

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 21 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**

Confidential *ex parte*, only available to the Prosecutor and the Registrar

Order on the filing of documents in the record of the case

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

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States Representatives

REGISTRY

Registrar

Herman von Hebel

Detention Section

Victims and Witnesses Unit

Others

**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 responsible for addressing and determining the issues arising in connection with the Prosecutor's "Request for Judicial Assistance to Obtain Evidence for Investigation under Article 70" dated 3 May 2013;²

NOTING the "Decision on the Prosecutor's 'Request for judicial order to obtain evidence for investigation under Article 70'" dated 29 July 2013 (the "Decision"),³ whereby the Single Judge, inter alia, (i) authorised the Prosecutor to seize the relevant authorities of Belgium and the Netherlands, with a view to collecting logs and recordings of telephone calls relevant to the investigation and (ii) appointed Mr Fidel Nsita Luvengika as independent counsel tasked with reviewing the logs of relevant telephone calls made available by the relevant authorities;

NOTING that on 15 October 2013 and on 19 November 2013 the Dutch judicial authorities transmitted to the Single Judge the reports, documents and CDs concerning the technical investigative activities carried out by them further to the Decision, which reports, documents and CDs are attached to this order as confidential, ex parte Annexes A (Report and Annexes of 15 October 2013) and B (Report and Annexes of 19 November 2013);

CONSIDERING that these reports, documents and CDs pertain to the proceedings in the present case and are of relevance for the investigation under article 70;

¹ ICC-01/05-45-Conf-Exp.

² ICC-01/05-44-Conf-Exp.

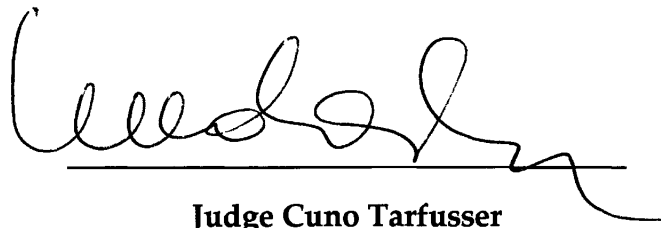
³ ICC-01/05-52-Conf-Exp.

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

ORDERS

the Registrar to file the reports, documents and CDs attached to this order as confidential, ex parte Annexes A and B in the record of the case *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido* as “confidential, ex parte Prosecutor and Registrar”.

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



Judge Cuno Tarfusser
Single Judge

Dated this Thursday, 21 November 2013

The Hague, The Netherlands