentencing procedure” and related issues, 21 March 2016, ICC-01/05-01/08-3344.

<sup>2</sup> ICC-01/05-01/08-3344, para. 11(iv).

<sup>3</sup> Prosecution’s Request for Extension of Page Limit of its Sentencing Submissions, 4 April 2016, ICC-01/05-01/08-3349.

<sup>4</sup> ICC-01/05-01/08-3349, para. 7.

<sup>5</sup> ICC-01/05-01/08-3349, paras 3 to 6.

<sup>6</sup> Email from the Chamber to the parties and the Legal Representative on 5 April 2016, at 9.26, ordering responses, if any, to be filed by 6 April 2016, pursuant to Regulation 34 of the Regulations.

substance to the Prosecution request”, but that it “assumes [...] that consistent with prior practice, the page limit for both the Prosecution and Defence would be same”.<sup>7</sup>

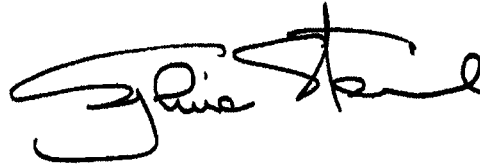
4. The Legal Representative informed the Chamber that she “ha[d] no observation to submit with regard to the Prosecution’s Request”.<sup>8</sup>
5. In accordance with Article 21(1) of the Rome Statute (“Statute”), the Chamber has considered Articles 64(2) and 67(1)(b) of the Statute and Regulation 37(2) of the Regulations.
6. The Chamber considers that the anticipated scope of the Prosecution’s Sentencing Submissions and the importance of the issues – both procedurally and substantively – justify the requested extension. Thus, the Chamber grants the Prosecution’s request for an extension of the page limit to 40 pages. In the circumstances, the Chamber also finds it appropriate to grant the same extension to the Defence.
7. In view of the above, the Chamber hereby:
  - (i) **GRANTS** the Prosecution’s Request; and
  - (ii) **ORDERS** that the Sentencing Submissions of the Prosecution and Defence shall not exceed 40 pages.

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<sup>7</sup> Email from the Defence to the Chamber on 5 April 2016, at 18.15.

<sup>8</sup> Email from the Legal Representative to the Chamber on 5 April 2016, at 14.18.

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



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**Judge Sylvia Steiner**



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**Judge Joyce Aluoch**



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**Judge Kuniko Ozaki**

Dated this 7 April 2016

At The Hague, the Netherlands