



Original: **English**

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

Date: 16 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

**Decision seeking the views of the Prosecutor for the purposes of the review of the
detention of the suspects pursuant to rule 119(3) of the Rules of Procedure and
Evidence**

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

Paul Djunga Mudimbi

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

Competent authorities of:
The Kingdom of the Netherlands
The Democratic Republic of the Congo
The Kingdom of Belgium
The French Republic
The United Kingdom of Great Britain
and Northern Ireland

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel, Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

Patrick Craig

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

NOTING the “Warrant of arrest for Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidele Babala Wandu and Narcisse Arido” issued on 20 November 2013¹;

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”² dated 26 September 2014;

NOTING the “Transmission of the observations submitted by the Belgian, Dutch, French, Congolese and British 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’” submitted by the Registrar on 10 October 2014³;

NOTING the “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’” dated 15 October 2014⁴;

NOTING articles 21, 58(1), 60(3), 60(4) and 67(1) of the Statute, rules 118(1), (2) and (3), 119(1) and (3) of the Rules of Procedure and Evidence and regulation 51 of the Regulations of the Court;

CONSIDERING that the Chamber is reviewing *motu proprio* the state of detention of the suspects and that, while it has already received observations from each of the requested States, rule 119(3) of the Rules requires it to seek the Prosecutor’s views before imposing or amending any conditions restricting liberty;

CONSIDERING that it is necessary that this review be completed on an expedited basis;

¹ ICC-01/05-01/13-1-Red2-tENG.

² ICC-01/05-01/13-683.

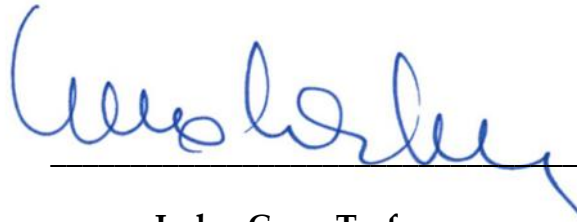
³ ICC-01/05-01/13-691+Conf-Anxs.

⁴ ICC-01/05-01/13-694+Anxs.

FOR THESE REASONS, THE SINGLE JUDGE

ORDERS the Prosecutor to submit her views, if any, by **Monday 20 October 2014** at **12 hours**.

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



Judge Cuno Tarfusser

Single Judge

Dated this Thursday, 16 October 2014

The Hague, The Netherlands