



Original: English

No: **ICC-01/05-01/13**
Date: **4 November 2016**

THE APPEALS CHAMBER

Before: Judge Sanji Mmasenono Monageng
Judge Silvia Alejandra Fernández de Gurmendi
Judge Christine Van den Wyngaert
Judge Howard Morrison
Judge Piotr Hofmański

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

Notice of Appeal

Source: Defence for Jean-Jacques Kabongo Mangenda

Document 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-Jacques Kabongo Mangenda

Mr Christopher Gosnell

Counsel for Jean-Pierre Bemba Gombo

Ms Melinda Taylor

Counsel for Aimé Kilolo Musamba

Mr Paul Djunga Mudimbi

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Mr Charles Achaleke Taku

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

The Office of Public Counsel for Victims

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. Jean-Jacques Mangenda hereby serves notice of appeal against the judgment rendered by Trial Chamber VII on 19 October 2016 pursuant to Article 74 of the Statute (“Judgment”).¹ The appeal is directed against the whole Judgment, and is based on all the grounds provided for under Article 81(1)(b), including errors of law, errors of fact, procedural errors, and other errors affecting the fairness and reliability of the proceedings and the Judgment.

II. RELEVANT PROCEDURAL HISTORY

2. Mr. Mangenda was, by virtue of the Judgment, convicted of having committed the offences prescribed by Articles 70(1)(b) and (c) in respect of fourteen witnesses appearing before the International Criminal Court (“ICC”),² and to have aided³ or abetted⁴ the false testimony of nine of these same fourteen witnesses.

III. APPLICABLE LAW

3. Any appeal from a decision of conviction under Article 74 of the Statute must be filed within 30 days of notification to the appellant of the decision.⁵ An appeal is deemed to be lodged upon notice consisting of:
 - (a) The name and number of the case;
 - (b) The date of the decision of conviction or acquittal, sentence or reparation order appealed against;
 - (c) Whether the appeal is directed against the whole decision or part thereof; and
 - (d) The relief sought.⁶

IV. NOTICE OF APPEAL

4. This appeal is lodged in the case *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido* (ICC-01/05-01/13), against the Judgment dated 19 October 2016.

¹ *Bemba et al.*, Judgment pursuant to Article 74 of the Statute, ICC-01/05-01/13-1989-Conf, 19 October 2016 (“Judgment”). All further references to “Article” are to articles of the ICC Statute.

² *Id.* p. 455-56.

³ *Id.* p. 456 (D-15 and D-54).

⁴ *Id.* (D-2, D-3, D-4, D-6, D-13, D-25 and D-29).

⁵ ICC Rules of Procedure and Evidence, Rule 150(1).

⁶ ICC Regulations of the Court, Regulation 57.

5. The appeal is directed against the whole Judgment.
6. The relief sought is reversing all findings material to any of the convictions; reversing the convictions against Mr Mangenda; and entering a full acquittal in respect of all charges and counts as against Mr. Mangenda.



Christopher Gosnell
Counsel for Mr. Jean-Jacques Kabongo Mangenda

Respectfully submitted this 4 November 2016,
At The Hague, The Netherlands