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No.: ICC-01/05-01/13
Date: 06 December 2016

TRIAL CHAMBER VII

Before:

Judge Bertram Schmitt, Presiding Judge
Judge Marc Pierre Perrin de Brichambaut
Judge Raul C. Pangalangan

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

*THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA
WANDU AND NARCISSE ARIDO*

Public Document

with confidential *EX PARTE* Registry and Office of the Prosecutor only Annexes I-A, II-A, III-A, IV-A and V-A,
confidential *EX PARTE* Registry, Office of the Prosecutor and Bemba defence only Annex I-B, confidential *EX PARTE* Registry, Office of the Prosecutor and Kilolo defence only II-B, confidential *EX PARTE* Registry, Office of the Prosecutor and Mangenda defence only III-B, confidential *EX PARTE* Registry, Office of the Prosecutor and Babala defence only IV-B and confidential *EX PARTE* Registry, Office of the Prosecutor and Arido defence only V-B

Registry's report on the convicted persons' solvency

Source: Registrar

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

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Registrar

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Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry submits this report and its related annexes pursuant to Trial Chamber VII (“Chamber”)’s “Sentencing Calendar”, by which it ordered the Registry to report on the solvency of each of the convicted persons in the present case (“Report”).¹

II. Classification

2. In accordance with regulation 23*bis*(1) of the Regulations of the Court, Annexes I-A, II-A, III-A, IV-A and V-A are classified as confidential *EX PARTE*, Registry and Office of the Prosecutor only, in view of the sensitive nature of their contents. Annexes I-B, II-B, III-B, IV-B and V-B are classified as confidential *EX PARTE* available to the Registry, the Prosecutor and to each of the convicted persons, respectively, because they contain information about the personal situation of each of them.

III. Procedural history

3. On 1 December 2016, and upon the Registry’s request by way of an email,² Trial Chamber III in the case *The Prosecutor vs Mr Jean-Pierre Bemba Gombo* (“Main Case”) authorised the Registry to submit before the present Chamber, information relating to Mr Jean-Pierre Bemba Gombo’s (“Mr Bemba”) solvency that was previously submitted in the Main Case.³
4. On 1 December 2016, four of the defence teams submitted the “Application to vary the Sentencing Calendar” (“Application”),⁴ requesting the Chamber to vary the time-limit for the Registry to submit its Report and advancing it of day, from 6 to 5 December 2016.

¹ ICC-01/05-01/13-1990, para. 2(iii).

² Email from the Registry to the Legal Officer of TCIII on 28 November 2016, at 18:10.

³ ICC-01/05-01/08-3375-Conf-Exp-AnxI and ICC-01/05-01/08-3375-Conf-AnxII

⁴ ICC-01/05-01/13-2071.

5. On 5 December 2016, upon Chamber's instruction,⁵ the Registry submitted, by way of an email,⁶ that it would be in a position to file its Report by 6 December 2016.⁷
6. On 6 December 2016, the Chamber issued the "Decision on Defence Request for Variation of the Sentencing Calendar", in which it granted the Application.⁸

IV. Submissions

7. The Registry hereby submits the following annexes:
 - a. Annex I on Mr Bemba's solvency:
 - i. Annex I-A *EX PARTE* Registry and Prosecution only; and
 - ii. Annex I-B *EX PARTE* Registry, Prosecution and Bemba Defence only;
 - b. Annex II on Mr Kilolo Musamba's solvency:
 - i. Annex II-A *EX PARTE* Registry and Prosecution only; and
 - ii. Annex II-B *EX PARTE* Registry, Prosecution and Kilolo Defence only;
 - c. Annex III on Mr Mangenda Kabongo's solvency:
 - i. Annex III-A *EX PARTE* Registry and Prosecution only; and
 - ii. Annex III-B *EX PARTE* Registry, Prosecution and Mangenda Defence only;
 - d. Annex IV on Mr Babala Wandu's solvency:
 - i. Annex IV-A *EX PARTE* Registry and Prosecution only; and
 - ii. Annex IV-B *EX PARTE* Registry, Prosecution and Babala Defence only;
 - e. Annex V on Mr Arido's solvency:
 - i. Annex V-A *EX PARTE* Registry and Prosecution only; and
 - ii. Annex V-B *EX PARTE* Registry, Prosecution and Arido Defence only.

⁵ Email from the Associate Legal Officer of Trial Chamber VII to the Registry on 1 December 2016, at 17:02.

⁶ Email from the Associate Legal Officer of Trial Chamber VII on 2 December 2016, at 18:18. The Chamber granted the Registry's oral request to allow it to submit its observations on the Application via email.

⁷ Email from the Registry to the Associate Legal Officer of Trial Chamber VII on 5 December 2016, at 17:47.

⁸ ICC-01/05-01/13-2078.



Marc Dubuisson, Director, Division of Judicial Services
per delegation of
Herman von Hebel, Registrar

Dated this 06 December 2016

At The Hague, the Netherlands