

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 20 May 2014

Date of public redacted version: 06 January 2017

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 redacted version of
Decision on the "Requête aux fins de levée du gel des avoirs de M. Aimé Kilolo
Musamba"

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

The Office of the Prosecutor Counsel for Jean-Pierre Bemba Gombo

**Counsel for Aimé Kilolo Musamba
Ghislain Mabanga**

**Counsel for Jean-Jacques Mangenda
Kabongo**

Counsel for Fidèle Babala Wandu

Counsel for Narcisse Arido

**Legal Representatives of
Victims**

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

States Representatives

REGISTRY

Registrar

Herman von Hebel

Detention Section

Victims and Witnesses Unit

Others

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

NOTING the "Requête aux fins de levée du gel des avoirs de M. Aimé Kilolo Musamba" submitted on 24 April 2014, whereby the Defence for Aimé Kilolo requests:

"o Le cas échéant, de demander au Greffe de confirmer [REDACTED]

o D'autoriser que M. Kilolo retire de son compte [REDACTED]

o De lever le gel universel qui a été effectué sur les avoirs de M. Kilolo sans distinction aucune ;

o D'autoriser la levée du gel de [REDACTED] *; ainsi que son* [REDACTED] *, tous ouverts auprès de la banque* [REDACTED] *;*

o Alternativement, d'autoriser de retirer mensuellement la somme, et à concurrence des fonds disponibles, [REDACTED]

"1

NOTING that, as stated in the Annex 3 to the "Registry's transmission of a report from the Kingdom of Belgium concerning the freezing of assets belonging to Mr. Aimé Kilolo Musamba"² (the "Registry's report"), the [REDACTED] [REDACTED], of Mr Kilolo have already been released from seizure, according to art. 46 *quarter* §2 and articles 37 §2 *et seq.* of the Belgian *Code d'instruction criminelle*;

¹ ICC-01/05-01/13-359-Conf-Exp.

² ICC-01/05-01/13-152-Conf-Exp-Anx3.

NOTING further that according to the Registry's report³ and related annexes⁴ no other assets belonging to Aimé Kilolo are still under seizure and that, accordingly, they are already in Aimé Kilolo's availability;

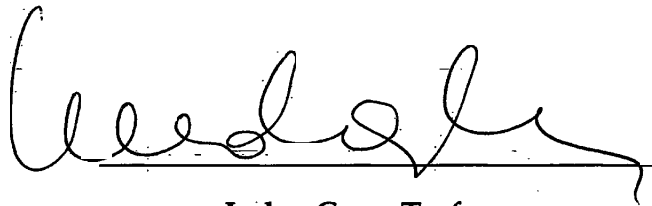
CONSIDERING therefore that the request is moot;

FOR THESE REASONS, THE SINGLE JUDGE

DÉCIDES that the document ICC-01/05-01/13-152-Conf-Exp and the related Annexes shall be reclassified as confidential *ex parte* only available to Registry, Office of the Prosecutor and Defence for Aimé Kilolo;

DISMISSES Mr Kilolo's Defence Request.

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



Judge Cuno Tarfusser

Single Judge

Dated this Tuesday, 20 May 2014

The Hague, The Netherlands

³ ICC-01/05-01/13-152-Conf-Exp.

⁴ ICC-01/05-01/13-152-Conf-Exp-Anx1, ICC-01/05-01/13-152-Conf-Exp-Anx2, ICC-01/05-01/13-152-Conf-Exp-Anx3.