

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/08

Date: 10 July 2009

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Single Judge

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC
IN THE CASE OF
THE PROSECUTOR
V. JEAN-PIERRE BEMBA GOMBO**

Confidential

Ex parte only available to the Registry

Report of the Registrar providing feedback on the implementation of the
*"Decision on the Defence's Urgent Request concerning Mr Jean-Pierre Bemba's
Attendance of his Father's Funeral"*

Source: Registrar

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

The Office of the Prosecutor

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar
Silvana Arbia

Defence Support Section

Deputy Registrar
Didier Preira

Victims and Witnesses Unit

Detention Section
Anders Backman

**Victims Participation and Reparations
Section**

Other

THE REGISTRAR of the International Criminal Court (the "Court");

NOTING the "*Requête de Mise en liberté provisoire sous le bénéfice de l'extrême urgence en vue de permettre à Mr Jean-Pierre Bemba Gombo de participer aux funérailles de son défunt Père, Mr Jeannot Bemba Saolona*"¹, submitted by the defence on 2 July 2009;

NOTING the "*Prosecution's Response to Defence's Urgent « Requête de Mise en liberté provisoire sous le bénéfice de l'extrême urgence en vue de permettre à Mr Jean- Pierre Bemba Gombo de participer aux funérailles de son défunt Père, Mr Jeannot Bemba Saolona »*"² submitted by The Office of the Prosecutor on 2 July 2009;

NOTING the "*Observations des victimes a/0278/08, a/0279/08, a/0291/08, a/0292/08, a/0293/08, a/0296/08, a/0297/08, a/0298/08, a/0455/08, a/0457/08, a/0458/08, a/0459/08, a/0460/08, a/0461/08, a/0462/08, a/0463/08, a/0464/08, a/0465/08, a/0466/08 et a/0467/08 conformément à la règle 119(3) du Règlement de procédure et de preuve sur la « Requête de mise en liberté provisoire sous le bénéfice de l'extrême urgence » présentée par M. Bemba*"³ submitted by the Office of Public Counsel for Victims on 2 July 2009;

NOTING the "*Report of the Registrar pursuant to regulation 24 of the Regulations of the Court concerning the practical implications of the « Requête de Mise en liberté provisoire sous le bénéfice de l'extrême urgence en vue de permettre à Mr Jean-Pierre Bemba Gombo de participer aux funérailles de son défunt Père, Mr Jeannot Bemba Saolona »*"⁴ submitted by the Registrar on 3 July 2009;

¹ ICC-01/05-01/08-430-Conf

² ICC-01/05-01/08-434-Conf

³ ICC-01/05-01/08-435-Conf

⁴ ICC-01/05-01/08-436-Conf

NOTING the "*Decision on the Defence's Urgent Request concerning Mr Jean-Pierre Bemba's Attendance of his Father's Funeral*"⁵ issued by the Pre-Trial Chamber II (the "Chamber") on 3 July 2009;

NOTING the "*Second Report of the Registrar pursuant to regulation 24 bis of the Regulation of the Court concerning the practical implications of the "Requête de Mise en liberté provisoire sous le bénéfice de l'extrême urgence en vue de permettre à Mr Jean-Pierre Bemba Gombo de participer aux funérailles de son défunt Père, Mr Jeannot Bemba Saolona"*"⁶ submitted by the Registrar on 7 July 2009;

NOTING the "*Addendum to the Second Report of the Registrar pursuant to regulation 24 bis of the Regulation of the Court concerning the practical implications of the "Requête de Mise en liberté provisoire sous le bénéfice de l'extrême urgence en vue de permettre à Mr Jean-Pierre Bemba Gombo de participer aux funérailles de son défunt Père, Mr Jeannot Bemba Saolona"*"⁷ submitted by the Registrar on 7 July 2009;

NOTING article 60 (2) and 87 of the Rome Statute; rules 118, 119 and 176 (2) of the Rules of Procedure and Evidence; regulation 23 *bis*, 24 *bis*, 34 and 51 of the Regulations of the Court;

SUBMITS the present document classified *confidential ex parte* only available to the Registry due to its nature and current pending procedure. If the Chamber decides otherwise, the Registrar has no objection for the change of the classification of the confidentiality level with regard to the *ex parte* character of the document.

⁵ ICC-01/05-01/08-437-Conf

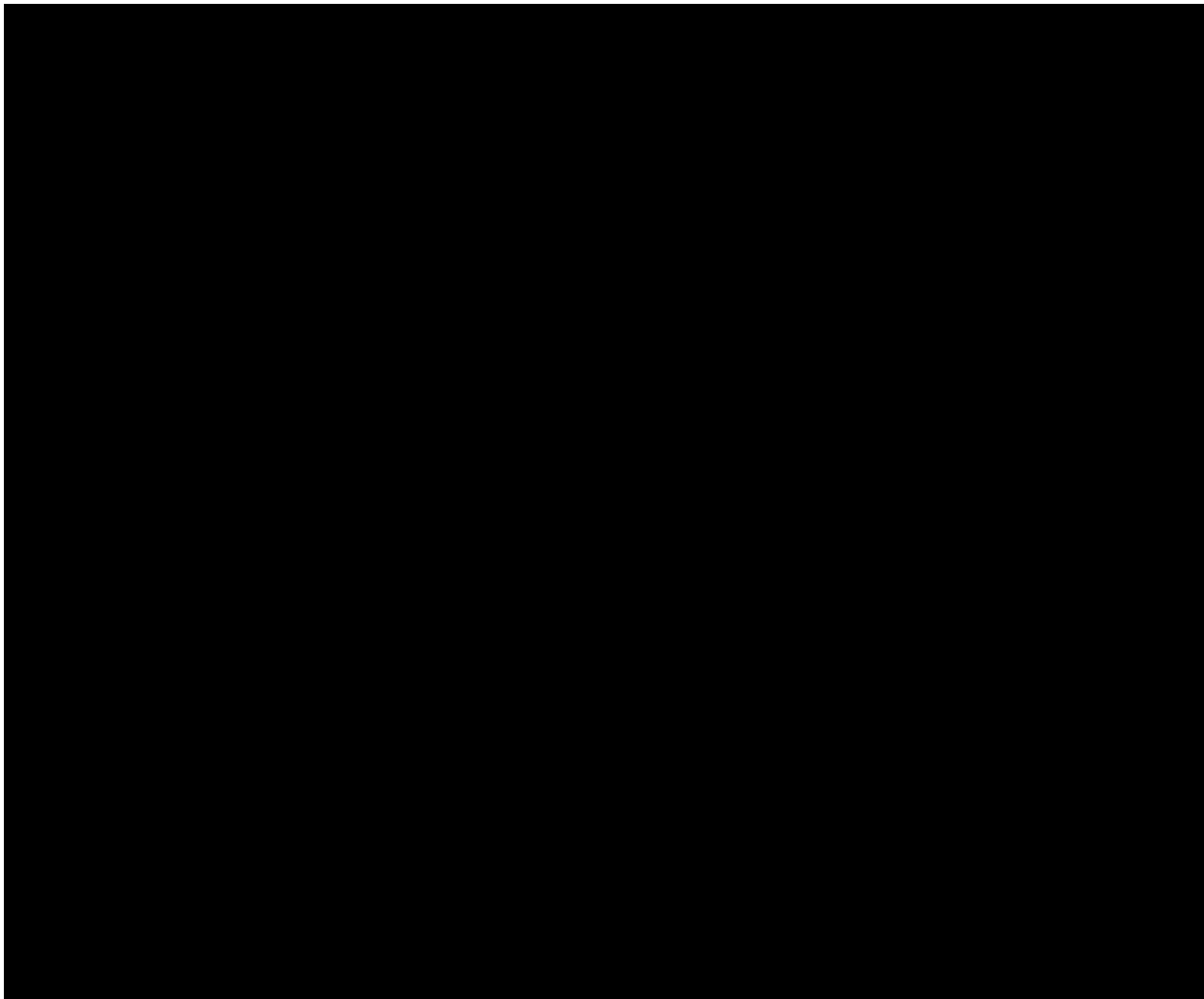
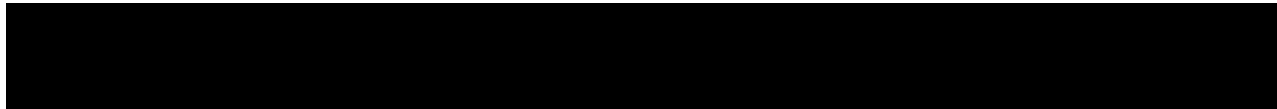
⁶ ICC-01/05-01/08-439-Conf

