



**Cour  
Pénale  
Internationale**  
**International  
Criminal  
Court**

**La Présidence  
The Presidency**

Internal memorandum  
Memorandum interne

<b>To   À</b>	Judge Akua Kuenyehia	<b>From   De</b>	President Song <i>SangHyun Song</i> Vice-President Monageng
<b>Date</b>	8 May 2014	<b>Through   Via</b>	
<b>Ref.</b>	2014/PRES/145-3	<b>Copies</b>	
<b>Subject   Objet</b>	Carrying out the responsibilities of Second Vice-President Tarfusser in a matter before the Presidency in accordance with regulation 11(2) of the Regulations of the Court		

By memorandum dated 8 May 2014,<sup>1</sup> Judge Tarfusser, Second Vice-President of the Court and Single Judge of Pre-Trial Chamber II, requested the Presidency to excuse him from the deliberations of the Presidency on the “Defence Appeal pursuant to Regulation 221 of the Regulations of the Registry” of 28 March 2014<sup>2</sup> (“Application”) filed by Counsel for Mr Bemba in case ICC-01/05-01/08, on the ground of a conflict of interest.

The same day, noting article 41(1) of the Rome Statute and rule 33 of the Rules of Procedure and Evidence, the remaining members of the Presidency granted the request of Vice-President Tarfusser to be excused from the deliberations of the Presidency on the Application.<sup>3</sup>

Pursuant to regulation 11(2) of the Regulation of the Court, Vice-President Tarfusser has therefore been treated as unavailable for the purpose of the deliberations of the Presidency on the Application. As agreed, the responsibilities of Vice-President Tarfusser in the Application will be carried out by you as of today, until final determination on the matter.

<sup>1</sup> 2014/PRES/145.

<sup>2</sup> ICC-RoR221-03/14-1.

<sup>3</sup> 2014/PRES/145-2.