



Original: English

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

Date: 25 November 2014

Date of public redacted version: 06 January 2017

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, 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 redacted version of
Decision on the “Requête en application de la norme 83.4 du règlement de la Cour
avec annexe confidentielle A” submitted by the Defence for Mr Mangenda on
12 September 2014**

Decision to be notified, in accordance with regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Paul Djunga

Counsel for Jean-Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Göran Sluiter

Legal Representatives of the Victims

Legal Representatives of the 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

Herman von Hebel, Registrar

Defence Support Section

Esteban Peralta Losilla

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Other

I, Judge Cuno Tarfusser, having been designated as Single Judge of Pre-Trial Chamber II of the International Criminal Court;

NOTING the “Requête en application de la norme 83.4 du règlement de la Cour avec annexe confidentielle A” dated 12 September 2014 (“Mr Mangenda’s Request” or “Request”)¹, whereby the Defence for Mr Mangenda (I) refers to its request dated 9 April 2014 requesting the Registrar to [REDACTED] and (II) requests the full Pre-Trial Chamber II to: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED];

NOTING the “Observations du Greffier sur la Requête ICC-01/05-01/13-675-Conf” dated 21 November 2014²;

NOTING, as a preliminary issue, that the Defence for Mr Mangenda requests that a decision on its Request be taken by the full Chamber, “vu l’importance de la présente requête par rapport aux droit fondamentaux de la Défense” and in light of the “manque d’indépendance du Juge unique”;

NOTING article 57(2)(a) of the Statute, listing the orders and rulings which “must be concurred in by a majority” of the Chamber’s judges;

CONSIDERING that the Chamber designated the Single Judge to carry out its functions subject to article 57(2)(a) of the Statute and that, since a decision under regulation 83(4) does not fall within the ambit of that provision, the Single Judge

¹ ICC-01/05-01/13-675-Conf and confidential Annexe A thereto.

² ICC-01/05-01/13-764-Conf and Annexes thereto.

shall address Mr Mangenda's Request on behalf of the Chamber, according to the Chamber's practice;

NOTING regulation 135 of the Regulations of the Registry;

CONSIDERING that, by means of its request, Mr Mangenda is seeking the review of the decision of the Registry dated 1st August 2014³;

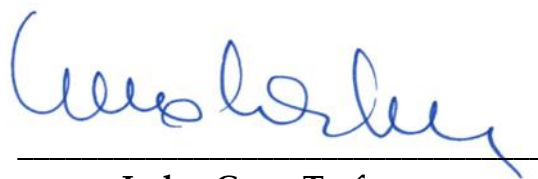
CONSIDERING that, pursuant to regulation 135 (2) of the Regulations of the Registry, counsel may request the Chamber to review any Registrar's decision on the calculation and payment of fees or the reimbursement of expenses "within 15 calendar days of notification";

CONSIDERING that, accordingly, Mr Mangenda's Request has been submitted way beyond the prescribed time limit and is therefore inadmissible, this making it unnecessary for the Chamber to address its merits;

FOR THESE REASONS, THE SINGLE JUDGE

DISMISSES Mr Mangenda's Request.

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



Judge Cuno Tarfusser
Single Judge

Dated this Tuesday, 25 November 2014

At The Hague, The Netherlands

³ ICC-01/05-01/13-764-Conf-AnxI.