

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **French**

No. ICC-01/05-01/13

Date: 28 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

With 3 confidential annexes and 1 public annex

Registry's Report on Mr Mangenda Kabongo's Application for Release

Source: Registry

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

Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Ghislain Mabanga

Counsel for Jean-Jacques Mangenda

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

Office of Public Counsel for Victims

**Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

THE REGISTRAR of the International Criminal Court (“the Court”),

NOTING the arrest warrant for Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido, issued by Pre-Trial Chamber II (“the Chamber”) on 20 November 2013¹ and made public on 28 November 2013;²

NOTING Mr Mangenda Kabongo’s “Application for release” filed on 8 January 2014;³

NOTING Pre-Trial Chamber II’s 9 January 2014 *Decision requesting observations on the “Requête de mise en liberté” submitted by the Defence for Jean-Jacques Mangenda Kabongo*⁴ (“the Decision”);

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;

WHEREAS the Chamber invited “the (...) authorities of the Kingdom of the Netherlands and the (...) authorities of the United Kingdom [to] submit their views on Mr Mangenda’s Defence Application no later than Friday 24 January 2014”;⁵

¹ ICC-01/05-01/13-1-US-Exp.

² ICC-01/05-01/13-1-Red2.

³ ICC-01/05-01/13-71.

⁴ ICC-01/05-01/13-73.

⁵ ICC-01/05-01/13-73

INFORMS the Chamber as follows:

1. On 13 January 2014, the Registry sent a note verbale to the Embassy of the United Kingdom of Great Britain and Northern Ireland inviting the United Kingdom authorities to submit their views no later than 24 January 2014 (Annex 1).
2. On 13 January 2014, the Registry sent a note verbale to the Dutch authorities inviting them to submit their views no later than 24 January 2014 (Annex 2).
3. On 24 January 2014, the United Kingdom authorities submitted their views in a note verbale (Annex 3), informing the Chamber that the charges against Mr Mangenda Kabongo would be taken into account by the relevant authorities in the event of an application for entry onto their territory.
4. On 27 January 2014, the Dutch authorities submitted their views in a note verbale (Annex 4).
5. The present report is classified as public, having regard to the level of confidentiality of the Decision. Annexes 1, 2 and 4 are classified as confidential, as they amount to official communications between a State and the Court and contain references to members of the Court staff and the various authorities. Annex 3 is classified as public, as per the request of the United Kingdom authorities.

SUBMITS the following annexes:

- The note verbale dated 3 January 2014 to the Embassy of the United Kingdom of Great Britain and Northern Ireland and the Dutch authorities, and the memorandum of notification (Annex 1 – confidential);
- The note verbale dated 13 January 2014 to the Dutch authorities and the memorandum of notification (Annex 2 – confidential);

- The note verbale dated 24 January 2014 from the Embassy of the United Kingdom of Great Britain and Northern Ireland (Annex 3 – public); and
- The note verbale dated 27 January 2014 from the Dutch authorities (Annex 4 – confidential).

[signed]

Marc Dubuisson
Director of the Division of Court Services
for the Registrar

Dated this 28 January 2014

At The Hague, The Netherlands