

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13

Date: 1 March 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 Mangenda Defence Request to Add Items to its List of Evidence

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

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 Regulation 35 of the Regulations of the Court, issues the following 'Decision on Arido Defence Request to Add Items to its List of Evidence'.

1. On 29 February 2016, the defence for Mr Mangenda ('Mangenda Defence') filed a request to add 4 items to its List of Evidence ('Request').¹ It explains that two of the items were only disclosed to the defence by the Office of the Prosecutor on 23 February 2016.² The two other items are *curricula vitae* of D23-1, the expert witness the Mangenda Defence intends to call.³ The Mangenda Defence submits that the addition of the four items is in the interest of justice.⁴
2. The Single Judge considers that he has all the relevant information before him to rule on the Request and therefore no responses are necessary. In respect of the two items disclosed on 23 February 2016, the Single Judge considers that the Mangenda Defence was unable to include them in its original List of Evidence for reasons outside of its control. In respect of the two other items the Single Judges considers them beneficial for the testimony of D23-1 and their addition not to be prejudicial to the other parties. Accordingly, the Single Judge grants the Request.

¹ Jean-Jacques Mangenda's Request to Add Four Items to his List of Evidence, ICC-01/05-01/13-1673-Conf, with two confidential annexes, A and B and two public annexes C and D.

² Request, ICC-01/05-01/13-1673-Conf, paras 6-8 ; CAR-OTP-0092-0890-R01 and CAR-OTP-0092-0892-R01.

³ Request, ICC-01/05-01/13-1673-Conf, para. 2 ; CAR-D23-0008-0001 and CAR-D23-0008-0004.

⁴ Request, ICC-01/05-01/13-1673-Conf, paras 12-17.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

GRANTS the Request; and

ORDER the Mangenda Defence to file a public redacted version of its Request forthwith.

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

A handwritten signature in black ink, appearing to read 'Bertram Schmitt', is written over a horizontal line.

Judge Bertram Schmitt, Single Judge

Dated 1 March 2016

At The Hague, The Netherlands