

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

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

Date **13 November 2008**

**THE PRESIDENCY**

**Before:** Judge Philippe Kirsch, President  
Judge Akua Kuenyehia, First Vice-President  
Judge René Blattmann, Second Vice-President

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

**IN THE CASE OF**

***THE PROSECUTOR V. JEAN-PIERRE BEMBA GOMBO***

**URGENT**

**Confidential**

**Interim Decision concerning the Applications for judicial review  
of Mr Jean-Pierre Bemba Gombo of 10 and 11 November 2008**

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

**The Office of the Prosecutor**

Mr Luis Moreno Ocampo

Ms Fatou Bensouda

**Counsel for the Defence**

Mr Nkwebe Liriss

Mr Aimé Kilolo Musamba

**REGISTRY**

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**Registrar**

Ms Silvana Arbia

**Detention Section**

Mr Anders Backman, Chief Custody Officer

**Deputy Registrar**

Mr Didier Daniel Preira

The Presidency of the International Criminal Court,

In the applications for judicial review of Mr Jean-Pierre Bemba Gombo (“applicant”) of 10 and 11 November 2008, entitled: “Recours de la Défense contre la Décision du Greffe du 10 Novembre 2008 intitulée ‘Decision of the Registrar on the monitoring of the non-privileged communications and visits of Mr Jean Pierre Bemba Gombo’”<sup>1</sup> and “Recours Ampliatif de la Défense contre la Décision du Greffe du 10 Novembre 2008 intitulée ‘Decision of the Registrar on the monitoring of the non-privileged communications and visits of Mr Jean Pierre Bemba Gombo’”;<sup>2</sup>

Noting the “Decision of the Registrar on the monitoring of the non-privileged communications and visits of Mr. Jean-Pierre Bemba Gombo”, wherein the Registrar, *inter alia* considered: that there exist reasonable grounds to believe that the applicant may be attempting to “‘interfere with the administration of justice’, and/or to ‘jeopardise the interests of public safety or the rights or freedom of any person’” and that certain of the applicant’s visitors may be assisting him in so doing; and noting further that the Registrar, *inter alia*, decided not to grant private visits to the applicant for a period of 14 calendar days from the notification of that decision and ordered the Chief Custody Officer to monitor all visits to the applicant (“Impugned Decision”);<sup>3</sup>

Considering that the applicant urgently requests the Presidency to set aside the Impugned Decision in totality or in part, in view of the impending visits from his family, which the applicant has advised are scheduled for the afternoon of Thursday, 13 November 2008 (from his partner) and Saturday, 15 November 2008 and Sunday, 16 November 2008 (from his partner and children);<sup>4</sup>

Considering that the Presidency only yesterday evening had sight of the complete case file of the Registrar;

Considering the importance of the interests sought to be protected by the Impugned Decision;

*Renders the following*

## DECISION

The Impugned Decision shall remain in effect until the Presidency has had the opportunity to fully consider the issues at hand and reach a final decision.

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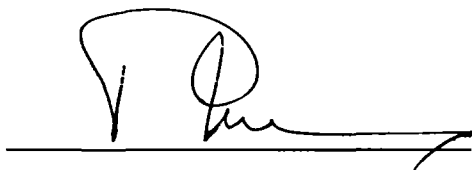
<sup>1</sup> ICC-01/05-01/08-233-Conf.

<sup>2</sup> ICC-01/05-01/08-236 Conf.

<sup>3</sup> ICC-01/05-01/08-231-Conf, pages 3, 4 and 5. A corrigendum to the Impugned Decision was filed on 12 November 2008, and was registered in the case record as ICC-01/05-01/08-231-Conf-Corr; see pages 3, 4 and 5.

<sup>4</sup> ICC-01/05-01/08-236 Conf, paragraph 25.

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

A handwritten signature in black ink, consisting of a large, stylized 'P' followed by a series of loops and a long horizontal stroke ending in a small flourish.

**Judge Philippe Kirsch**

**President**

Dated this 13 November 2008

At The Hague, The Netherlands