

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-
Date: 08-08-2016

TRIAL CHAMBER III

Before: Judge Joyce Aluoch, Presiding Judge
Judge Geoffrey Henderson, Judge
Judge Chang-Ho CHUNG, Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF
THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO

Public Document

**Request for leave to file submission on reparations issues pursuant to Article 75 of
the Statute**

Source: Queen's University Belfast Human Rights Centre

Document 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
(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

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Isabelle Guibal

Other

Mr Pieter de Baan

1. On the 22nd July 2016, the Trial Chamber issued its “Order requesting submissions relevant to reparations”, inviting representations from organisations interested in making a submission on the issues identified by the Chamber of:

- a. whether the principles established by the Appeals Chamber in the Lubanga case need to be amended or supplemented in the light of the particular circumstances of the case;
- b. the criteria and methodology to be applied in the determination and assessment of (i) the eligibility of victims; (ii) the relevant harms and (iii) the scope of liability of Mr Bemba, including the determination of the precise extent of the (monetary) obligations to be imposed on him;
- c. the types and modalities of reparations appropriate to address the harm relevant in the circumstances of the case, including factors relating to the appropriateness of awarding reparations on an individual basis, a collective basis, or both;
- d. whether experts may be usefully appointed to assist the Chamber in determining any of the issues set out above pursuant to Rule 97 of the Rules of Procedure and Evidence (“Rules”); e. any other issue the parties and participants wish to bring to the attention of the Chamber

2. The Queen’s University Belfast’s Human Rights Centre (HRC) requests leave to file a submission on these reparations-related issues identified by the Chamber. The HRC along with the Transitional Justice Institute based in Ulster University were granted standing to file a submission in the *Katanga* case in February 2015 and followed by a 50 page submission in May 2015.¹

3. The HRC is part of a publicly funded university in Northern Ireland, which specialize in researching and teaching human rights, international criminal justice and transitional justice. The HRC has over twenty five years of experience

¹ Request for leave to file submission on reparations issues pursuant to Article 75 of the Statute ICC-01/04-01/07-3519, 2 February 2015 ; and Submission on Reparations Issues pursuant to Article 75 of the Statute, ICC-01/04-01/07-3551, 15 May 2015.

researching and providing expert testimony and consultation on reparations to a number of governments, regional courts, and civil society organizations, including the Extraordinary Chambers in the Courts of Cambodia, the Inter-American Court of Human Rights, the International Centre for Transitional Justice, United Nations and in Cambodia, Northern Ireland, Sierra Leone, South Africa and Uganda.

4. The HRC submission will draw upon its members experience in numerous jurisdictions in effectively implementing reparations.



Dr Luke Moffett,
Director of Queen's University Belfast Human Rights Centre
on behalf of
Queen's University Belfast Human Rights Centre

Dated this 8th August 2016

At [place, country]