

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 10 November 2015

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 Request to Withdraw as Associate Counsel for Mr Arido

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 Paul Djunga Mudimbi

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

Others

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Mr Esteban Peralta Losilla

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

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 Articles 64(2) and 67(1)(d) of the Rome Statute ('Statute'), Rules 20 to 22 of the Rules of Procedure and Evidence ('Rules'), Regulation 78(1) of the Regulations of the Court and Articles 8, 15 and 17 to 19 of the Code of Professional Conduct for counsel ('Code'), issues the following 'Decision on Request to Withdraw as Associate Counsel for Mr Arido'.

1. On 6 November 2015, Mr Arido's associate counsel, Mr Philippe Larochelle, informed the Chamber that Mr Arido has indicated an intention to terminate Mr Larochelle's mandate and choose a new associate counsel. Mr Larochelle accordingly requests leave to withdraw from the case.¹
2. The Single Judge, noting Mr Arido's right to the legal assistance of his choosing,² hereby grants the Request despite the fact that no concrete reasons are given for why Mr Arido wishes to change his associate counsel. The Single Judge reminds Mr Larochelle that he remains subject to Articles 8, 15 and 17 to 19 of the Code.
3. The Single Judge emphasises that it will not grant any postponements as a result of the present decision, which could create an undue delay for the other accused in this case. Mr Arido also still has his lead counsel, who was appointed well before the commencement of trial.³

¹ Request for Leave to Withdraw as Associate Counsel Pursuant to Regulation 78 (1) of the Regulations of the Court, ICC-01/05-01/13-1468.

² Article 67(1)(d) of the Statute.

³ Registration of the appointment of Mr Charles Achaleke Taku as Counsel of Mr Narcisse Arido and of Mr. Philippe Larochelle as Associate Counsel, 13 April 2015, ICC-01/05-01/13-895.

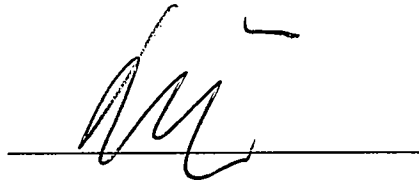
4. The Single Judge directs the Registry to take the necessary steps, in accordance with Rules 20 to 22 of the Rules, to ensure that Mr Arido has all the necessary facilities and resources in order to protect his rights as an accused.⁴

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

GRANTS leave to Mr Larochelle to withdraw from the case; and

DIRECTS the Registry to take all necessary steps to promptly facilitate Mr Arido selecting a new associate counsel.

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

A handwritten signature in black ink, appearing to be 'BS', is written over a horizontal line.

Judge Bertram Schmitt, Single Judge

Dated 10 November 2015

At The Hague, The Netherlands

⁴ *In this regard, see* Decision on the Defence applications for judicial review of the decision of the Registrar on the allocation of resources during the trial phase, 21 May 2015, ICC-01/05-01/13-955, para. 38.