



Original: **English**

No.: **ICC-01/05-01/13**

Date: **25 November 2014**

Date of public redacted version: **06 January 2017**

**PRE-TRIAL CHAMBER II**

**Before: Judge Cuno Tarfusser, Single Judge**

**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 of  
Decision on the “Requête en application de la norme 83.4 du règlement de la Cour  
avec annexe confidentielle A” submitted by the Defence for Mr Mangenda on  
12 September 2014**

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

**The Office of the Prosecutor**

Fatou Bensouda  
James Stewart  
Kweku Vanderpuye

**Counsel for Jean-Pierre Bemba Gombo**

Nicholas Kaufman

**Counsel for Aimé Kilolo Musamba**

Paul Djunga

**Counsel for Jean-Jacques Mangenda Kabongo**

Jean Flamme

**Counsel for Fidèle Babala Wandu**

Jean-Pierre Kilenda Kakengi Basila

**Counsel for Narcisse Arido**

Göran Sluiter

**Legal Representatives of the Victims**

**Legal Representatives of the 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**

Herman von Hebel, Registrar

**Defence Support Section**

Esteban Peralta Losilla

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section Other**

**I, Judge Cuno Tarfusser**, having been designated as Single Judge of Pre-Trial Chamber II of the International Criminal Court;

**NOTING** the “Requête en application de la norme 83.4 du règlement de la Cour avec annexe confidentielle A” dated 12 September 2014 (“Mr Mangenda’s Request” or “Request”)<sup>1</sup>, whereby the Defence for Mr Mangenda (I) refers to its request dated 9 April 2014 requesting the Registrar to [REDACTED] and (II) requests the full Pre-Trial Chamber II to: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED];

**NOTING** the “Observations du Greffier sur la Requête ICC-01/05-01/13-675-Conf” dated 21 November 2014<sup>2</sup>;

**NOTING**, as a preliminary issue, that the Defence for Mr Mangenda requests that a decision on its Request be taken by the full Chamber, “vu l’importance de la présente requête par rapport aux droit fondamentaux de la Défense” and in light of the “manque d’indépendance du Juge unique”;

**NOTING** article 57(2)(a) of the Statute, listing the orders and rulings which “must be concurred in by a majority” of the Chamber’s judges;

**CONSIDERING** that the Chamber designated the Single Judge to carry out its functions subject to article 57(2)(a) of the Statute and that, since a decision under regulation 83(4) does not fall within the ambit of that provision, the Single Judge

<sup>1</sup> ICC-01/05-01/13-675-Conf and confidential Annexe A thereto.

<sup>2</sup> ICC-01/05-01/13-764-Conf and Annexes thereto.

shall address Mr Mangenda's Request on behalf of the Chamber, according to the Chamber's practice;

**NOTING** regulation 135 of the Regulations of the Registry;

**CONSIDERING** that, by means of its request, Mr Mangenda is seeking the review of the decision of the Registry dated 1<sup>st</sup> August 2014<sup>3</sup>;

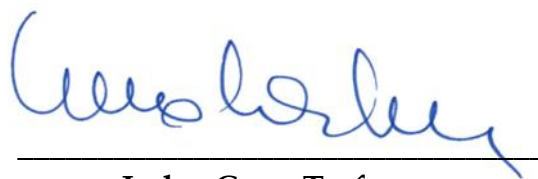
**CONSIDERING** that, pursuant to regulation 135 (2) of the Regulations of the Registry, counsel may request the Chamber to review any Registrar's decision on the calculation and payment of fees or the reimbursement of expenses "within 15 calendar days of notification";

**CONSIDERING** that, accordingly, Mr Mangenda's Request has been submitted way beyond the prescribed time limit and is therefore inadmissible, this making it unnecessary for the Chamber to address its merits;

**FOR THESE REASONS, THE SINGLE JUDGE**

**DISMISSES** Mr Mangenda's Request.

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



**Judge Cuno Tarfusser**  
**Single Judge**

Dated this Tuesday, 25 November 2014

At The Hague, The Netherlands

---

<sup>3</sup> ICC-01/05-01/13-764-Conf-AnxI.