

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

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

Date: **22 July 2016**

**THE APPEALS CHAMBER**

**Before:** Judge Christine Van den Wyngaert, Presiding Judge  
Judge Sanji Mmasenono Monageng  
Judge Howard Morrison  
Judge Chile Eboe-Osuji  
Judge Piotr Hofmánski

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

**IN THE CASE OF**

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO***

**Public**

**Prosecution's Notice of Appeal against Trial Chamber III's  
"Decision on Sentence pursuant to Article 76 of the Statute"**

**Source: 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**

Ms Fatou Bensouda, Prosecutor

Mr James Stewart

Ms Helen Brady

**Counsel for the Defence**

Mr Peter Haynes

Ms Kate Gibson

Ms Melinda Taylor

**Legal Representatives of the Victims**

Ms Marie-Edith Douzima-Lawson

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants**

**The Office of Public Counsel for Victims**

Ms Paolina Massidda

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

Mr Xavier-Jean Keita

**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**

## Background

1. On 21 March 2016, Trial Chamber III delivered its judgment under article 74 of the Statute.<sup>1</sup> Jean-Pierre Bemba Gombo was found guilty under article 28 of the Statute, of rape as a crime against humanity and war crime, murder as a crime against humanity and war crime and pillage as a war crime.<sup>2</sup>
2. On 21 June 2016, Trial Chamber III issued its decision on the sentence pursuant to article 76<sup>3</sup> and sentenced Mr Bemba to a total of 18 years of imprisonment.<sup>4</sup>

## Appeal pursuant to Articles 81(2)(a) and 83(2) and (3) of the Statute

3. The Prosecution is appealing the Sentencing Decision, pursuant to articles 81(2)(a) and 83(2) and (3) of the Statute.
4. For reasons that will be provided in its document in support of the appeal, the Prosecution will request the Appeals Chamber to reverse the joint sentence of 18 years of imprisonment<sup>5</sup> and to revise it by increasing the term of imprisonment. This revision should reflect the totality of Mr Bemba's culpability, as found by the Trial Chamber.

Word count: 425<sup>6</sup>

---

<sup>1</sup> ICC-01/05-01/08-3343, Judgment pursuant to Article 74 of the Statute ("Judgment").

<sup>2</sup> Judgment, para. 752.

<sup>3</sup> ICC-01/05-01/08-3399, Decision on Sentence pursuant to Article 76 of the Statute ("Sentencing Decision").

<sup>4</sup> Sentencing Decision, para. 95.

<sup>5</sup> See for instance Sentencing Decision, para. 95.

<sup>6</sup> The Prosecution hereby makes the required certification: ICC-01/11-01/11-565 OA6, para. 32.



---

Fatou Bensouda, Prosecutor

Dated this 22<sup>nd</sup> day of July 2016

At The Hague, The Netherlands