

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **17 April 2015**

TRIAL CHAMBER VII

Before: Judge Chile Eboe-Osuji, Presiding Judge
Judge Olga Herrera Carbuca
Judge Bertram Schmitt

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE BABALA
WANDU and NARCISSE ARIDO***

Public

Order setting the agenda for the status conference on 24 April 2015

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 James Stewart

Mr Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Ms Melinda Taylor

Counsel for Aimé Kilolo Musamba

Mr Paul Djunga Mudimbi

Counsel for Jean-Jacques Mangenda Kabongo

Mr Christopher Gosnell

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Charles Achaleke Taku

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

Others

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Trial Chamber VII ('Chamber') of the International Criminal Court ('Court'), in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido* ('Bemba et al. case'), having regard to Article 64(3) of the Rome Statute ('Statute'), Rule 132(1) of the Rules of Procedure and Evidence ('Rules') and Regulation 54 of the Regulations of the Court ('Regulations'), issues the following 'Order setting the agenda for the status conference on 24 April 2015'.

1. On 23 February 2015, the Chamber issued an order seeking submissions from the parties on potential agenda items for the first status conference, no later than 20 March 2015.¹
2. On 10 March 2015, the Chamber granted a joint request² made by the defence for Mr Bemba, Mr Kilolo, Mr Mangenda Kabongo, Mr Babala Wandu and Mr Arido (together, the 'Defence'), the for extension of the aforesaid deadline until 13 April 2015.³
3. On 20 March 2015, the Office of the Prosecutor (the 'Prosecution') and the Registry filed their observations on the agenda of the first status conference.⁴
4. On 1 April 2015, the Chamber rejected two further requests⁵ for extension of deadlines submitted by the defence of Mr Arido and the defence of Mr Babala.⁶

¹ Order seeking submissions in advance of first status conference, ICC-01/05-01/13-824.

² Joint Defence Request for an extension of the time limit to file observations on the agenda for the status conference (ICC-01/05-01/13-824), 4 March 2015, ICC-01/05-01/13-831. See also: Prosecution Response to Joint Defence Request for an Extension of the Time Limit to file Observations on the Agenda for the Status Conference (ICC-01/05-01/13-824), 9 March 2015, ICC-01/05-01/13-837.

³ E-mail from Trial Chamber VII Communications to counsel at 10:45.

⁴ Prosecution's Observations on the Agenda of the First Status Conference, ICC-01/05-01/13-859-Conf, with public Annexes B, C and D and confidential Annex A. A public redacted version of this filing was submitted on 24 March 2015 (ICC-01/05-01/13-859-Red); Registry submission to the Chamber regarding trial preparation, ICC-01/05-01/13-860.

⁵ Arido Defence's Request for an Extension of the Time Limit to File Observations on the First Status Conference's Agenda (ICC-01/05-01/13-824), 31 March 2015, ICC-01/05-01/13-881; Adjonction de la Défense de M. Fidèle BABALA WANDU à « Arido Defence's Request for an Extension of the Time Limit to File Observations on the First Status Conference's Agenda (ICC-01/05-01/13-824) » (ICC-01/05-01/13-881), 31 March 2015, ICC-01/05-01/13-884.

5. On 8 April 2015, the defence for Mr Babala,⁷ and on 13 April 2015, the rest of the Defence, filed their observations in preparation for the status conference.⁸
6. Taking into account these observations, the Chamber hereby issues the final agenda for the status conference:
 - a) Timing, volume and modalities of disclosure.
 - b) Languages to be used in the proceedings.
 - c) Estimated number of: (i) witnesses and any known protection issues, including possible referrals to the Court's witness protection programme and (ii) documentary and other non-testimonial evidence to be relied upon at trial.
 - d) Presence of the accused during trial.
 - e) Filing of additional auxiliary documents.⁹
 - f) Commencement date of the trial.

⁶ Decision on Requests for Further Extension of Time Submitted by Arido Defence and Babala Defence, ICC-01/05-01/13-886. See also: Joint Defence Request for an extension of the time limit to file observations on the agenda for the status conference (ICC-01/05-01/13-824), ICC-01/05-01/13-831.

⁷ Observations de la Défense de M. Fidèle Babala Wandu en vue de la première conférence de mise en état, ICC-01/05-01/13-890.

⁸ Joint Defence Observations on Modalities of Disclosure in Accordance with the Trial Chamber's Order Regarding the Agenda of the First Status Conference (ICC-01/05-01/13-824), ICC-01/05-01/13-894; Observations of the Defence for Mr. Jean-Pierre Bemba Gombo on the Agenda of the First Status Conference, ICC-01/05-01/13-896-Conf + Conf-AnxA (a public redacted version was filed on that same date, ICC-01/05-01/13-896-Red); Joint Defence Submissions on witness preparation, ICC-01/05-01/13-897; Joint Defence Submissions on Witness Contact and Familiarisation, ICC-01/05-01/13-898 + Anxs; Observations conjointes des équipes de défense concernant la conduite de la procédure, ICC-01/05-01/13-899; Observations of the Mangenda Defence in advance of the first Status Conference, ICC-01/05-01/13-900; Arido Defence's Submissions in Advance of First Status Conference Pursuant to Trial Chamber's Order of 1 April 2015 (ICC-01/05-01/13-824), ICC-01/05-01/13-901+ AnxA; Joint Defence Observations on the Redactions Regime for Trial Pursuant to the Trial Chamber's Order Seeking Submissions in Advance of First Status Conference (ICC-01/05-01/13-824), ICC-01/05-01/13-902 + AnxA; Observations de la Défense de monsieur Aimé Kilolo en vue de la première conférence de mise en état, ICC-01/05-01/13-904-Conf (a public redacted version was filed on 14 April 2015, ICC-01/05-01/13-904-Red. On 8 April 2015, the Defence requested an extension of page limit to their observations on the conduct of proceedings (Requête conjointe URGENTE des équipes de défense en demande d'extension du nombre de pages des observations de la Défense sur la conduite de la procédure, ICC-01/05-01/13-892). The Chamber granted the request on that same date (e-mail from Trial Chamber VII Communications to counsel at 10:23.


⁹ Public redacted document of Judgment on the appeal of Mr Thomas Lubanga Dyilo against his conviction, 1 December 2014, ICC-01/04-01/06-3121-Red, paras 124 and 128.

7. The Chamber recognises that not all items proposed by the parties have been included in the agenda. The Chamber considers that it has already received substantial written submissions on most of these other issues to decide accordingly. In relation to other matters, the Chamber may schedule a further status conference in due course to hear further or updated submissions.

FOR THE FOREGOING REASONS THE CHAMBER HEREBY

SETS the agenda for the status conference at 9:30 on 24 April 2015, as provided in paragraph 6;

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



Judge Chile Eboe-Osuji, Presiding



Judge Olga Herrera Carbuccion



Judge Bertram Schmitt

Dated 17 April 2015

At The Hague, The Netherlands