

**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**

Fatou Bensouda

James Stewart

**Counsel for the Defence**

**Legal Representatives of Victims**

**Unrepresented Victims**

**The Office of Public Counsel for  
Victims**

**States Representatives**

**Legal Representatives of Applicants**

**Unrepresented Applicants for  
Participation/Reparation**

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

## **REGISTRY**

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**Registrar**

Herman von Hebel

**Detention Section**

**Victims and Witnesses Unit**

**Victims Participation and  
Reparations Section**

**Others**

**I, Judge Cuno Tarfusser**, having been designated <sup>1</sup> 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»);<sup>2</sup>

**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;

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<sup>1</sup> ICC-01/05-45-Conf-Exp.

<sup>2</sup> 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.




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**Judge Cuno Tarfusser**  
**Single Judge**

Dated this Monday, 25 November 2013

The Hague, The Netherlands