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

Date: 04/03/2015

TRIAL CHAMBER VII

Before: Judge Chile Eboe-Osuji, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Robert Fremr

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
URGENT

**Joint Defence Request for an extension of the time limit to file observations on the
agenda for the status conference (ICC-01/05-01/13-824)**

Source: Defence for Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu, Mr Narcisse Arido

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

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I. Introduction

1. On 24 February 2015, the Trial Chamber issued an order seeking observations from the parties on various matters in preparation for the first status conference, as well as submissions on any items they wish to have added to the agenda.¹ It set the deadline for such observations to 20 March 2015.²
2. Pursuant to Regulation 35(1) of the Regulations of the Court, the Defence for Messrs. Arido, Babala, Bemba, Kilolo and Mangenda (hereinafter 'the Defence') respectfully request the Trial Chamber for a limited extension of time to submit their observations in accordance with its 'Order seeking submissions in advance of the first status conference' ('the Order').³

II. Submissions

3. The agenda for the first pre-trial status conference, as proposed by the Trial Chamber, contains a number of issues which are essential to the smooth development of the case. The interests of judicial economy and efficiency will be served if the Defence has an opportunity to adopt, to the extent reasonably possible, common positions in relation to the topics raised in the Order. The Defence is undertaking those consultations, but given the complexity of the issues and the particularities of each defendant, as well as the number of items to be discussed, some additional time is required.

¹ ICC-01/05-01/13-824.

² ICC-01/05-01/13-824, p.4.

³ ICC-01/05-01/11-824.

4. Other factors also favour giving the Defence more time to conduct these consultations, including:
 - a. The different working languages of the respective teams;
 - b. The fact that Counsel for Mr. Mangenda has only recently been appointed to the case;
 - c. The fact that the Defence teams are currently awaiting a decision from the Registry regarding the legal aid budget for the trial phase (which has a direct bearing on the time required by the Defence for the preparation and the commencement of the trial);
 - d. The fact that some of the Defence teams are engaged in responding to multiple filings by the Prosecution on key issues (such as representation and access to potentially privileged information); and,
 - e. The complexity of adapting prior ICC jurisprudence and practice to the unique situation of an Article 70 case, which involves five co-defendants and has substantive overlap with an ongoing trial concerning alleged crimes under Articles 7 and 8 of the Statute.
5. Bearing in mind the intervening recess for Easter, the Defence estimates that an additional three weeks should suffice for these purposes.
6. The limited delay occasioned by this extension of time will, however, be counterbalanced by the fact that the submission of joint Defence positions will facilitate the expeditious preparation and conduct of the future Status Conference on these issues.

III. Relief Sought

7. For the reasons set out above, the Defence respectfully requests the Trial Chamber to order that the deadline for the submission of the Defence's observations on the first status conference be extended until 13 April 2015.
8. In order to ensure appropriate planning and coordination between the various Defence teams, the Defence requests the Trial Chamber to firstly, shorten the deadline for the Prosecution's Response to the present motion, and secondly, to issue an urgent decision.

The whole respectfully submitted.



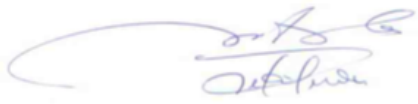
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4 March 2015