



Original: English

No: **ICC-01/05-01/13**
Date: **3 December 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

**First Notice Pursuant to Trial Chamber's "Directions on Defence Presentation of
Evidence" (ICC-01/05-01/13-1450)**

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

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 files this notice pursuant to the Trial Chamber's Directions on Defence Presentation of Evidence requiring the defence teams to: (i) "provide estimates on the number of witnesses they intend to call and the number of hours they intend to examine each of their witnesses"; and (ii) to provide a "provisional list of witnesses." Each team must also inform the Chamber "(i) whether it anticipates any of the witnesses testifying via video-link; (ii) whether issues of self-incrimination may arise in relation to any of the witnesses and (iii) in which language the witnesses are expected to testify."¹ The Trial Chamber required the Defence to provide a "final list of witnesses" by 7 January 2016.²
2. The Defence's present intention, without prejudice to the possibility of this changing before 7 January 2016, is to call one witness. This witness will provide expert testimony about the legality and propriety of the manner in which financial records were obtained in this case. Specialized knowledge (*i.e.* expertise) is necessary to address relevant issues of national law. Although this expert witness has not yet been definitively identified,³ the Defence can indicate that the direct examination will likely not exceed three hours; that the testimony is likely to be given in-person in either English or French; and that no issues of self-incrimination are expected to arise.
3. This notice is without prejudice to Mr. Mangenda's right to question witnesses that may be called by any other defendant.



Christopher Gosnell
Counsel for Mr. Jean-Jacques Kabongo Mangenda

Dated this 3 December 2015,
 At The Hague, The Netherlands

¹ ICC-01/05-01/13-1450, paras. 8-9.

² *Id.* para. 10.

³ The most salient details concerning how the financial records were obtained became known on 3 November 2015 as a result of late disclosure by the Prosecution of documents that should have been disclosed before the start of trial.