



Original: **English**

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

Date: **2 August 2016**

**THE PRESIDENCY**

**Before:** Judge Sanji Mmasenono Monageng  
Judge Christine Van den Wyngaert  
Judge Howard Morrison

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

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

**Public**

**Decision replacing a judge in the Appeals Chamber**

**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 Mr Jean-Pierre Bemba Gombo**  
Mr Peter Haynes  
Ms Kate Gibson

**The Office of Public Counsel for Victims**  
Ms Paolina Massidda

**The Office of Public Counsel for the Defence**  
Mr Xavier-Jean Keïta

**Legal Representatives of the Victims**  
Ms Marie Edith Douzima Lawson

**States Representatives**

**Amicus Curiae**

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**REGISTRY**

**Registrar**  
Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section**

**Other**  
Appeals Chamber

THE PRESIDENCY of the International Criminal Court notes: (i) the “Prosecution’s Notice of Appeal against Trial Chamber III’s ‘Decision on Sentence pursuant to Article 76 of the Statute’” dated 22 July 2016;<sup>1</sup> and (ii) the “Defence Notice of Appeal against Decision on Sentence pursuant to Article 76 of the Statute, ICC-01/05-01/08-3399” dated 22 July 2016<sup>2</sup> (“Appeals against the Sentencing Judgement”) in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* (“Bemba”).

The Presidency recalls that, on 20 March 2015, it granted the request of Judge Silvia Fernández de Gurmendi for excusal from all future appeals in *Bemba*.<sup>3</sup>

The Presidency recalls that on 5 April 2016, Vice-Presidents Joyce Aluoch and Kuniko Ozaki requested excusal from the Presidency for the purpose of determining who will replace Judge Silvia Fernández de Gurmendi for the purposes of the appeal of Mr Bemba against the “Judgment pursuant to Article 74 of the Statute” issued by Trial Chamber III on 21 March 2016 (“Appeal against the Trial Judgement”).<sup>4</sup> The Presidency, in its present composition, granted this request on 7 April 2016.<sup>5</sup>

The Presidency further recalls that on 7 April 2016, it temporarily attached Judge Chile Eboe-Osuji to the Appeals Division for the purposes of replacing Judge Silvia Fernández de Gurmendi for the Appeal against the Trial Judgement.<sup>6</sup>

The Presidency notes article 39(1) and (2)(b)(i) of the Rome Statute, rule 38 of the Rules of Procedure and Evidence and regulations 12 and 15(1) of the Regulations of the Court.

The Presidency hereby decides that the Appeals Chamber shall be composed as follows for the Appeals against the Sentencing Judgement:

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<sup>1</sup> ICC-01/05-01/08-3411.

<sup>2</sup> ICC-01/05-01/08-3412.

<sup>3</sup> ICC-01/05-01/08-3245-AnxI.

<sup>4</sup> ICC-01/05-01/08-3343.

<sup>5</sup> ICC-01/05-01/08-3358-AnxI.

<sup>6</sup> ICC-01/05-01/08-3358.

Judge Sanji Mmasenono Monageng

Judge Christine Van den Wyngaert

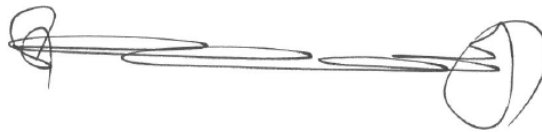
Judge Howard Morrison

Judge Chile Eboe-Osuji

Judge Piotr Hofmański

The Presidency orders the Registrar to file and notify this decision to the relevant parties in the case.

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

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, followed by a circular flourish on the right.

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**Judge Sanji Mmasenono Monageng**

Dated this 2 August 2016

At The Hague, The Netherlands