

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 28 November 2013

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

With six confidential annexes *ex parte* only available to the Registry

**Registry's Information to the Chamber on the arrest and surrender of Mr Aimé
KILOLO MUSAMBA**

Source: The Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Counsel for Mr Aimé Kilolo Musamba

Mr. Jean-Pierre Kilenda

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registry of the International Criminal Court (the "Court");

NOTING the *"Mandat d'arrêt à l'encontre de Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu et Narcisse Arido"* rendered by the Single Judge on 20 November 2013;¹

NOTING the *"Request for cooperation to the Kingdom of the Netherlands in relation to Article 70 of the Rome Statute"* submitted by the Registrar on 20 November 2013;²

NOTING the *"Demande de coopération adressée au Royaume de Belgique dans le cadre d'atteintes définies à l'article 70 du Statut de Rome"* submitted by the Registrar on 20 November 2013;³

NOTING the *"Decision setting the date for the first appearance of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba and Fidèle Babala, and on issues relating to the publicity of the proceedings"* rendered by the Single Judge on 25 November 2013;⁴

NOTING articles 89 and 91 of the Rome Statute, rules 117, 176(2) and 184 of the Rules of Procedure and Evidence and regulations 23bis and 24bis of the Regulations of the Court;

CONSIDERING that the *"Mandat d'arrêt à l'encontre de Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu et Narcisse Arido"* and the *"Request for cooperation to the Kingdom of the Netherlands in relation to Article 70"*

¹ ICC-01/05-01/13-1-US-Exp.

² ICC-01/05-01/13-2-US-Exp.

³ ICC-01/05-01/13-4-US-Exp.

⁴ ICC-01/05-01/13-11.

of the Rome Statute” were notified to the competent authorities of the Kingdom of the Netherlands on 20 November 2013 at 21.51 hours *via* email and the official notification of the above-mentioned two documents was made to the competent Dutch authorities on 21 November 2013;⁵

CONSIDERING that the *“Mandat d’arrêt à l’encontre de Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu et Narcisse Arido”* and the *“Demande de coopération adressée au Royaume de Belgique dans le cadre d’atteintes définies à l’article 70 du Statut de Rome”* were notified to the competent authorities of the Kingdom of Belgium on 20 November 2013 at 21.56 hours *via* email and the official notification of the above-mentioned two documents was made to the competent Belgian authorities on 21 November 2013;⁶

CONSIDERING that Mr. Kilolo was arrested by the Belgian authorities on 23 November 2013 at 08.00 hours and he had been held in the custody of the Kingdom of Belgium after his arrest;

CONSIDERING that the Belgian authorities transferred the custody of Mr. Aimé Kilolo Musamba (“Mr. Kilolo”) to the Court at 17.15 hours on 25 November 2013 at the border between the Kingdom of the Netherlands and the Kingdom of Belgium, and the relevant surrender documentations were transmitted to the Registry:

- i. the identification document of Mr. Kilolo, namely an identity card issued by the Belgian authorities bearing the number [REDACTED]

⁵ Annex1, Note verbale and Procès-verbal de notification to the Kingdom of the Netherlands.

⁶ Annex2, Note verbale and Procès-verbal de notification to the Kingdom of Belgium.

⁷ Annex3, Attestation de detention Copy of the identity card of Mr. Kilolo issued by the Belgian authorities bearing the number [REDACTED]

- ii. the "Attestation de détention" confirming the detention of Mr. Kilolo by the Belgian authorities as of 23 November 2013 at 08.00 hours;⁸ and
- iii. the "Déclaration de remise" declaring the transfer of the custody of Mr. Kilolo from Belgian authorities to the ICC on 25 November 2013 at 17.15 hours;⁹

CONSIDERING that the Mr. Kilolo arrived at the ICC Detention Centre at 18.46 hours on 25 November 2013;

CONSIDERING that the Registrar has ensured that Mr. Kilolo received a folder containing the Court's basic legal documents upon admission to the ICC Detention Centre on 25 November 2013 and the procedure established pursuant to regulation 186 of the Regulations of the Registry was followed;¹⁰

CONSIDERING that Mr. Kilolo was subject to a medical examination upon his admission to the ICC Detention Centre on 25 November 2013 in accordance with regulation 190 of the Regulations of the Registry;

NOTING that the Registrar has proceeded to undertake the necessary steps and arrangements to ensure the surrender and transfer of Mr. Kilolo to the Court;

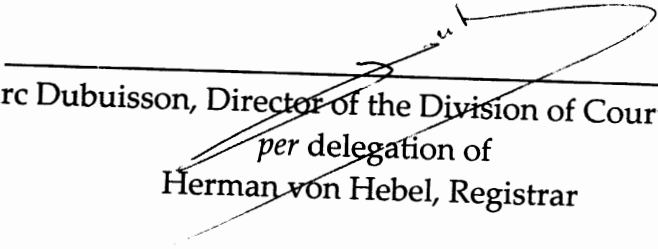
HEREBY declares that the Registrar has met his obligations in respect of the arrest of Mr. Kilolo;

⁸ Annex 4, Attestation de détention.

⁹ Annex 5, Déclaration de remise.

¹⁰ Annex 6, Report on the arrival of the arrested person in the Host State.

SUBMITS the present document as confidential, with confidential *ex parte* annexes only available to the Registry, as they contain confidential information.



Marc Dubuisson, Director of the Division of Court Services
per delegation of
Herman von Hebel, Registrar

Dated this 28 November 2013

At The Hague in The Netherlands