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No: ICC-01/05-01/13

Date: 15 July 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***

**Public Redacted Version
with Confidential Annexes A and B**

**Defence Request for Clarification of Decision on Request for Directions to the Registry,
ICC-01/05-01/13-1367**

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

**Counsel for Jean-Jacques Kabongo
Mangenda**

Mr Christopher Gosnell

Mr Arthur Vercken

Counsel for Jean-Pierre Bemba Gombo

Counsel for Aimé Kilolo Musamba

Counsel for Fidèle Babala Wandu

Counsel for Narcisse Arido

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. Mr. Mangenda requests clarification of the Trial Chamber's "Decision on Mangenda Defence Request for Directions to the Registry" ("Decision") and, in particular, paragraph 7 thereof.¹
2. Paragraph 7 of the Decision noted that the Registry had already been "providing financial assistance for transportation costs to and from the Court." However, although the Registry has arranged for flights to Amsterdam, no provision has been made for "transportation costs to and from the Court" from the accused's place of accommodation in The Hague. The Registry has even declined to provide an OV Chipkaart strictly for the purpose of traveling to and from the Court for hearings.²
3. Although the sums involved may seem trivial, the round-trip cost for attending court hearings is almost equal to the entire daily allowance currently accorded to the accused by the Registry. This is a sum of significance for Mr. Mangenda. It also appears to be a cost that the Trial Chamber may have understood was already being provided by the Registry. Further, the Decision itself draws no distinction between different types of transportation costs required to attend trial hearings.
4. Accordingly, Mr. Mangenda requests clarification as to whether paragraph 7 of the Decision reflects an understanding that the Registry is expected to reimburse all costs necessary to attend court hearings, including such costs as are strictly necessary to travel from the accused's place of accommodation in The Hague to the Court.



Christopher Gosnell
Counsel for Mr. Jean-Jacques Kabongo Mangenda

Respectfully submitted this 15 July 2016,
 At The Hague, The Netherlands

¹ *Bemba et al.*, Decision on Mangenda Defence Request for Directions to the Registry, ICC-01/05-01/13-1367-Conf-Red, 14 October 2015. This submission is a public redacted version prepared pursuant to the Chamber's direction in its *Decision Closing the Submission of Evidence and Further Directions*, ICC-01/05-01/13-1859, 29 April 2016.

² Annex A, Email from Registry to Mangenda Defence, "FW: Email from Mr Gosnell re Mr. Mangenda's Transportation Expenses", 28 October 2015, 2:44 pm ("[REDACTED]"); Annex B, Email from Mangenda Defence the Registry, "Request for Transportation Costs", 16 October 2015, 11:19 am.