

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 14 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*

Confidential

Order requesting observations from the Registry on the “Demande en autorisation d’appel de la décision ICC-01/05-01/48 conf du 17 décembre 2013 sur la requête du Procureur de soumettre les conversations téléphoniques entre Messieurs BEMBA et MANGENDA au ‘Conseil indépendant’” submitted by the Defence for Mr Mangenda

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

Florence Darques Lane

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Jean-Pierre Kilenda Kakengi Basila

Counsel for Jean-Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Prof Jean-Pierre Fofé Djofia Malewa

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

Others

REGISTRY

Registrar

Herman von Hebel

Detention Section

Victims and Witnesses Unit

Others

**Victims Participation and
Reparations Section**

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

NOTING the “Demande en autorisation d’appel de la decision ICC-01/05-01/48 conf du 17 décembre 2013 sur la requête du Procureur de soumettre les conversations téléphoniques entre Messieurs BEMBA et MANGENDA au ‘Conseil indépendant’” filed on 13 January 2014,¹ whereby by the Defence for Mr Mangenda submits inter alia having had access to the “Decision on the “Prosecution's request for recordings of telephone calls between Messrs Bemba and Mangenda to be referred to Independent Counsel” dated 17 December 2013² only on 10 January 2014 and requests leave to appeal the said decision “(Defence Application”);

NOTING that, more broadly, the Defence for Mr Mangenda refers to and relates a number of technical obstacles resulting in its only having access to the court records of the case as of 10 January 2014,

CONSIDERING it necessary, for the purposes of deciding on the Defence Application, that the Registrar promptly submit his observations on the Defence Application, in particular as regards the issue of Counsel for Mr Mangenda's access to the record of the case;

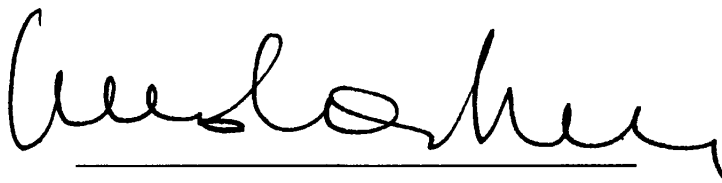
¹ ICC-01/05-01/13-86-Conf.

² ICC-01/05-01/13-48-Conf.

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

ORDERS the Registrar to submit observations on the Defence Application by Thursday 16 January 2014.

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

A handwritten signature in black ink, appearing to read 'Cuno Tarfusser', written over a horizontal line.

Judge Cuno Tarfusser

Single Judge

Dated this Tuesday, 14 January 2014

The Hague, The Netherlands