



Original: English

No: **ICC-01/05-01/13**  
Date: **18 August 2016**

**TRIAL CHAMBER VII**

**Before:** Judge Bertram Schmitt, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Raul Pangalangan

**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**

**Response to Prosecution's Request to Obtain Financial Information from the Registry**  
**(ICC-01/05-01/13-1966)**

**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**

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**Registrar**

Mr Herman von Hebel

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Other  
Section**

1. Jean-Jacques Mangenda opposes the Prosecution's request<sup>1</sup> for an order instructing the Registry to provide information about (i) the cost of the Main Case; and/or (ii) costs associated with the presentation of specific witnesses.
2. First, the request is premature. The Prosecution's justification for making this request now – to “allow the Prosecution an opportunity to make effective use of it, thus avoiding any unnecessary delay”<sup>2</sup> – is contradicted by its assertion that “the scope of the material is limited and targeted” and that the Registry will “not be overburdened in identifying and providing the Requested Information.”<sup>3</sup> If the Registry will not be “overburdened” in obtaining the information, then nor will any “unnecessary delays” arise from awaiting until a Judgment has been rendered before making such a request.
3. Second, the supposition that the witness-related costs constitute “pecuniary damage”<sup>4</sup> is unfounded. The Prosecution has not established that the fourteen witnesses would not have testified but for the alleged offences. The Prosecution has, accordingly, not established any causal relationship showing the relevance of the requested information.
4. Third, the request for total Main Case costs is illogical. No showing has been made that any costs of the Main Case were caused by the alleged offences.
5. The Motion is, accordingly, without proper foundation and should be denied.




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**Christopher Gosnell**  
**Counsel for Mr. Jean-Jacques Kabongo Mangenda**

Respectfully submitted this 18 August 2016,  
 At The Hague, The Netherlands

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<sup>1</sup> *Bemba et al.*, Prosecution's Request to Obtain Financial Information from the Registry, ICC-01/05-01/13-1966, 10 August 2016 (“Motion”).

<sup>2</sup> *Id.* para.3.

<sup>3</sup> *Id.* para.8.

<sup>4</sup> *Id.* para.4.