

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 13 February 2015

TRIAL CHAMBER VII

Before: Judge Chile Eboe-Osuji, Presiding Judge
Judge Olga Herrera Carbuca
Judge Robert Fremr

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 Defence counsel request to withdraw according to Regulation 78(1) of
the Regulations of the Court**

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 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 Jean Flamme

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Mr Göran Sluiter

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

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Mr Esteban Peralta Losilla

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Others

Trial Chamber VII ('Chamber') of the International Criminal Court ('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 Articles 64(2) and 67(1)(d) of the Rome Statute ('Statute'), Rules 20 to 22 of the Rules of Procedure and Evidence ('Rules'), Regulation 78(1) of the Regulations of the Court ('Regulations') and Articles 8, 15, 17 to 19 of the Code of Professional Conduct for counsel ('Code of Conduct'), renders this 'Decision on Defence counsel request to withdraw according to Regulation 78(1) of the Regulations of the Court'.

1. On 4 December 2013, Mr Mangenda designated Mr Jean Flamme ('Counsel') as counsel for his defence.¹
2. On 2 February 2015, Counsel filed a request for leave to withdraw under Regulation 78(1) of the Regulations ('Request'),² citing health reasons as the motive for the Request.³
3. The Chamber, noting Counsel's wish to withdraw and the reasons given therefore, hereby grants the Request. The Chamber reminds Counsel that he remains subject to Articles 8, 15 and 17 to 19 of the Code of Conduct.
4. Further, having regard to Article 67(1)(d) of the Statute, the Chamber directs the Registry to take the necessary steps, in accordance with Rules 20 to 22 of the Rules, to ensure continuous legal representation of Mr Mangenda in order to protect his rights as an accused. To this end, the withdrawal of Counsel shall only take effect once a new defence counsel has been appointed for Mr Mangenda.

¹ Enregistrement de la désignation de Maître Jean Flamme par M. Jean-Jacques Mangenda Kabongo comme son conseil et de l'acceptation de la désignation, accompagnée de la prestation de serment du conseil, 4 December 2013 and notified 5 December 2013), ICC-01/05-01/13-31 (with Annexes I to III).

² Demande du conseil de la défense de se retirer conformément à la norme 78.1 du règlement de la Cour, ICC-01/05-01/13-806.

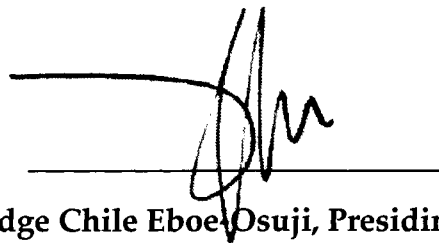
³ Request, 01/05-01/13-806, para. 3.

FOR THE FOREGOING REASONS THE CHAMBER HEREBY

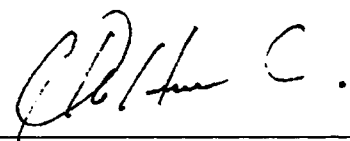
GRANTS leave to Counsel to withdraw from the case upon the appointment of a new defence counsel for Mr Jean-Jacques Mangenda Kabongo; and

DIRECTS the Registry to take all the necessary steps to promptly facilitate the appointment of a new defence counsel for Mr Jean-Jacques Mangenda Kabongo.

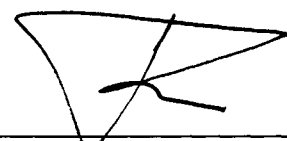
Done in both English and French, the English version being authoritative.



Judge Chile Eboe-Osuji, Presiding



Judge Olga Herrera Carbuccion



Judge Robert Fremr

Dated 13 February 2015

At The Hague, The Netherlands