

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 24 June 2015

TRIAL CHAMBER VII

Before: Judge Chile Eboe-Osuji, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Bertram Schmitt

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

Order Requesting Observations from Relevant States on Interim Release

To be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Kweku Vanderpuye

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 Christopher Gosnell

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Mr Charles Achaleke Taku

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Trial Chamber VII (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, having regard to Articles 60(3) and 61(11) of the Rome Statute (‘Statute’), and Regulation 51 of the Regulations of the Court, issues the following ‘Order Requesting Observations from Relevant States on Interim Release’.

1. On 29 May 2015, the Appeals Chamber reversed decisions made by a Pre-Trial Chamber II Single Judge to release the five accused in this case.¹ Determinations under Article 60 of the Statute were remanded to this Chamber as a consequence of these rulings.
2. On 19 June 2015,² each of the accused filed observations on detention or release. Mr Bemba withdrew his request for release.³
3. Mr Kilolo, Mr Mangenda, Mr Babala and Mr Arido all submit that continued release is justified in part because of their conduct since their release.⁴ For purposes of its decision on interim release, the Chamber seeks observations from the host State and from the States to which each of these four accused has been released. The Chamber will decide if any further responses to these observations are necessary once they have been received.

¹ Appeals Chamber, Judgment on the appeals against Pre-Trial Chamber II’s decisions regarding interim release in relation to Aimé Kilolo Musamba, Jean-Jacques Mangenda, Fidèle Babala Wandu, and Narcisse Arido and order for reclassification, 29 May 2015, ICC-01/05-01/13-969, OA 5 OA 6 OA 7 OA 8 OA 9; Appeals Chamber, Judgment on the appeal of the Prosecutor against the decision of Pre-Trial Chamber II of 23 January 2015 entitled “Decision on ‘Mr Bemba’s Request for provisional release’”, 29 May 2015, ICC-01/05-01/13-970, OA 10.

² This deadline was set by the Chamber. Order requesting the parties’ observations under Article 60 of the Statute, 1 June 2015, ICC-01/05-01/13-980.

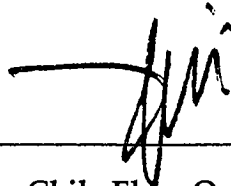
³ Defence Observations on continued detention or release, ICC-01/05-01/13-1016.

⁴ Submissions on Continuation of Interim Release, ICC-01/05-01/13-1017 (with annex); Observations de la Défense de M. Fidèle Babala en exécution de «Order requesting the parties’ observations under Article 60 of the Statute» (ICC-01/05-01/13-980), ICC-01/05-01/13-1019 (with annex); Observations de la Défense relative au maintien de la liberté provisoire de M. Aimé Kilolo Musamba, ICC-01/05-01/13-1021-Red (confidential version and annex filed same day); Narcisse Arido’s Observations on Review of Release under Article 60(3) (ICC-01/05-01/13-980), ICC-01/05-01/13-1022-Conf.

THE CHAMBER HEREBY

ORDERS the Registry to invite the Kingdom of the Netherlands; the Kingdom of Belgium; the United Kingdom of Great Britain and Northern Ireland; the Democratic Republic of the Congo and the Republic of France to submit any observations on the interim release of the accused by 14 July 2015.

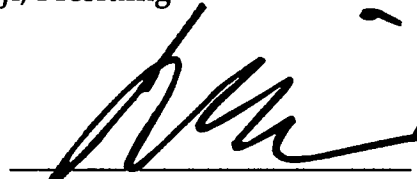
Done in both English and French, the English version being authoritative.



Judge Chile Eboe-Osuji, Presiding



Judge Olga Herrera Carbuccion



Judge Bertram Schmitt

Dated 24 June 2015

At The Hague, The Netherlands