



Original: English

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

Date: **6 April 2017**

THE APPEALS CHAMBER

Before: Judge Silvia Fernández de Gurmendi, Presiding Judge
Judge Sanji Mmasenono Monageng
Judge Howard Morrison
Judge Piotr Hofmański
Judge Geoffrey Henderson

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 with Confidential Annex A

Response to “Urgent Request for Extension of Time to Submit the Appeal Brief” (ICC-01/05-01/13-2133)

Source: Defence for Jean-Jacques Mangenda Kabongo

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
Ms Helen Brady

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Mr Christopher Gosnell

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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

1. Jean-Jacques Mangenda supports Mr. Aimé Kilolo's request¹ for an extension of the deadline for filing his appeal brief to 24 April 2017, and requests that this extension be granted to all appellants.
2. The Defence was informed on 4 April 2017 at 11.19 am that TRIM will not be functional during the period of 14 to 20 April 2017 for technical reasons. The unavailability of TRIM means that the parties cannot use Ringtail, through which the case evidence and disclosures are accessed; cannot rely on Court Records for access to filings in this and other cases before the Court; and cannot upload or distribute any last-minute disclosures as may be required. The unavailability of TRIM even raises questions about how the document in support of the appeal is to be filed and distributed on the day of filing. The Registry's current advice on this issue is that any "emergency filing" may be accommodated by "a workaround for notification via DHL post or email."²
3. Moving the deadline for filing the appeal brief until shortly after the TRIM shut-down is a necessary, reasonable and appropriate measure in response to an unforeseeable event outside of the Defence's control.



Christopher Gosnell
Counsel for Mr. Jean-Jacques Kabongo Mangenda

Respectfully submitted this 6 April 2017,
 At The Hague, The Netherlands

¹ *Bemba et al.*, Urgent Request for Extension of Time to Submit the Appeal Brief, ICC-01/05-01/13-2133, 4 April 2017 ("Request").

² See Annex A.