

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-01/05-01/13
Date: **2 December 2016**

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, Single Judge

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

**Decision on Various Requests for Submission of Additional Documents
for Purposes of Sentencing**

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

Mr 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

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Others

Judge Bertram Schmitt, acting as Single Judge on behalf of Trial Chamber VII ('Single Judge' and 'Chamber', respectively) of the International Criminal 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*, having regard to Regulation 35 of the Regulations of the Court, issues the following 'Decision on Various Requests for Submission of Additional Documents for Purposes of Sentencing'.

1. On 20 October 2016, the Single Judge set a deadline of 23 November 2016 ('Deadline') for the disclosure and submission of any additional material for sentencing.¹
2. On 23 November 2016, accordingly, the defence for Mr Arido ('Arido Defence'),² Mr Mangenda ('Mangenda Defence')³ and Mr Bemba ('Bemba Defence')⁴ submitted their additional evidence to be considered for sentencing. The Arido Defence, in its submission, also requested leave to extend the Deadline to submit an additional document.⁵
3. On 24 November 2016, the Bemba Defence requested⁶ leave to add a document to its List of Exhibits for sentencing purposes, which it was not able to do before the Deadline for reasons beyond its control.
4. On 25 November 2016, the Mangenda Defence requested⁷ leave to submit an additional document for the purpose of sentencing (together with the request by the Arido and Bemba Defence: 'Requests').

¹ Sentencing Calendar, ICC-01/05-01/13-1990.

² Narcisse Arido's Formal Submission of Additional Evidence to be Considered for Sentencing, ICC-01/05-01/13-2054, with confidential annexes A–C.

³ Request for the Admission of Evidence for the Purposes of Sentencing, ICC-01/05-01/13-2045, with confidential annex A.

⁴ List of Exhibits for Sentencing, ICC-01/05-01/13-2048, with confidential annex A.

⁵ ICC-01/05-01/13-2054, para. 5.

⁶ Request for Trial Chamber for Extension of Time to Add a Document to its List of Exhibits for Sentencing, ICC-01/05-01/13-2057.

⁷ Motion to Submit an Additional Document for the Purposes of Sentencing, ICC-01/05-01/13-2060.

5. On 28 November 2016⁸ and 30 November 2016,⁹ the Office of the Prosecutor indicated by email that it either did not object or deferred to the Chamber's discretion in relation to the Requests.
6. The Single Judge notes that the Requests are of limited scope, were already foreshadowed in the Arido, Bemba and Mangenda Defence filings on 23 November 2016 and understands the Prosecution's position as meaning they are unopposed. Accordingly, he grants the Requests.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

GRANTS the Requests.

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



Judge Bertram Schmitt, Presiding Judge

Dated 2 December 2016

At The Hague, The Netherlands

⁸ Email from the Prosecution to the other parties and Chamber on 28 December, at 11:04.

⁹ Email from the Prosecution to the other parties and Chamber on 30 December, at 11:28.