

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date of the redacted
version: **15 December 2014**

Date of the original:
17 December 2013

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

Public redacted version of “Order to the Defence of Aimé Kilolo Musamba and to the Registrar to submit information on issues relating to the seizure of assets”

Order 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

Florence Darques Lane

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Paul Djunga Mudimbi

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 Victims

Legal Representatives of Applicants

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

REGISTRY

Registrar

Herman von Hebel

Detention Section

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

NOTING the “Warrant of arrest for Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido” issued on 20 November 2013;

NOTING the private session of the status conference held on 4 December 2013, during which the Defence for Mr Kilolo (i) submitted inter alia that his client has to sustain [REDACTED] in costs”; (ii) explained that, due to the seizure of two accounts of his [REDACTED], the needs arising in connection with his family and his professional life could not be met; and (iii) “call[ed] upon” the Single Judge “to examine this situation and decide or rule upon it” (“Oral Request”);

NOTING article 57(3), 93(1)(k) and 96 of the Statute, rule 167 of the Rules of Procedure and Evidence;

CONSIDERING that, for the purposes of deciding on the Oral Request, the Single Judge requires more specific and detailed information, in particular for the purposes of substantiating the expenses alleged by the Defence for Mr Kilolo;

CONSIDERING, in particular, that the content of the submission made by the Defence for Mr Kilolo is so vague and generic in nature as to make it impossible for the Single Judge to separate the costs arising in connection with Mr Kilolo’s professional activities from those arising in connection with his family life;

CONSIDERING further that, at this stage, the Single Judge has not been submitted any information as to Mr Kilolo’s financial situation, either as to the identification of assets pertaining to him or as to the extent to which such assets have been seized by the Belgian authorities pursuant to the Court’s request for cooperation dated 20 November 2013;

CONSIDERING that, for the Single Judge to be able to take an informed decision, it is also necessary that further information be gathered, through the Registry, as to the nature and the extent of the seizures executed by the Belgian authorities on assets pertaining to Mr Kilolo pursuant to the request for cooperation, if any;

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

DECIDES that a decision on the oral request submitted by the Defence of Mr Kilolo will only be made if and when specific, detailed information as to the nature and amount of the expenses arising in connection with Mr Kilolo's family life and professional activities will be submitted, provided such submissions are properly substantiated;

ORDERS the Registrar to request the Belgian authorities to provide detailed information as to the assets which they have identified as pertaining to Mr Kilolo, if any, as well as to the extent to which any of these assets have been seized in execution of the warrant and the request for cooperation;

ORDERS the Registrar to report, as soon as practicable, on the outcome of the request to the Belgian authorities made pursuant to this decision.

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



Judge Cuno Tarfusser

Single Judge

Dated this Monday, 15 December 2014

The Hague, The Netherlands