

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 15 October 2014

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
URGENT**

With two public annexes and one confidential annex

**Transmission of the observations submitted by the Congolese authorities on the
"Decision requesting observations from States for the purpose of the review of the
detention of the suspects pursuant to regulation 51 of the Regulations of the
Court"**

Source: The Registry

Document 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

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Paul Djunga

Counsel for Jean-Jacques Mangenda

Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Göran Sluiter

States' Representatives

The Democratic Republic of the Congo

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Patrick Craig

**Victims Participation and Reparations
Section**

Other

THE REGISTRY of the International Criminal Court (the “Court”):

NOTING the “Decision requesting observations from States for the purposes of the review of the detention of the suspects pursuant to regulation 51 of the Regulations of the Court”¹ dated 26 September 2014;

NOTING the “Transmission of the observations submitted by the Belgian, Dutch, French and British authorities on the “Decision requesting observations from States for the purposes of the review of the detention of the suspects pursuant to regulation 51 of the Regulations of the Court” dated 10 October 2014”²

NOTING articles 21, 58(1), 60(3) and 67(1) of the Rome Statute , rules 118(1), (2) and (3), 119-1 and 176(2) of the Rules of Procedure and Evidence and regulations 51 and 23 *bis* of the Regulations of the Court;

CONSIDERING that the Single Judge requested the relevant authorities of the Kingdom of the Netherlands, the Democratic Republic of the Congo, the Kingdom of Belgium, the French Republic and the United Kingdom of Great Britain and Northern Ireland to submit, no later than Friday 10 October 2014, their observations on (i) the possible conditional release of the suspects to their territory, and (ii) their ability to enforce the conditions restricting liberty listed in letters (a) to (h) of rule 119(1) of the Rules;

CONSIDERING that that the Democratic Republic of Congo was granted an extension of delay upon request;

¹ ICC-01/05-01/13-683

² ICC-01/05-01/13-691

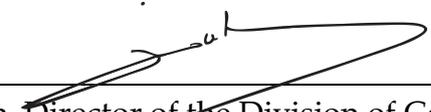
INFORMS the Single Judge as follows:

1. The Registry transmitted the Decision and its French version via a note verbale to the Congolese authorities on 3 October 2014. The Congolese authorities submitted their reply on 14 October 2014 (annexes 1 to 3).
2. The present filings, as well as two annexes are classified public in accordance with the classification of the Decision. The annex conveying the observations of the national authorities is classified confidential upon their request. The authorities indicated that the observations are of a judicial nature and not be used for political purposes.

TRANSMITS in annex:

- The note verbale of the Registry and the memorandum of notification (Annex 1 - Public);
- The request for extension of time from the Congolese authorities dated 4 October 2014 (Annex 2 – Public);
- The notes verbales sent by the Congolese authorities concerning Mr. Babala dated 14 October 2014 (Annex 3- Confidential);

RESPECTFULLY SUBMITTED,



Marc Dubuisson, Director of the Division of Court Services
On behalf of the Registrar

Dated this 15 October 2014

At The Hague, The Netherlands