



Original: **English**

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

Date: **2 August 2016**

THE PRESIDENCY

Before: Judge Sanji Mmasenono Monageng
Judge Christine Van den Wyngaert
Judge Howard Morrison

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

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

Public

Decision replacing a judge in the Appeals Chamber

Decision 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 Mr Jean-Pierre Bemba Gombo
Mr Peter Haynes
Ms Kate Gibson

The Office of Public Counsel for Victims
Ms Paolina Massidda

The Office of Public Counsel for the Defence
Mr Xavier-Jean Keïta

Legal Representatives of the Victims
Ms Marie Edith Douzima Lawson

States Representatives

Amicus Curiae

REGISTRY

Registrar
Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other
Appeals Chamber

THE PRESIDENCY of the International Criminal Court notes: (i) the “Prosecution’s Notice of Appeal against Trial Chamber III’s ‘Decision on Sentence pursuant to Article 76 of the Statute’” dated 22 July 2016;¹ and (ii) the “Defence Notice of Appeal against Decision on Sentence pursuant to Article 76 of the Statute, ICC-01/05-01/08-3399” dated 22 July 2016² (“Appeals against the Sentencing Judgement”) in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* (“*Bemba*”).

The Presidency recalls that, on 20 March 2015, it granted the request of Judge Silvia Fernández de Gurmendi for excusal from all future appeals in *Bemba*.³

The Presidency recalls that on 5 April 2016, Vice-Presidents Joyce Aluoch and Kuniko Ozaki requested excusal from the Presidency for the purpose of determining who will replace Judge Silvia Fernández de Gurmendi for the purposes of the appeal of Mr Bemba against the “Judgment pursuant to Article 74 of the Statute” issued by Trial Chamber III on 21 March 2016 (“Appeal against the Trial Judgement”).⁴ The Presidency, in its present composition, granted this request on 7 April 2016.⁵

The Presidency further recalls that on 7 April 2016, it temporarily attached Judge Chile Eboe-Osuji to the Appeals Division for the purposes of replacing Judge Silvia Fernández de Gurmendi for the Appeal against the Trial Judgement.⁶

The Presidency notes article 39(1) and (2)(b)(i) of the Rome Statute, rule 38 of the Rules of Procedure and Evidence and regulations 12 and 15(1) of the Regulations of the Court.

The Presidency hereby decides that the Appeals Chamber shall be composed as follows for the Appeals against the Sentencing Judgement:

¹ ICC-01/05-01/08-3411.

² ICC-01/05-01/08-3412.

³ ICC-01/05-01/08-3245-AnxI.

⁴ ICC-01/05-01/08-3343.

⁵ ICC-01/05-01/08-3358-AnxI.

⁶ ICC-01/05-01/08-3358.

Judge Sanji Mmasenono Monageng

Judge Christine Van den Wyngaert

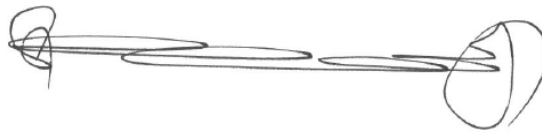
Judge Howard Morrison

Judge Chile Eboe-Osuji

Judge Piotr Hofmański

The Presidency orders the Registrar to file and notify this decision to the relevant parties in the case.

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

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, followed by a circular flourish on the right.

Judge Sanji Mmasenono Monageng

Dated this 2 August 2016

At The Hague, The Netherlands