

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **29 July 2014**

THE APPEALS CHAMBER

Before: Judge Sanji Mmasenono Monageng
Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Anita Ušacka

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

**Narcisse Arido's Notice of Appeal of the Single Judge's "Decision on 'Narcisse Arido's
Request for Interim Release'" (ICC-01/05-01/13-588)**

Source: Counsel for Narcisse Arido

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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Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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Victims and Witnesses Unit

Detention Section

**Victims Participation and
Reparations Section**

Other

I. INTRODUCTION

1. In accordance with Article 82 (1) (b) of the Statute, Rule 154 of the Rules of Procedure and Evidence ('RPE') and Regulation 33 (1) (a) of the Regulations of the Court ('RoC'), the Arido Defence hereby files its appeal on the Single Judge's Decision rejecting Mr. Arido's request for interim release.¹

II. PROCEDURAL HISTORY

2. On 10 June 2014, the Arido Defence filed a request for interim release (hereinafter 'interim release request').² The Prosecution filed its response on 30 June 2014, opposing the interim release request ('Prosecution's Response').³ The observations of the Kingdom of the Netherlands and those of the French Republic were transmitted to the Arido Defence by the Registry on 4 July 2014.⁴

3. On 4 July 2014, the Arido Defence requested leave to reply to the Prosecution's Response, in order to address a number of new arguments contained therein.⁵ On 8 July 2014, the Single Judge granted the Arido Defence leave to reply,⁶ and the Arido Defence filed its reply on 16 July 2014.⁷

4. The Single Judge rendered his decision on 24 July 2014, rejecting the interim release request.⁸

III. APPLICABLE LAW

5. Article 82 (1) (b) of the Statute provides that either party may appeal a decision granting or denying release of the person being investigated or prosecuted, in accordance with the Rules of Procedure and Evidence ('RPE').

¹ ICC-01/05-01/13-588.

² ICC-01/05-01/13-477-Conf. A public redacted version was filed on 17 June 2014 (ICC-01/05-01/13-477-Red).

³ ICC-01/05-01/13-525-Conf. A public redacted version was filed on 11 July 2014 (ICC-01/05-01/13-2-525-Red).

⁴ ICC-01/05-01/13-537; ICC-01/05-01/13-537-Conf-AnxI; ICC-01/05-01/13-537-Conf-AnxII.

⁵ ICC-01/05-01/13-535-Conf. A public redacted version was filed on 16 July 2014 (ICC-01/05-01/13-535-Red).

⁶ ICC-01/05-01/13-543, p. 4.

⁷ ICC-01/05-01/13-576-Conf. A public redacted version was filed on 16 July 2014 (ICC-01/05-01/13-576-Red).

⁸ ICC-01/05-01/13-588.

6. Rule 154 of the RPE states that an appeal under article 82 (b) may be filed not later than five days from the date upon which the party filing the appeal is notified of the decision.

7. According to Regulation 64 (1) of the RoC, an appeal under Rule 154 shall state:

- a. The name and number of the case or situation;
- b. The title and date of the decision being appealed;
- c. The specific provision of the Statute pursuant to which the appeal is filed;
- d. The relief sought.

8. Paragraph 5 further states that a document in support of the appeal shall be filed by the appellant within seven days of notification of the relevant decision.

IV. SPECIFIC PROVISION OF THE STATUTE PURSUANT TO WHICH THE APPEAL IS FILED

9. The present appeal is filed pursuant to Article 82 (1) (b) of the Statute, which provides that either party may appeal a decision granting or denying release of the person being investigated or prosecuted, in accordance with the Rules of Procedure and Evidence.

V. REQUESTED RELIEF

10. The Arido Defence requests the Appeals Chamber to reverse the Single Judge's decision and order the immediate release of Mr. Arido.

A handwritten signature in black ink, appearing to read 'G. Sluiter', with a long horizontal line extending to the right.

Göran Sluiter, Counsel for Mr. Arido

Dated this 29th Day of July 2014

At Amsterdam, The Netherlands