

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/05-01/13

Date: 22 April 2016

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***

Confidential

**Mangenda Defence Response to ICC-01/05-01/13-1785-Conf, ICC-01/05-01/13-1795-
Conf, ICC-01/05-01/13-1796-Conf and ICC-01/05-01/13-1799-Conf**

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
Ms Beth Lyons

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 joins and supports the submissions of Fidèle Babala¹ and Narcisse Arido² requesting the exclusion pursuant to Article 69(7) of the Rome Statute of Western Union payment records; the submissions of Aimé Kilolo³ requesting the exclusion pursuant to Article 69(7) of Western Union payment records and of telephonic and intercepted communications obtained on the basis of those payment records; and, with the exception of paragraph 98, the submissions of Jean-Pierre Bemba Gombo requesting the exclusion under either Article 69(7) or Article 69(4) of audio-recordings of telephone calls and call data records.⁴



Christopher Gosnell
Counsel for Mr. Jean-Jacques Kabongo Mangenda

Respectfully submitted this 22 April 2016,
At The Hague, The Netherlands

¹ *Bemba et al.*, Requête de la Défense de M. Fidèle Babala Wandu afin d'obtenir l'admissibilité des registres Western Union, ICC-01/05-01/13-1785-Conf, 8 April 2016. This submission is filed confidentially pursuant to Regulation 23bis (2) in order to respect the confidentiality classifications of the original submissions. The Defence does not object to its reclassification as public.

² *Bemba et al.*, Narcisse Arido's motion on inadmissibility and exclusion of evidences, ICC-01/05-01/13-1795-Conf, 8 April 2016, paras.38-45.

³ *Bemba et al.*, Motion on behalf of Aimé Kilolo Musamba pursuant to Article 69(7) of the Statute to exclude evidence obtained in violation of the Statute and/or internationally recognized human rights, ICC-01/05-01/13-1796-Conf, 8 April 2016.

⁴ *Bemba et al.*, Defence Application pursuant to Article 69(7) of the Rome Statute, ICC-01/05-01/13-1799-Conf, 8 April 2016, paras.1-95, 100.