

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 24 March 2016

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, Presiding Judge
Judge Marc Perrin de Brichambaut
Judge Raul Pangalangan

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***

Confidential Document

***Prosecution's Response Babala's « Requête aux fins d'obtenir une dispense de
comparution aux audiences des 4 et 5 avril 2016 » – ICC-01/05-01/13-1735-Conf***

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**

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Mr Nigel Verrill

Detention Section

Victims Participation and Reparations Section	Others
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1. The Office of the Prosecutor ("Prosecution") defers to the discretion of Trial Chamber VII ("Chamber") in respect of Babala's *Requête aux fins d'obtenir une dispense de comparution aux audiences des 4 et 5 avril 2016*.¹ The Prosecution is not in a position to assess the nature or sufficiency of the health reasons on which the Request is based, as they are filed *ex parte*.

2. The Prosecution does not otherwise object to Babala's absence from the proceedings on 4 and 5 April 2016, or to the adequacy of the signed written waiver² of his right to be present at trial.³

Confidentiality

3. This response is filed "*Confidentially*" because it responds to a filing of the same designation. Should the Chamber deem it appropriate, the Prosecution does not object to its reclassification as "*Public*."



Fatou Bensouda, Prosecutor

Dated this 24th Day of March, 2016
At The Hague, The Netherlands

¹ ICC-01/05-01/13-1735-Conf ("Request").

² ICC-01/05-01/13-1735-Conf-AnxA.

³ See Article 63(1) of the Rome Statute and rule 134*ter* of the Rules of Procedure and Evidence.