

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 18 February 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, ex parte Prosecutor, Registrar and Defence for Mr Kilolo
Decision requesting observations from the Counsel Support Section on the
“Prosecution submission on the appointment of Defence Counsel” for Aimé
Kilolo Musamba

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

Counsel for Jean-Pierre Bemba Gombo

Counsel for Aimé Kilolo Musamba

Ghislain Mabanga

Counsel for Jean-Jacques Mangenda Kabongo

Counsel for Fidèle Babala Wandu

Legal Representatives of Victims

Legal Representatives of Applicants

**The Office of Public Counsel for
Victims**

The Office of Public Counsel for the Defence

States Representatives

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Esteban Peralta Losilla

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

NOTING the confidential, ex parte "Prosecution Submission on the appointment of Defence Counsel" dated 7 February 2014, whereby the Prosecutor objects to the appointment of Ghislain Mabanga as Counsel for Aimé Kilolo Musamba in this case, in light of his former representation of "several clients in a substantially related case" ("Prosecutor's Submission");¹

NOTING the "Réponse de la Défense à la 'Prosecution submission on the appointment of the Defense Counsel' (ICC-01/05-01/13-157-Conf-Exp)" submitted on 14 February 2014 by the Defence for Mr Kilolo;²

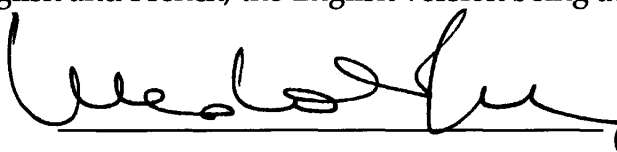
NOTING regulation 24bis of the regulations of the Court;

CONSIDERING that, in light of the subject-matter of the Prosecutor's Submission, it is appropriate that the Counsel Support Section be given an opportunity to submit their observations on it;

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

ORDERS the Counsel Support Section to submit their observations to the Prosecutor's Submission by Tuesday, 25 February 2014.

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



Judge Cuno Tarfusser
Single Judge

Dated this Tuesday, 18 February 2014
The Hague, The Netherlands

¹ ICC-01/05-01/13-157-Conf-Exp.

² ICC-01/05-01/13-193-Conf-Exp.