



Original: **English**

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

Date: **22/07/2016**

**THE APPEALS CHAMBER**

**Before:** Judge Christine Van den Wyngaert, Presiding Judge  
Judge Sanji Mmasenono Monageng  
Judge Howard Morrison  
Judge Chile Eboe-Osuji  
Judge Piotr Hofmański

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC  
IN THE CASE OF  
*THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO***

*Public document*

**Defence Notice of Appeal against Decision on Sentence pursuant to Article 76 of  
the Statute, ICC-01/05-01/08-3399**

**Source:** Defence for Mr. Jean-Pierre Bemba Gombo

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

**The Office of the Prosecutor**

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**The Office of Public Counsel for the Defence**

Xavier-Jean Keita

**REGISTRY**

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**Registrar**

Herman von Hebel

## I. INTRODUCTION

1. On 21 March 2016, Trial Chamber III delivered its Judgement under Article 74 of the Statute.<sup>1</sup> The Trial Chamber convicted Mr. Jean-Pierre Bemba Gombo (“the Appellant”) for murder as a crime against humanity under Article 7(1)(a) of the Statute and as a war crime under Article 8(2)(c)(i) of the Statute; rape as a crime against humanity under Article 7(1)(g) of the Statute and as a war crime under Article 8(2)(e)(vi) of the Statute; and pillaging as a war crime under Article 8(2)(e)(v) of the Statute.<sup>2</sup>

2. On 21 June 2016, Trial Chamber III rendered its Decision on Sentence pursuant to Article 76 of the Statute.<sup>3</sup> The Trial Chamber sentenced Mr. Bemba to:<sup>4</sup>

- a. Murder as a war crime: 16 years of imprisonment;
- b. Murder as a crime against humanity: 16 years of imprisonment;
- c. Rape as a war crime: 18 years of imprisonment;
- d. Rape as a crime against humanity: 18 years of imprisonment; and
- e. Pillaging as a war crime: 16 years of imprisonment.

3. The Chamber also decided that the sentences for the war crimes and crimes against humanity of murder and rape and the war crime of pillaging shall run concurrently thus sentencing Mr. Bemba to a total of 18 years of imprisonment.<sup>5</sup>

4. Pursuant to Rule 150(1) of the Rules of Procedure and Evidence, an appeal against a sentence under Article 76 may be filed with the Registry not later than 30 days from the date on which the party filing the appeal is notified of the decision.

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<sup>1</sup> ICC-01/05-01/08-3343.

<sup>2</sup> ICC-01/05-01/08-3343, para. 752.

<sup>3</sup> ICC-01/05-01/08-3399.

<sup>4</sup> ICC-01/05-01/08-3399, para. 94.

<sup>5</sup> ICC-01/05-01/08-3399, paras. 95, 97.

5. Regulation 57 of the Regulations of the Court requires the appellant to file a notice of appeal which states:

- (a) The name and number of the case;
- (b) The date of the decision of conviction or acquittal, sentence or reparation order appealed against;
- (c) Whether the appeal is directed against the whole decision or part thereof;
- (d) The relief sought.

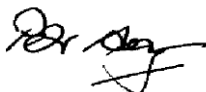
## II. NOTICE OF APPEAL

6. Pursuant to Article 81(1)(b), Rule 150(1) and Regulation 57, the Appellant, in *Situation in the Central African Republic* in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, ICC-01/05-01/08, hereby gives notice of appeal against the Decision on Sentence pursuant to Article 76 of the Statute, rendered on 21 June 2016, decision ICC-01/05-01/08-3399.

7. The Appeal is directed against the whole decision.

8. For reasons that will be provided in its document in support of the appeal, the Defence requests that the Appeals Chamber reverse and reduce Mr. Bemba's 18-year sentence.

The whole respectfully submitted.



Peter Haynes QC  
Lead Counsel for Mr. Jean-Pierre Bemba

Done at The Hague, The Netherlands, 22 July 2016

It is hereby certified that this document contains a total of 622 words and complies in all respects with the requirements of regulation 36 of the Regulations of the Court.