

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 11 April 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***

Confidential

Decision on the "Demande de Me Catherine Mabile afin d'être autorisée à se retirer du dossier en qualité de Conseil adjoint *pro bono* de Me Aimé Kilolo Musamba"

No. ICC-01/05-01/13

1/4

11 April 2014

Decision 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

Ghislain Mabanga

Counsel for Jean-Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Göran Sluiter

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

States Representatives

Others

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Esteban Peralta Losilla

Victims and Witnesses Unit

Others

**Victims Participation and
Reparations Section**

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

NOTING the “Enregistrement de la désignation de Maître Catherine Mabilie en qualité de conseil adjoint dans l'équipe de la défense de M. Aimé Kilolo Musamba” dated 10 February 2014¹;

NOTING the “Demande de Me Catherine Mabilie afin d'être autorisée à se retirer du dossier en qualité de Conseil adjoint *pro bono* de Mr Aimé Kilolo Musamba” dated 8 April 2014 (“Request”)², wherein Catherine Mabilie informs the Chamber that her mandate has been terminated by Aimé Kilolo Musamba and, accordingly, requests leave to withdraw from the case;

NOTING the “Annexe A confidentielle” to the Request, dated 2 April 2012, wherein Aimé Kilolo Musamba declares, in a signed manuscript paper, the termination of the mandate of Catherine Mabilie³;

NOTING article 67 of the Statute, rules 20, 21 and 22 of the Rules of Procedure and Evidence and regulations 23*bis* and 78(1) of the Regulations of the Court;

CONSIDERING that, since Catherine Mabilie was appointed as “Conseil adjoint” in the defence team for Aime Kilolo Musamba, the termination of her mandate does not affect either the continuity of his representation or his ability to fully exercise his rights under article 67 of the Statute;

NOTING that, although the Request and the Annex thereto are filed as confidential, no factual or legal basis has been stated as warranting the chosen classification;

CONSIDERING that, whilst the confidentiality of the reasons leading to a change of counsel or of the composition of a defence team might be warranted,

¹ ICC-01/05-01/13-178.

² ICC-01/05-01/13-321-Conf.

³ ICC-01/05-01/13-321-Conf-AnxA.

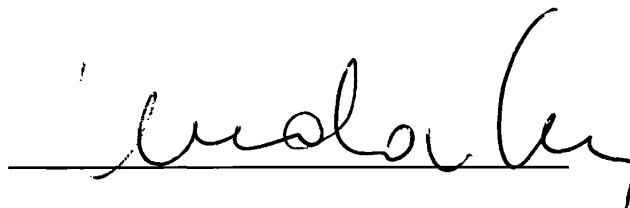
there are no reasons justifying the confidentiality of amendments to the composition of a defence team;

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

DECIDES that the Request (ICC-01/05-01/13-321-Conf) shall be reclassified as public;

GRANTS leave to Catherine Mabile, Defence counsel *pro bono* for Aimé Kilolo Musamba, to withdraw from the case.

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

A handwritten signature in black ink, appearing to read 'Cuno Tarfusser', is written over a horizontal line.

Judge Cuno Tarfusser
Single Judge

Dated this Friday, 11 April 2014

The Hague, The Netherlands