

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: **ICC-01/05-01/08 OA**
Date: **16 December 2008**

THE APPEALS CHAMBER

Before: Judge Erkki Kourula, Presiding Judge
Judge Philippe Kirsch
Judge Georghios M. Pikis
Judge Sang-Hyun Song
Judge Daniel David Ntanda Nsereko

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO

Public document

Order concerning notification by way of personal service

No.: **ICC-01/05-01/08 OA**

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Decision/Order/Judgment to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

Counsel for the Defence

Mr Nkwebe Liriss
Mr Karim A.A. Khan
Mr Aimé Kilolo-Musamba

REGISTRY

Registrar

Ms Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of Mr. Jean-Pierre Bemba Gombo of 22 August 2008 (ICC-01/05-01/08-74) against the “Decision on application for interim release” (ICC-01/05-01/08-73-Conf; a public redacted version was issued on 26 August 2008 – ICC-01/05-01/08-80-Anx),

Having issued the “Judgment on the appeal of Mr. Jean-Pierre Bemba Gombo against the decision of Pre-Trial Chamber III entitled ‘Decision on application for interim release’” dated 16 December 2008 (“Appeals Chamber’s Judgment on the Decision on application for interim release”),

The Appeals Chamber notes regulation 19 *bis* (1) of the Regulations of the Court which provides that “[u]nless otherwise determined by a Chamber, during the judicial recess hearings shall be limited to urgent issues and time limits shall not be suspended”. Although rule 158 of the Rules of Procedure and Evidence read with article 83 (4) of the Rome Statute provides that judgments of the Appeals Chamber “shall be delivered in open court”, the Appeals Chamber notes that the purpose is, *inter alia*, to allow for publicity of proceedings. In the circumstances of this case, and noting that the Court is in judicial recess, the Appeals Chamber considers that this can adequately be fulfilled by publishing the Appeals Chamber’s Judgment on the Decision on application for interim release on the internet, by notifying the participants as usual in accordance with regulations 31 and 32 of the Regulations of the Court and by notifying the appellant in this appeal, Mr. Jean-Pierre Bemba Gombo, by way of personal service under regulation 31 (3) (d) and (4) of the Regulations of the Court.

In these circumstances, the Appeals Chamber,

Issues the following

ORDER

In addition to notification that shall take place in accordance with regulations 31 and 32 of the Regulations of the Court, Mr. Jean-Pierre Bemba Gombo shall be notified today by way of personal service in accordance with regulation 31 (3) (d)

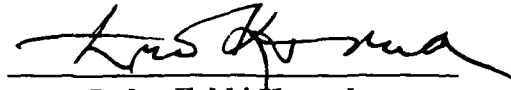
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and (4) of the Regulations of the Court of the Appeals Chamber's Judgment on the Decision on application for interim release.

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



Judge Erkki Kourula
Presiding Judge

Dated this 16th day of December 2008

At The Hague, The Netherlands