

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/05-01/13**
Date: **26 January 2015**

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, AIME KILOLO MUSAMBA, JEAN-JACQUES
MANGENDA KABONGO, FIDELE BABALA WANDU AND NARCISSE ARIDO***

Public

**Prosecution's Notice of Appeal of the "Decision on 'Mr Bemba's Request for
provisional release'"**

Source: Office of the Prosecutor

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

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor
Mr James Stewart
Ms Helen Brady

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

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

Mr Patrick Craig

Victims Participation and Reparations Section

Other
Trial Chamber III

Appeal pursuant to Article 82(1)(b) of the Rome Statute

1. The Office of the Prosecutor (“Prosecution”) hereby appeals the Single Judge’s “Decision on ‘Mr Bemba’s Request for provisional release’” dated 23 January 2015 in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido* (ICC-01/05-01/13),¹ pursuant to article 82(1)(b) of the Rome Statute (“Statute”), rule 154(1) of the Rules of Procedure and Evidence (“Rules”) and regulation 64(1) of the Regulations of the Court (“RoC”).² In its appeal, the Prosecution will request that the Appeals Chamber overturn the Decision ordering the release of Mr Bemba on ICC-01/05-01/13, and order his continued detention thereon.

Relief Sought

2. Accordingly, the Prosecution respectfully requests that the Appeals Chamber accept this appeal against the “Decision on ‘Mr Bemba’s Request for provisional release’” pursuant to article 82(1)(b) of the Statute, rule 154(1) of the Rules and regulation 64(1) of the RoC.



Fatou Bensouda, Prosecutor

Dated this 26th day of January 2015

At The Hague, The Netherlands

Word Count: 398³

¹ ICC-01/05-01/13-798 (“Decision”).

² “An appeal filed 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.”

³ It is hereby certified that this document contains the number of words specified and complies in all respects with the requirements of Regulation 36 of the RoC. This statement (52 words), not itself included in the word count, follows the Appeals Chamber’s direction to “all parties” appearing before it: ICC-01/11-01/11-565 OA6, para.32.