

**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***

Public

With one confidential annex

**Second 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

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Florence Darques Lane

Counsel for the Defence

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Ghislain Mabanga

Catherine Mabilille

Counsel for Jean-Jacques Mangenda

Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

States' Representatives

Competent authorities of the
Kingdom of the Netherlands

Competent authorities of the
Democratic Republic of the
Congo

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

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 “Decisions”);³

NOTING the “*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’*” dated 10 January 2014 ;⁴

NOTING article 60(2) of the Rome Statute, rule 118 of the Rules of Procedure and Evidence, regulation 51 of the Regulations of the Court and Regulation 24 *bis* 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

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-01/05-01/13-78

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 2014.⁵

CONSIDERING that the Registry sent a note verbale transmitting the Decisions to the “Parquet Général” of the Democratic Republic of the Congo on 17 December 2013⁶ and a second one on 3 January 2014⁷ transmitting the French version of the Decision;

CONSIDERING that upon request of the Congolese authorities, the Single Judge granted an extension of deadline until 9 January 2014;

CONSIDERING that the Ministry of Justice and Human Rights transmitted the observations of the Democratic Republic of the Congo on 8 January 2014 and 9 January 2014;

INFORMS the Chamber as follows:

1. On 17 February 2014, the Parquet Général of the Democratic Republic of the Congo sent new observations on Mr. Babala's Defence Application. The Congolese authorities indicated that they would like to request the Chamber to take into account these observations despite their late submission. (Annex 1 – confidential).

⁵ ICC-01/05-01/13-40

⁶ NV/2013/3148/ab/ak

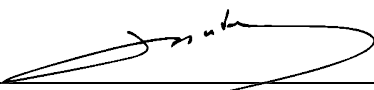
⁷ NV/2013/3166/AB

2. The present filing is classified public in line with the level of classification of the Decision. The annex is classified confidential at the request of the authorities from the Republic of the Democratic Republic of the Congo.

TRANSMITS in annex:

- The new observations submitted by the Parquet Général of the Democratic Republic of the Congo on 17 February 2014 (Annex 1 – Confidential).

RESPECTFULLY SUBMITTED.



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

Dated this 18 February 2014

At The Hague, The Netherlands