

ANNEX

**Public Redacted Version of “Annex”, dated 24 January 2018 and
registered on 25 January 2018, ICC-01/05-01/08-3600-Conf-Anx**

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

TRIAL CHAMBER III

THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO

Request for an extension of the time limit for submission of an addendum to the Expert Report

Pursuant to regulation 35 (1) of the Regulations of the Court, the undersigned Experts respectfully request an extension of the time limit set in Trial Chamber III's "Order regarding follow-up matters arising from Expert Report ICC-01/05-01/083575-Anx-Corr2-Red"1 ("Expert Report" and "Order", respectively) to file by 31 January 2018, either jointly or separately, an addendum to the Expert Report. The undersigned experts ("Experts") respectfully request that the deadline for the submission of this addendum be extended to 16 February 2017.

I. Background

In its Order, Trial Chamber III ("Chamber") recalled that the Expert Report was submitted on 20 November 2017, and it directed the Experts to file an addendum to the Expert Report by 31 January 2018, in which they are to calculate the scope of Mr Bemba's liability, including putting forward an amount for the sum-total of the harms caused by Mr. Bemba and of the corresponding recommended reparations.² The Chamber also instructed the Registry to provide the Experts with all the reasonable logistical assistance required to complete their addendum in due time, including, where necessary and to the extent possible, assistance in procuring additional information required by the Experts to calculate the monetary value of both the individual and the collective reparations recommended by them.³

II. Request for an extension of the time limit

1. Steps undertaken

Following an assessment of information requirements to respond to the Chamber's direction, the Experts submitted on 10 January 2018 a request for assistance ("Request") to the Registry seeking key additional information required to calculate the monetary value of the reparations recommended by them. Subsequently, during

¹ ICC-01/05-01/08-3588-Conf.

² ICC-01/05-01/08-3588-Conf, para. 9.

³ ICC-01/05-01/08-3588-Conf, para. 10.

a telephone conference on 11 January 2018 with the Registry both at headquarters and in the field, information needs were further outlined and mapped against the possibilities to gather relevant information on the ground.

On 22 January 2018, the Experts were informed by VPRS that the Registry had, on 12 January 2018, redirected queries from the Request concerning numbers of victims in certain personal and health conditions to their legal representatives, Me Douzima Lawson and the Office of Public Counsel for Victims ("LRVs"). The Experts were further informed on 22 January 2018 that the LRVs had informed the Registry by joint email of the same day that they are not in a position to provide any of the requested information relating to the victims.

2. Practical challenges

The Experts have also made inquiries with a number of other potential sources of relevant information, both in the Central African Republic and elsewhere. In their efforts, the Experts and the Registry have faced significant challenges related to the complexities of the queries and the general infrastructural and security context in the Central African Republic. This also includes the availability of information, the existence of relevant sources and their capacity to provide information within the required timeframe. In light of this, the current deadline set by the Chamber is very challenging and, if it were maintained, would entail a tangible risk that crucial information needed to provide the Chamber with a meaningful submission in the addendum to the Expert Report would not yet be available to the Experts in time.

FOR THE FOREGOING REASONS,

the Experts respectfully submit this request for an extension of the time limit set in the Order to 16 February 2018.

Signed on 24 January 2018:

