

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 20 May 2014

Date of public redacted version: 06 January 2017

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 redacted version of
Decision on the “*Requête aux fins de levée du gel des avoirs de M. Aimé Kilolo Musamba*”

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

The Office of the Prosecutor Counsel for Jean-Pierre Bemba Gombo

**Counsel for Aimé Kilolo Musamba
Ghislain Mabanga**

**Counsel for Jean-Jacques Mangenda
Kabongo**

Counsel for Fidèle Babala Wandu

Counsel for Narcisse Arido

**Legal Representatives of
Victims**

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

States Representatives

REGISTRY

Registrar

Herman von Hebel

Detention Section

Victims and Witnesses Unit

Others

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

NOTING the "Requête aux fins de levée du gel des avoirs de M. Aimé Kilolo Musamba" submitted on 24 April 2014, whereby the Defence for Aimé Kilolo requests:

"o Le cas échéant, de demander au Greffe de confirmer [REDACTED]

o D'autoriser que M. Kilolo retire de son compte [REDACTED]

o De lever le gel universel qui a été effectué sur les avoirs de M. Kilolo sans distinction aucune ;

o D'autoriser la levée du gel de [REDACTED] *; ainsi que son* [REDACTED] *, tous ouverts auprès de la banque* [REDACTED] *;*

o Alternativement, d'autoriser de retirer mensuellement la somme, et à concurrence des fonds disponibles, [REDACTED]

"¹

NOTING that, as stated in the Annex 3 to the "Registry's transmission of a report from the Kingdom of Belgium concerning the freezing of assets belonging to Mr. Aimé Kilolo Musamba"² (the "Registry's report"), the [REDACTED] [REDACTED], of Mr Kilolo have already been released from seizure, according to art. 46 *quarter* §2 and articles 37 §2 *et seq.* of the Belgian *Code d'instruction criminelle*;

¹ ICC-01/05-01/13-359-Conf-Exp.

² ICC-01/05-01/13-152-Conf-Exp-Anx3.

NOTING further that according to the Registry's report³ and related annexes⁴ no other assets belonging to Aimé Kilolo are still under seizure and that, accordingly, they are already in Aimé Kilolo's availability;

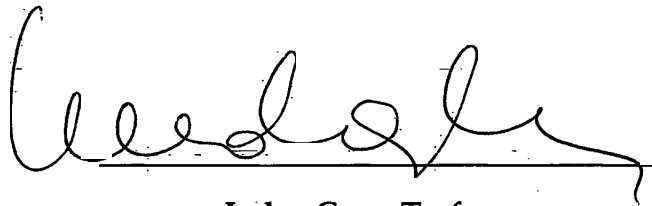
CONSIDERING therefore that the request is moot;

FOR THESE REASONS, THE SINGLE JUDGE

DÉCIDES that the document ICC-01/05-01/13-152-Conf-Exp and the related Annexes shall be reclassified as confidential *ex parte* only available to Registry, Office of the Prosecutor and Defence for Aimé Kilolo;

DISMISSES Mr Kilolo's Defence Request.

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

A handwritten signature in black ink, appearing to read 'Cuno Tarfusser', written over a horizontal line.

Judge Cuno Tarfusser

Single Judge

Dated this Tuesday, 20 May 2014

The Hague, The Netherlands

³ ICC-01/05-01/13-152-Conf-Exp.

⁴ ICC-01/05-01/13-152-Conf-Exp-Anx1, ICC-01/05-01/13-152-Conf-Exp-Anx2, ICC-01/05-01/13-152-Conf-Exp-Anx3.