



Original: English

No: **ICC-01/05-01/13**
Date: **14 October 2015**

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 Redacted Version

Urgent Request for Leave to Reply to the Registry's Observations (ICC-01/05-01/13-1347-Conf-Exp)

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
Mr Arthur Vercken

Counsel for Jean-Pierre Bemba Gombo

Ms Melinda Taylor

Counsel for Aimé Kilolo Musamba

Mr Paul Djunga Mudimbi
Mr Steven Powles

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila
Mr Roland Azama Shalie Rodoma

Counsel for Narcisse Arido

Mr Charles Achaleke Taku
Mr Philippe Larochelle

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 hereby requests¹ leave to reply to the Registry's submissions² in respect of three issues only.
2. First, the Defence would address whether the circumstances described by the Registry at paragraph 2 of its submissions, during which the Registry acknowledges that it had certain obligations, are legally any different than those that now exist.
3. Second, the Defence would address the argument about an alleged absence of express legal basis for the asserted obligations. In particular, the Defence would address whether legal obligations can be implied as being necessarily ancillary to the functions of the International Criminal Court. Reference would also be made in this regard to the "Headquarters Agreement between the International Criminal Court and the Host State", in particular to Article 45 and other obligations assumed by the Court in respect of the presence of individuals on the territory of The Netherlands.
4. Third, the Defence would, if granted leave to reply, propose, in light of the information provided in the Registry's submissions, that Mr. Mangenda be provided with the sum total now being spent by the Registry for accommodation and daily expenses in return for taking responsibility to arrange his own accommodation. This would not include, however, [REDACTED].



Christopher Gosnell
Counsel for Mr. Jean-Jacques Kabongo Mangenda

Respectfully submitted this 14th of October 2015,
 At The Hague, The Netherlands

¹ This public redacted version of a previous Defence filing is filed pursuant to the order of the Single Judge in ICC_01/05-01/13-1367-Conf-Exp.

² *Bemba et al.*, Registry's Submissions on the "Defence Motion for Directions to Registry", ICC-01/05-01/13-1336-Conf-Exp, ICC-01/05-01/13-1347-Conf-Exp, 7 October 2015; *Bemba et al.*, Defence Motion for Directions to Registry, ICC-01/05-01/13-1336-Conf-Exp, 5 October 2015 ("Request").