



Original: **English**

No.: ICC-01/05-01/13
Date: 7 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 Kilolo Defence Submission of Two Further Items for 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 Michael Karnavas

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 Kilolo Defence Submission of Two Further Items for Sentencing'.

1. On 20 October 2016, the Single Judge set a deadline of 23 November 2016 for the disclosure and submission of any additional materials for sentencing.¹
2. On 23 November 2016, the defence for Mr Aimé Kilolo Musamba ('Kilolo Defence') accordingly submitted its additional evidence to be considered for sentencing.²
3. On 6 December 2016, the Kilolo Defence requested the 'admission' of two further documents for sentencing purposes ('Request').³
4. Later that same day, the Office of the Prosecutor indicated by email that it did not oppose the Request.⁴
5. For the reasons provided by the Kilolo Defence, the Single Judge permits the late submission of these documents. As has been its practice throughout the trial,⁵ the Chamber will not rule on the 'admission' of any submitted documents.

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

² Notification de la divulgation de la défense de monsieur Aimé Kilolo Musamba du 23 novembre 2016, ICC-01/05-01/13-2049-Conf (with one annex).

³ Kilolo Defence request for admission of evidence for the purpose of sentencing, ICC-01/05-01/13-2080-Conf (with two annexes). The documents in question are CAR-D21-0018-0073 and CAR-D21-0018-0081.

⁴ Email from the Prosecution to the other parties and Chamber at 17:03.

⁵ See generally Decision on Prosecution Requests for Admission of Documentary Evidence (ICC-01/05-01/13-1013-Red, ICC-01/05-01/13-1113-Red, ICC-01/05-01/13-1170-Conf), 24 September 2015, ICC-01/05-01/13-1285.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

GRANTS the Request to the extent specified in paragraph 5 above.

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



Judge Bertram Schmitt, Presiding Judge

Dated 7 December 2016

At The Hague, The Netherlands