

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05
Date: 2 May 2008

PRE-TRIAL CHAMBER III

Before: Judge Hans-Peter Kaul
Judge Fatoumata Dembele Diarra
Judge Ekaterina Trendafilova

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

Under Seal
Ex Parte, Prosecutor Only

**Notification to Pre-Trial Chamber III and Request for Extension of Page Limit and
Expedited Consideration**

Source: Office of the Prosecutor

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

The Office of the Prosecutor

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**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

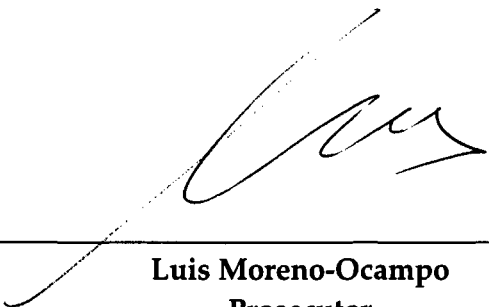
1. The Prosecutor respectfully submits this notification regarding its investigations in the situation in the Central African Republic (CAR). The Office of the Prosecutor (OTP) anticipates that it will file as early as possible during the next week of this month its application in the CAR situation for a warrant of arrest under Article 58 of the Rome Statute. The application will be filed under seal and ex parte, with the reasons for employing this classification set forth in the application.

2. The Prosecution also respectfully requests an extension of the page limit regarding the upcoming application to 70 pages, pursuant to Regulation 37(2). The exceptional circumstances that justify an extension are as follows:
 - a. The facts with which the upcoming application is concerned are complex. Large scale crimes of various nature were perpetrated in a vast area, including a large part of the Central African territory, over a five month period.
 - b. Whilst those facts and issues will be summarised for the purpose of the application they still need to be described adequately in order to allow the judges of the Pre-Trial Chamber to make an informed decision.
 - c. Furthermore, due to the importance of the issues to be dealt with, it is in the interest of the Pre-Trial Chamber to have them presented clearly in the application.
 - d. In light of the current circumstances of the person against whom an arrest warrant is sought, and the level of cooperation available, the Prosecution will set out in the application the relative merits of employing Article 58(1) by assessing the necessity of a warrant of arrest from the Pre-Trial Chamber to ensure the presence of the relevant person.

3. The OTP also wishes to inform the Pre-Trial Chamber that it will respectfully request that the application be considered on an expedited basis. The reason for this request is to avoid the loss of a possible opportunity for arrest. The person

whose arrest the Prosecution intends to seek was the commander of the armed group allegedly responsible for the crimes committed in CAR during the period relevant to the upcoming application. This person is therefore most probably aware that he might be the target of an investigation by the Prosecutor of the International Criminal Court in relation to the above mentioned crimes. In light of his past and current political position, his contacts in the international forum, his financial means and network, there is a concrete possibility that this person could flee and attempt by any means to avoid his apprehension.

4. This document is filed under seal on the basis that the upcoming application will also be filed under seal due to the timing and highly sensitive nature of the request.



Luis Moreno-Ocampo
Prosecutor

Dated this 2nd day of May 2008

At The Hague, The Netherlands