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

Date: **7 October 2016**

TRIAL CHAMBER III

Before: Judge Joyce Aluoch, Presiding
Judge Geoffrey Henderson
Judge Chang-ho Chung

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

Public Document

Order on the Trust Fund for Victims' request for an extension of the time limit

Order 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**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Isabelle Guibal

Trust Fund for Victims

Mr Pieter de Baan

Trial Chamber III (“Chamber”) of the International Criminal Court, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, issues the following “Order on the Trust Fund for Victims’ request for an extension of the time limit”:

I. Procedural background

1. On 22 July 2016, the Chamber issued an order requesting submissions relevant to reparations (“22 July 2016 Order”).¹ The Chamber requested the Defence for Mr Bemba (“Defence”), the Legal Representative of Victims (“LRV”), the Office of the Prosecutor (“Prosecution”), the Registry and the Trust Fund for Victims (“TFV”) to file observations by 15 September 2016 on a number of issues relevant to reparations.²
2. On 16 August 2016, the Defence filed a request for a 60 day extension of time to file the submissions.³ On 22 August 2016, the LRV responded to that request indicating that, in the event it is granted by the Chamber, the same extension should be allowed for the observations of the LRV.⁴ On 23 August 2016, the Registry filed a request for a 45 day extension of time.⁵
3. On 25 August 2016, the Chamber granted an extension and ordered the LRV, the Defence, the Prosecution, the Registry, the TFV and the OPCV to submit their observations by 17 October 2016.⁶
4. On 30 September 2016, the TFV filed a request for an extension of time for the filing of its observations until 7 November 2016 (“TFV Request”).⁷ Three

¹ Order requesting submissions relevant to reparations, 22 July 2016, [ICC-01/05-01/08-3410](#).

² [ICC-01/05-01/08-3410](#), paras 7 and 9.

³ Defence Request for an Extension of Time to File Submissions Relevant to Reparations, 16 August 2016, [ICC-01/05-01/08-3423](#), paras 4 and 31.

⁴ Réponse de la Représentante légale des victimes à « Defence Request for an Extension of Time to File Submissions Relevant to Reparations », 22 August 2016, [ICC-01/05-01/08-3426](#), page 7.

⁵ Request for an extension of time to file submissions relevant to reparations, 23 August 2016, [ICC-01/05-01/08-3427](#), para. 7.

⁶ Order on the Requests for extension of time to file submissions relevant to reparations, 25 August 2016, [ICC-01/05-01/08-3429](#), page 7.

⁷ Request for an extension of the time limit, 30 September 2016, [ICC-01/05-01/08-3437](#), para. 1.

arguments are advanced in support that “good cause” exists for the extension: (1) the current workload of the TFV arising from the *Prosecutor v. Germain Katanga* (“*Katanga*”) and the *Prosecutor v. Thomas Lubanga* (“*Lubanga*”) reparations proceedings; (2) the personnel constraints of the TFV; and (3) the role of the Trust Fund Board of Directors in the internal review and approval mechanism for the filing of documents before the Court.⁸

5. On 5 October 2016, the Defence informed the Chamber that it has no observations to make on the TFV Request, inviting the Chamber to extend the time limit in relation to all interested parties, including the Defence, in the event the TFV Request is granted.⁹
6. Also on 5 October 2016, the OPCV informed the Chamber that it has no objection to the TFV Request and added that, considering the complexity of the situation in the field and the difficulty in consulting adequately the victims the Office represents, it supports the Defence's suggestion that the time limit should be extended for all interested parties should the Chamber grant the TFV Request.¹⁰

II. Analysis

7. Pursuant to regulation 35 (2) of the Regulations of the Court, a Chamber may extend or reduce a time limit if good cause is shown.
8. In line with the jurisprudence of the Appeals Chamber,¹¹ the Chamber takes into account the submission of the TFV that it has been required to meet various deadlines in the preparation of complex filings relevant to the *Katanga* and the *Lubanga* reparations proceedings¹² and it is preparing for a number of hearings scheduled for 11, 13, and 14 October 2016 in the *Lubanga* case.¹³ The

⁸ [ICC-01/05-01/08-3437](#), paras 5-13.

⁹ See Email from the Defence to the Chamber on 5 October 2016 at 11:12.

¹⁰ See Email from the OPCV to the Chamber on 5 October 2016 at 11:22.

¹¹ Decision on the requests for time and page extension, 18 September 2015, [ICC-01/09-01/11-1971](#), para. 6.

¹² [ICC-01/05-01/08-3437](#), paras 6 and 7.

¹³ [ICC-01/05-01/08-3437](#), para. 8.

Chamber also notes the submission that the TFV possesses a limited operational capacity to address the competing demands placed upon it.¹⁴

9. For the foregoing reasons, the Chamber considers that good cause has been shown warranting a time extension for the filing of the submissions relevant to reparations outlined in the 22 July 2016 Order. The Chamber considers it appropriate to grant an extension to all the participants outlined below in the interests of efficiency.
10. However, the Chamber considers that an extension of two weeks for the filing of the submissions is sufficient in the circumstances. The Chamber notes that it has already extended the initial deadline by 30 days.¹⁵ The Chamber is now granting an additional extension of the deadline to file observations. Whilst, as set out above, there are good reasons for doing so, the Chamber reminds the parties and the participants of the need to ensure that the reparations proceedings are carried out expeditiously.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

GRANTS the request for an extension of the time limit;

ORDERS the LRV, the Defence, the Prosecution, the Registry, the TFV and the OPCV to submit the observations outlined in paragraph 7 of the 22 July 2016 Order by 31 October 2016; and

ORDERS the Registry to report on the issues outlined in paragraph 9 of the 22 July 2016 Order by 31 October 2016.

¹⁴ [ICC-01/05-01/08-3437](#), paras 9 and 11.

¹⁵ [ICC-01/05-01/08-3429](#), page 7.

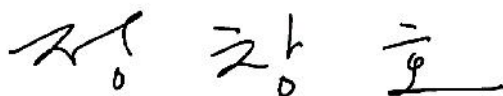
Done in both English and French, the English version being authoritative.



Judge Joyce Aluoch



Judge Geoffrey Henderson



Judge Chang-ho Chung

Dated this 7 October 2016

At The Hague, The Netherlands