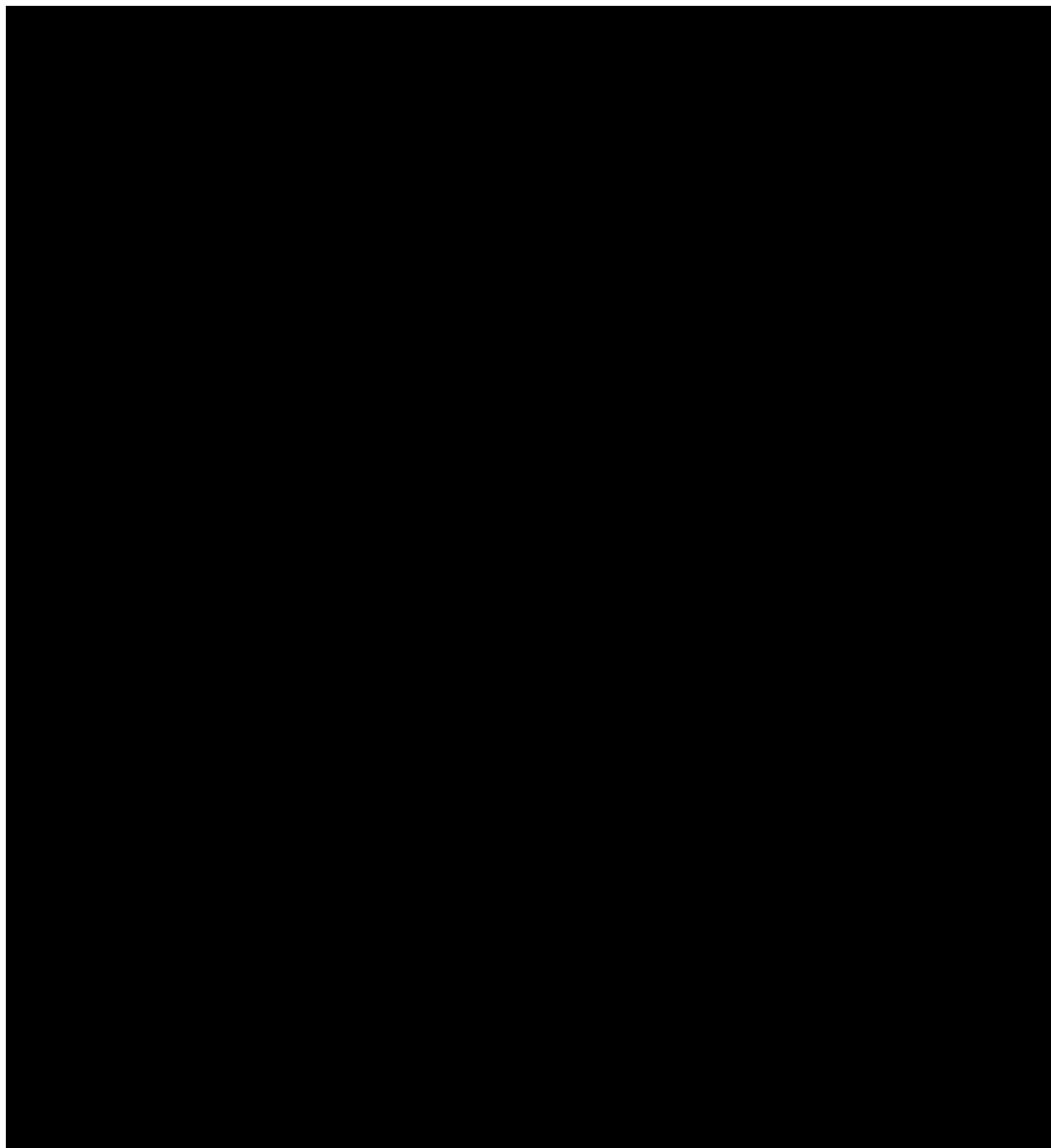
⁷ ICC-01/05-01/08-440-Conf

REPORTS to the Chamber as follows:

