



Original: English

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

Date: 30 August 2017

TRIAL CHAMBER III

Before: Judge Joyce Aluoch, Presiding Judge
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

Public redacted version of “Decision on the request from the reparations experts for an extension of time for the submission of their joint report” 30 August 2017

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 QC

Ms Kate Gibson

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 Keita

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

Others

Appointed Experts

Trial Chamber III (“Chamber”) of the International Criminal Court (“Court”), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, having regard to Regulation 35 of the Regulations of the Court (“Regulations”), issues the following “Decision on the request from the reparations experts for an extension of time for the submission of their joint report”:

I. Procedural background and submissions

1. On 2 June 2017, the Chamber appointed four experts to assist in the reparations proceedings (“Appointed Experts”), and instructed them to file their report(s) by 15 September 2017.¹ The Chamber also ordered the Legal Representative of the Victims (“LRV”), the Office of Public Counsel for Victims (“OPCV”) and the Defence to submit any additional information they wish to be considered in the reparations order by 15 September 2017, and ordered the LRV, the OPCV, the Defence and the Trust Fund for Victims (“TFV”) to file submissions on the expert report(s), the submissions of other participants and any other last arguments, by 16 October 2017.²
2. On 11 August 2017, the Appointed Experts transmitted to the Registry a request for an extension of time until 20 November 2017 to submit their joint report (“Request”).³ On 15 August 2017, the Registry transmitted the Request to the Chamber.⁴
3. The stated reasons for the Request are (i) the complexities experienced by the Appointed Experts in gaining access to the case record (ii) [REDACTED], and (iii) the level of coordination required amongst the Appointed Experts to produce a joint report.⁵

¹ Decision appointing experts on reparations, ICC-01/05-01/08-3532-Conf, para. 14.

² Decision appointing experts on reparations, ICC-01/05-01/08-3532-Conf, paras 15-16.

³ ICC-01/05-01/08-3554-Conf-Anx.

⁴ Transmission of Request from the Reparations Experts for an Extension of Time for the Submission of their Joint Report pursuant to ICC-01/05-01/08-3532-Red, ICC-01/05-01/08-3554.

⁵ ICC-01/05-01/08-3554-Conf-Anx.

4. On 16 August 2017, the Chamber set the deadline for participants to file observations on the Request, if any, to 22 August 2017.⁶ No observations were filed.⁷

II. Analysis

5. Pursuant to Regulation 35(2) of the Regulations, the Chamber may extend or reduce a time limit if good cause is shown, and, where appropriate, after having given the participants an opportunity to be heard.
6. The Chamber notes that the delay experienced by the Appointed Experts in gaining full access to the case record appears to have occurred for technical reasons outside their control. In addition, the Chamber notes the Appointed Experts' intention to file a joint report, and accepts that this requires a greater level of coordination between them. [REDACTED].
7. Accordingly, and in order to ensure the submission of a complete report, the Chamber finds that good cause has been shown and grants the extension of time sought.
8. The timetable set by the Chamber in its 2 June 2017 decision is therefore amended as follows. The Chamber sets the deadline for:
 - i. the Appointed Experts to submit their joint report to the Chamber and the parties, at **20 November 2017**;
 - ii. the LRV, the Defence and the OPCV to file any additional information they wish to be considered in the reparations order, at **20 November 2017**; and
 - iii. the LRV, the Defence, the OPCV and the TFV to file submissions of up to 50 pages on the Appointed Experts' report, the submissions of other participants and any other last arguments they wish for the

⁶ Email from the Chamber to Counsel on 16 August 2017 at 14:27.

⁷ Email from the LRV to the Chamber on 22 August 2017 at 17:00; email from the Defence to the Chamber on 22 August 2017 at 17:44; email from the OPCV to the Chamber on 22 August 2017 at 20:07.

Chamber to consider before rendering its reparations order, at **18 December 2017**.

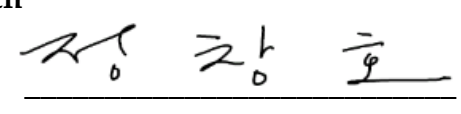
FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

GRANTS the Request.

AMENDS the timetable set in its decision of 2 June 2017 in accordance with paragraph 8 above.

ORDERS the Registry to file a public redacted version of the Request.

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

		
Judge Geoffrey Henderson	Judge Joyce Aluoch	
		Judge Chang-ho Chung

Dated this 30 August 2017

At The Hague, The Netherlands