

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/05-01/13

Date: 21 March 2014

## **APPEALS CHAMBER**

**Before:** Judge Sanji Mmasenono Monageng, Presiding  
 Judge Akua Kuenyehia  
 Judge Sang-Hyun Song  
 Judge Erkki Kourula  
 Judge Anita Ušacka

## **SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

**IN THE CASE OF**  
***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIME KILOLO***  
***MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU***  
***AND NARCISSE ARIDO***

**Public**

**Prosecution opposition to the Mangenda Defence's request for time and page limit extensions to file its appeal**

**Source:** The Office of the Prosecutor

**Document to be notified in accordance with Regulation 31 of the *Regulations of the Court* to:**

**The Office of the Prosecutor**

Fatou Bensouda  
James Stewart  
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Jean-Pierre Kilenda Kakengi Basila

**Counsel for Narcisse Arido**

**The Office of Public Counsel for the Defence**

Xavier-Jean Keita

**REGISTRY**

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**Registrar**

Herman von Hebel

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**Counsel Support Section**

1. The Prosecution opposes the Mangenda Defence's request for extension of the time and page limits for filing the document in support of its appeal against the Single Judge's decision denying Mangenda interim release ("Request").<sup>1</sup>

2. Since the page limit extension sought is unlimited, it should be dismissed *in limine*. Alternatively, by broadly alleging that the appeal engages "*des questions de droit fondamentaux*" and "*la matière [...] complexe*" without more, the Defence fails to meet Regulation 37(2) of the Regulation of the Court's "exceptional circumstances" threshold. On the contrary, appeals of decisions on provisional detention have routinely been filed by Defence teams at this Court within the 20-page limit. Further, the Single Judge's decision was not exceptionally long or complex.<sup>2</sup>

3. The Prosecution also opposes the Defence's four-day request for an extension of the time limit to file the document in support of its appeal. It offers no reason why Regulation 35(2) of the Regulation of the Court's "good cause" requirement is met, and should be dismissed for this reason alone.




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**Fatou Bensouda, Prosecutor**

Dated this 21<sup>st</sup> day of March 2014  
At The Hague, The Netherlands

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<sup>1</sup> ICC-01/05-01/13-277.

<sup>2</sup> ICC-01/05-01/13-261.