

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08
Date: 14 November 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 Document

**Joint Request for Extension of the Page Limit for the filing of Additional
Submissions on Reparations**

Source: Legal Representative of Victims
Office of Public Counsel for Victims

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 James Stewart

Counsel for the Defence

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Ms Kate Gibson

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

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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**

Trust Fund for Victims

I. Introduction

1. The Legal Representative of Victims admitted to participate in the proceedings and the Principal Counsel of the Office of Public Counsel for Victims (the “Legal Representatives”) respectfully request the extension of the page limit up to 35 pages for the filing of the Additional Submissions on Reparations.

2. The Legal Representatives will file joint Additional Submissions on Reparations. Therefore, they argue that the request for extension of page limit is justified and that exceptional circumstances in support of said extension are shown. Indeed, the filing of joint submissions will have the consequence of reducing the amount of documents to be filed in the reparations proceedings, as well as the overall number of pages, avoiding repetitions and maintaining the focus of the distinct documents.

II. Procedural Background

3. On 2 June 2017, Trial Chamber III (the “Chamber”) appointed four experts to assist in the reparations proceedings and instructed them to file their report(s).¹ The Chamber also set the deadlines for the parties to file any additional information they wish to be considered in the reparations order.² In addition, the Chamber ordered the parties and the Trust Fund for Victims (the “TFV”) to file submissions up to 50 pages on the expert report(s), the submissions of other participants and any other last arguments they wish to be considered before the issuance of a reparations order.³

¹ See the “Decision appointing experts on reparations” (Trial Chamber III), No. ICC-01/05-01/08-3532-Red.

² *Idem*, para. 15.

³ *Ibidem*, para. 16.

4. On 30 August 2017, the Chamber extended the deadline for the filing of the experts' report(s) until 20 November 2017.⁴

5. The deadlines for the parties and the TFV to file their observations were extended to 27 November 2017 for the filing of additional submissions on reparations and to 18 December 2017 for the filing of submissions on the expert report(s), the submissions of other participants and any other last arguments the parties wish to be considered by the Chamber before the issuance of a reparations order.⁵

III. Submissions

6. Regulation 37 of the Regulations of the Court (the "Regulations") provides for the page limits for documents filed with the Registry. Accordingly, and unless otherwise provided, a document shall not exceed 20 pages, limit which may be extended in exceptional circumstances at the request of a party or participant.

7. In this regard, the Legal Representatives note the jurisprudence of the Appeals Chamber relevant to requests for extensions of the page limit pursuant to regulation 37(2) of the Regulations. The fact that the requesting party or participant will file a "consolidated" document, the novel and complex nature of the issues at stake and the number and complexity of the filings associated with the proceedings are factors to be properly taken into account in the determination of "exceptional circumstances".⁶ Following said jurisprudence, the parties and participants are

⁴ See the "Decision on the request from the reparations experts for an extension of time for the submission of their joint report" (Trial Chamber III), No. ICC-01/05-01/08-3559-Conf, para. 8.

⁵ *Idem*. See also the Decision on the Defence request for an extension of time to file additional observations for reparations" (Trial Chamber III), No. ICC-01/05-01/08-3569, 8 November 2017, p. 5.

⁶ See the "Decision on Mr Bemba's request for an extension of page limit for his document in support of the appeal" (Appeals Chamber), No. ICC-01/05-01/08-3405, 11 July 2016, paras. 10, 11 and 13. See also, the "Decision on requests of Mr William Samoei Ruto and Mr Joshua Arap Sang for extension of page limit for their documents in support of the appeal", No. ICC-01/09-01/11-1335, 3 June 2014, para. 6.

expected to present their submission in a concise and focused manner, avoiding repetitions.⁷

8. In the present case, the Chamber requested the Legal Representatives to file, by 27 November 2017, any additional submissions they wish to be considered in the reparations order.⁸ In discharge of this request, the Legal Representatives have the right to file submissions, each not exceeding 20 pages - totalizing a maximum of 40 pages. Instead of filing separate documents, the Legal Representatives have agreed to consolidate their views and file joint submissions. Therefore, the Legal Representatives herewith seek an extension of the page limit up to 15 pages - totalizing a maximum of 35 pages for their joint filing.

9. The Legal Representatives submit that, allowing for an extension of pages to adequately prepare a joint filing, as is envisaged, will reduce the number of documents filed in the proceedings, reduce the maximum number of pages to be considered and it will prevent repetitions. In addition, allowing for an extension of the page limit at this stage will have the effect of maintaining the focus of the submissions.

⁷ See the "Decision on requests of Mr William Samoei Ruto and Mr Joshua Arap Sang for extension of page limit for their documents in support of the appeal", *supra* note 6, para. 5.

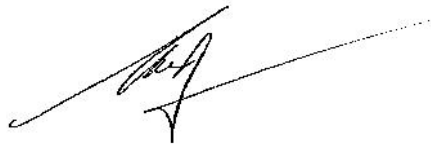
⁸ See the "Decision appointing experts on reparations" *supra* note 1, para. 15.

IV. Conclusion

10. For the foregoing reasons, the Legal Representatives respectfully request the Chamber to grant an extension of the page limit up to 35 pages for the filing of their joint Additional Submissions on Reparations.



Paolina Massidda



Marie Edith Douzima-Lawson

Dated this 14th day of November 2017

At The Hague, The Netherlands