

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13

Date: 1 August 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 two confidential annexes and one annex confidential ex parte Defense of
Mr Kilolo Musamba only**

**Transmission of the observations submitted by the Belgium authorities on the
"Decision requesting the Kingdom of Belgium to provide its views for the
purposes of the review of Aimé Kilolo Musamba's and Jean-Jacques Mangenda's
detention pursuant to article 60(3) of the Statute"**

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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REGISTRY

Registrar

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Victims and Witnesses Unit

Detention Section

Patrick Craig

**Victims Participation and Reparations
Section**

Other

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

NOTING the “*Observations en application de la décision ICC-01/05-01/13-495 13-06-2014 quant à la détention préventive – demande de mise en liberté, en ordre subsidiaire demande de mise en liberté provisoire*” submitted by the Defence for Mr Mangenda on 30 June 2014 (« Mr Mangenda’s Observations »);¹

NOTING the “*Defence Observations on the Continued Detention of Aimé Kilolo Musamba pursuant to ICC-01/05-01/13-495*” submitted by the Defence for Mr Kilolo on 30 June 2014 (« Mr Kilolo’s Observations »);²

NOTING the “*Decision requesting the Kingdom of Belgium to provide its views for the purposes of the review of Aimé Kilolo Musamba’s and Jean-Jacques Mangenda’s detention pursuant to article 60(3) of the Statute*” issued by the Pre-Trial Chamber II on 4 July 2014 (the “Decision”);³

NOTING article 87(l) (a) and 93 (l)(k) of the Rome Statute, rule 176(2) of the Rules of Procedure and Evidence and regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that the Chamber requested the relevant authorities of the Kingdom of Belgium to submit their views on Mr Mangenda’s and on Mr Kilolo’s Observations no later than Friday 25 July.⁴

¹ ICC-01/05-01/13-523-Conf

² ICC-01/05-01/13-528-Conf-Exp

³ ICC-01/05-01/13-540

⁴ ICC-01/05-01/13-540, page 5

INFORMS the Chamber as follows:

1. The Registry sent a note verbale transmitting Mr Kilolo's Observations to the Belgian authorities on 3 July 2014 (Annex 1);
2. The Registry sent a note verbale transmitting the Decision to the Belgian authorities and Mr Mangenda's Observations on 8 July 2014 (Annex 1);
3. The Registry sent a note verbale transmitting the French version of the Decision and Mr Kilolo's Observations to the Belgian authorities on 11 July 2014 (Annex 1);
4. On 23 July 2014, the Belgian authorities sent their views on both Observations (Annexes 2 and 3). Because of a technical problem, the Registry only received the said documents on 30 July 2014 when they were sent again by the Belgian authorities. The technical services of the Registry are currently investigating why the e-mails were not received in the first place.
5. The present filing is classified public in line with the level of classification of the Decision. Annex 1 is confidential as it makes reference to official communications between the Registry and a State and makes reference to names and contact details of staff members of the Court. Annex 2 is confidential in line with the classification of Mr Mangenda's Observations. Annex 3 is confidential ex parte only available to the Defence of Mr Kilolo in line with in line with the classification of Mr Kilolo's Observations.
6. The Belgian authorities indicated that their observations were to be classified confidential but they will present no observations if the Chamber decided to reclassify it as Public.

TRANSMITS in annexes:

- The notes verbales sent to the Belgian authorities dated 3, 8 and 11 July 2014 (Annex 1 - Confidential);
- The observations submitted by the Belgian authorities on 23 July 2014 concerning Mr. Magenda (Annex 2 - Confidential).
- The observations submitted by the Belgian authorities on 23 July 2014 concerning Mr. Kilolo (Annex 3 - confidential ex parte Defense of Mr Kilolo only).

RESPECTFULLY SUBMITTED.



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

Dated this 1 August 2014

At The Hague, The Netherlands