

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 10 January 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 Document

With six confidential annexes

**Report of the Registry on the "Decisions requesting observations on the 'Requête
urgente de la défense
sollicitant la mise en liberté provisoire de monsieur Fidèle Babala Wandu'"**

Source: The Registry

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

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States' Representatives

Competent authorities of the
Kingdom of the Netherlands

Competent authorities of the
Democratic Republic of the
Congo

REGISTRY

Registrar

Herman von Hebel

Deputy Registrar

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRY of the International Criminal Court (the “Court”):

NOTING the “Warrant of arrest for Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido” issued on 20 November 2013;¹

NOTING the “Requête urgente de la Défense sollicitant la mise en liberté provisoire de Monsieur Fidèle Babala Wandu” dated 12 December 2013 (“Fidèle Babala's Defence Application”);²

NOTING the “Decisions requesting observations on the ‘Requête urgente de la défense sollicitant la mise en liberté provisoire de monsieur Fidèle Babala Wandu’” dated 13 December 2013 (the “Decision”);³

NOTING article 60(2) of the Rome Statute, rule 118 of the Rules of Procedure and Evidence and regulation 51 of the Regulations of the Court;

CONSIDERING that the Chamber requested the relevant authorities of the Kingdom of the Netherlands and the relevant authorities of the Democratic Republic of the Congo to submit their views on Fidèle Babala's Defence Application for interim release to the Democratic Republic of the Congo no later than Friday 3 January 2014;⁴

¹ ICC-01/05-01/13-1-Red2-tENG

² ICC-01/05-01/13-1-38

³ ICC-01/05-01/13-40

⁴ ICC-01/05-01/13-40

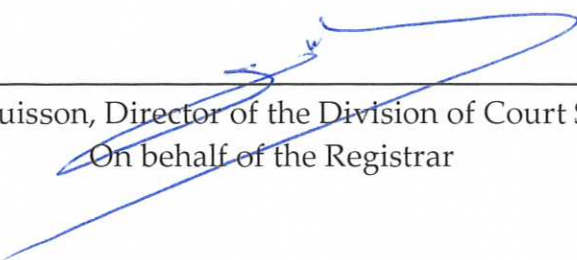
CONSIDERING that upon request of the Democratic Republic of Congo making reference to the delayed transmission of the French translation of the Decision, the Single Judge granted an extension of deadline until 9 January 2014;

INFORMS the Chamber as follows:

1. On 17 December 2013, a note verbale was sent transmitting the Decision to the Ministry of Foreign Affairs of the Kingdom of the Netherlands.
2. On 17 December 2013, a note verbale was sent transmitting the Decision to the "Parquet Général" of the Democratic Republic of the Congo.
3. On 30 December 2013, a reply was sent by the Ministry of Foreign Affairs of the Kingdom of the Netherlands. It was only received by the Registry on 4 January 2014.
4. On 3 January 2014, a note verbale transmitting the French version of the Decisions was sent to the "Parquet Général" of the Democratic Republic of the Congo.
5. On 8 January 2014 at 11.55 pm, a reply was sent by the Ministry of Justice and Human Rights transmitting the observations of the Democratic Republic of the Congo on Fidèle Babala's Defence Application.
6. On 9 January 2014 at 20.20 pm, complementary observations on Fidèle Babala's Defence Application were sent by the Ministry of Justice and Human Rights.
7. The present filing is classified public in line with the level of classification of the Decision. The first three annexes are classified confidential as they make reference to names and contact details of staff members of the Court and of public servants of the Kingdom of the Netherlands and of the Democratic Republic of the Congo. The last three annexes are classified confidential as neither the Democratic Republic of the Congo nor the Netherlands indicated whether their observations could be made public.

TRANSMITS in annexes:

- The note verbale sent to the Ministry of Foreign Affairs of the Kingdom of the Netherlands on 17 December 2013 (Annex 1 – Confidential);
- The note verbale sent to the “Parquet Général” of the Democratic Republic of the Congo on 17 December 2013 (Annex 2 – Confidential);
- The note verbale sent to the “Parquet Général” of the Democratic Republic of the Congo on 3 January 2014 (Annex 3 – Confidential);
- The observations sent by the Ministry of Foreign Affairs of the Kingdom of the Netherlands on 30 December 2013 (Annex 4 – Confidential);
- The observations sent by the Ministry of Justice and Human Rights of the Democratic Republic of the Congo on 8 January 2014 (Annex 5 – Confidential);
- The complementary observations sent by the Ministry of Justice and Human Rights of the Democratic Republic of the Congo on 9 January 2014 (Annex 6 – Confidential).

RESPECTFULLY SUBMITTED.

Marc Dubuisson, Director of the Division of Court Services
On behalf of the Registrar

Dated this 10 January 2014

At The Hague, The Netherlands