



Original: **English**

No.: **ICC-01/05-01/08**

Date: **6 July 2016**

THE PRESIDENCY

Before: Judge Silvia Fernández de Gurmendi, President
Judge Joyce Aluoch, First Vice-President
Judge Sanji Mmasenono Monageng

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

**IN THE CASE OF
*THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO***

Public

Decision replacing two judges in Trial Chamber III

Decision to be notified in accordance with regulation 31 of the *Regulations of the Court*
to:

The Office of the Prosecutor

Ms Fatou Bensouda
 Mr Jean-Jacques Badibanga

Counsel for the Defence

Mr Peter Haynes
 Ms Kate Gibson
 Ms Melinda Taylor

Legal Representatives of the Victims

Ms Marie-Edith Douzima Lawson

The Office of Public Counsel for the Victims

Ms Paolina Massidda

The Office of Public Counsel for the Defence

Mr Xavier-Jean Keïta

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Mr Esteban Peralta Losilla

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

Mr Patrick Craig

Victims Participation and Reparations Section

Ms Isabelle Guibal

THE PRESIDENCY of the International Criminal Court notes that on 3 May 2016, Judge Sylvia Steiner filed a request before the Presidency pursuant to article 36(10) of the Rome Statute of the International Criminal Court (“Statute”), wherein she requested that her extension of mandate pursuant to the aforementioned article come to an end following the issuing of the decision pursuant to article 76 of the Statute in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* (“case”).¹ The Presidency further notes that on 20 June 2016, Judge Kuniko Ozaki filed a request, pursuant to article 41(1) of the Statute of rule 33 of the Rules of Procedure and Evidence (“Rules”), before the remaining members of the Presidency to be excused from Trial Chamber III and from any involvement in future proceedings in the case, following the issuing of the sentencing judgment.²

The Presidency is of the view that, ideally, the judges who conducted the trial proceedings and delivered the decisions on articles 74 and 76 should also address reparations to victims, as those judges have extensive knowledge of the case and its context. Nonetheless, in light of the particular circumstances of the case, the Presidency decided, on an exceptional basis, to grant the requests of two judges of Trial Chamber III.

For the reasons given in the memorandum of 13 May 2016, the Presidency granted Judge Steiner’s request on the conclusion of her term of office (Annex I).

For the reasons given in memorandum of 4 July 2016, the Presidency, composed of Judges Fernández de Gurmendi, Aluoch and Monageng, granted Judge Ozaki’s request for excusal (Annex II).

The Presidency recalls article 39(1), (2)(b)(ii) and (4) of the Statute, rule 38 of the Rules and regulation 15(1) of the Regulations of the Court.

The Presidency recalls that, by its decision of 18 March 2015, Judge Chang-ho Chung, assigned to the Pre-Trial Division, was temporarily attached to the Trial Division.³

¹ Request pursuant to article 36(10) to leave the Court prior to the reparations stage in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, 2016/PRES/00125-1.

² Request to be Excused, 2016/PRES/00160-1.

³ Corrigendum to the “Decision replacing a judge in Trial Chamber VI”, ICC-01/04-02/06-521-Corr.

The Presidency hereby decides that Trial Chamber III shall, henceforth, be composed as follows:

Judge Joyce Aluoch

Judge Geoffrey Henderson

Judge Chang-ho Chung

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



Judge Silvia Fernández de Gurmendi
President

Dated this 6 July 2016

At The Hague, The Netherlands