

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 25 November 2013

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

Decision setting the date for the first appearance of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba and Fidèle Babala, and on issues relating to the publicity of the proceedings

Decision to be notified, in accordance with regulation 31 of the Regulations of the Court, to:

The Office of the Prosecutor	Counsel for the Defence
Fatou Bensouda	
James Stewart	

Legal Representatives of Victims	Legal Representatives of Applicants
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Unrepresented Victims	Unrepresented Applicants for Participation/Reparation
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The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
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States Representatives

REGISTRY

Registrar	Detention Section
Herman von Hebel	

Victims and Witnesses Unit	Others
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**Victims Participation and
Reparations Section**

I, Judge Cuno Tarfusser, having been designated ¹ as Single Judge of Pre-Trial Chamber II (“Chamber”) of the International Criminal Court;

NOTING the “Mandat d’arrêt à l’encontre de Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu et Narcisse Arido” issued under seal, ex parte on 20 November 2013 («Warrant»);²

NOTING that the Warrant was served on Jean-Pierre Bemba Gombo (“Jean-Pierre Bemba”) on 23 November 2013 at the detention centre of the Court, where he is being detained since 3 July 2008;

NOTING that Aimé Kilolo Musamba (“Aimé Kilolo”) was arrested by the Belgian authorities on 23 November 2013 and is in the process of being surrendered to the Court;

NOTING that Fidèle Babala Wandu (“Fidèle Babala”) was arrested by the authorities of the Democratic Republic of the Congo on 24 November 2013, surrendered to the Court on the same day and arrived at the detention centre of the Court on Monday 25 November 2013;

NOTING articles 60(1) and 67 of the Statute, rules 81(2), 81(4) and 121(1) of the Rules of Procedure and Evidence and regulations 20(1) and 21 of the Regulations of the Court;

NOTING that Jean-Jacques Mangenda Kabongo and Narcisse Arido have been arrested on 23 November 2013, are currently respectively held by the Dutch and the French national authorities and will be surrendered to the Court only upon completion of the relevant national proceedings;

¹ ICC-01/05-45-Conf-Exp.

² ICC-01/05-01/13-1-US-Exp.

CONSIDERING that, accordingly, the hearing for the first appearance of Jean-Pierre Bemba, Aimé Kilolo and Fidèle Babala, who are already in the custody of the Court, must be promptly convened;

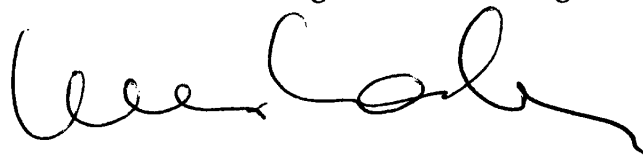
CONSIDERING that the reasons warranting the issuance of the Warrant *under seal, ex parte* no longer exist and that, in light of the paramount principle of the publicity of the proceedings, it is appropriate that the Warrant be made public upon expiration of the 72-hour period of isolation of all suspects following their arrest, subject to the redactions which are necessary;

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

DECIDES that the first appearance of Jean-Pierre Bemba, Aimé Kilolo and Fidèle Babala in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido* shall take place on Wednesday 27 November 2013 at 15 hours;

DECIDES that a redacted version of the Warrant shall be made public upon expiration of the 72-hour period of isolation ordered for the suspects and prior to the first appearance of Jean-Pierre Bemba, Aimé Kilolo and Fidèle Babala.

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



Judge Cuno Tarfusser
Single Judge

Dated this Monday, 25 November 2013

The Hague, The Netherlands