



Original: **English**

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

Date: **2 October 2015**

THE PRESIDENCY

Before: Judge Silvia Fernández de Gurmendi, President
Judge Joyce Aluoch, First Vice-President
Judge Kuniko Ozaki, Second Vice-President

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

**Decision referring the “Request for Compensation for Unlawful Detention” to
Trial Chamber VI**

Decision 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-Jacques Mangenda**Kabongo**

Mr Christopher Gosnell

Counsel for Jean-Pierre Bemba Gombo

Ms Melinda Taylor

Counsel for Aimé Kilolo Musamba

Mr Paul Djunga Mudimbi

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Mr Charles Achaleke Taku

REGISTRY

Registrar

Mr Herman von Hebel

Other

Trial Chamber VI

THE PRESIDENCY of the International Criminal Court notes that on 21 April 2015, the Defence for Mr Jean-Jacques Mangenda Kabongo filed its “Request for Compensation for Unlawful Detention” (“Request for Compensation”) in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido* (“*Bemba et al.*”).¹

The Presidency recalls article 85 of the Rome Statute of the International Criminal Court (“Statute”) and rules 173-174 of the Rules of Procedure and Evidence (“Rules”).

On 5 May 2015, Judge Joyce Aluoch and Judge Kuniko Ozaki, First and Second Vice-President respectively, referring to the Request for Compensation, submitted a joint request to be excused, pursuant to article 41(1) of the Statute and rule 33(1) of the Rules, from exercising their functions as judges with respect to all pending and future proceedings in *Bemba et al.* (“Request for Excusal”).²

On 19 May 2015, the Request for Excusal was denied (Annex I).

The Presidency hereby refers the Request for Compensation to Trial Chamber VI pursuant to rule 173(1) of the Rules, without prejudice to any determination by the Chamber on the admissibility and / or merits of the Request for Compensation.

The Presidency notes the classification of the Request for Compensation as confidential. The Presidency shall make public this decision, noting that the Defence for Mr Mangenda has expressed its consent.³

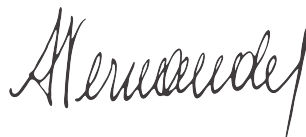
The Presidency orders the Registrar to file and notify this decision to the relevant parties and participants in *Bemba et al.*

¹ ICC-01/05-01/13-921-Conf (“Request for Compensation”).

² Request for excusal from all pending and future proceedings in *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, 2015/PRES/00161-01.

³ Request for Compensation, *supra* note 1, p. 3, fn 1.

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



Judge Silvia Fernández de Gurmendi
President

Dated this 2 October 2015

At The Hague, The Netherlands