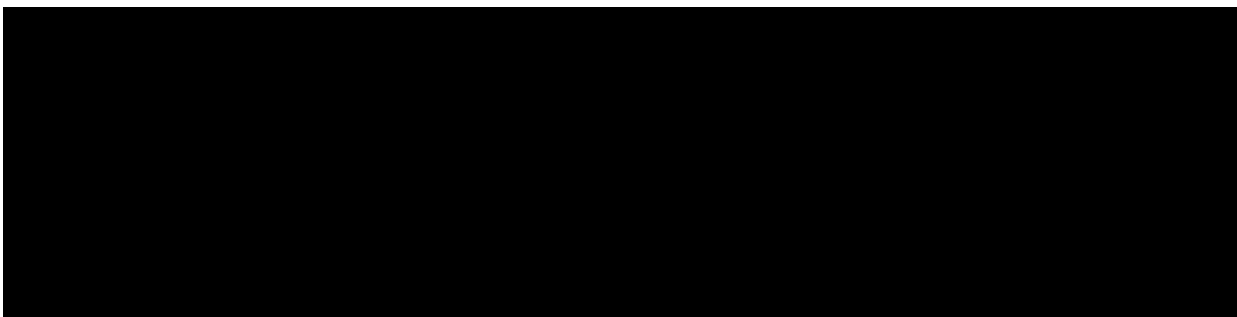
1. Implementing the *“Decision on the Defence’s Urgent Request concerning Mr Jean-Pierre Bemba’s Attendance of his Father’s Funeral”* (the Decision), the Registrar has organised the transfer of Mr. Bemba to the Kingdom of Belgium for his attendance to his father’s funeral with the cooperation of the relevant authorities of the Kingdom of the Netherlands and the Kingdom of Belgium. The transfer of Mr. Bemba took place on 8 July 2009 from 04:15 to 17:55.

Chronology of the Events





Provision of information to Mr. Bemba of the allegation of misconduct against Mr. Pierre Legros



[REDACTED]

Security Measures Taken During the Transfer

[REDACTED]

[REDACTED]

[REDACTED]

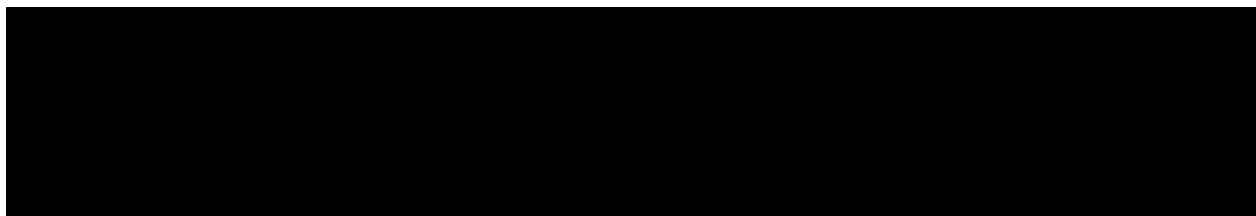
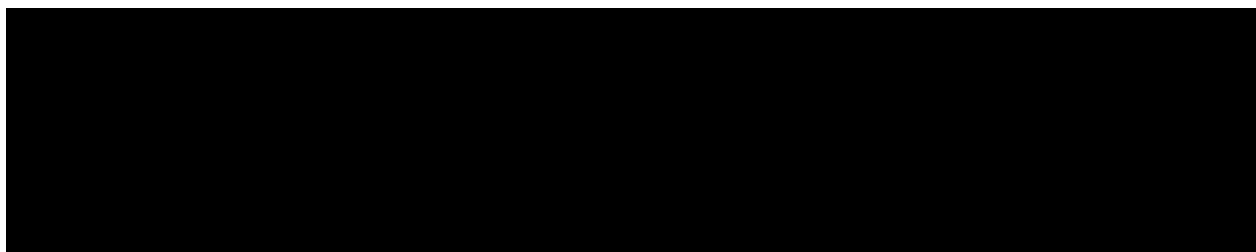
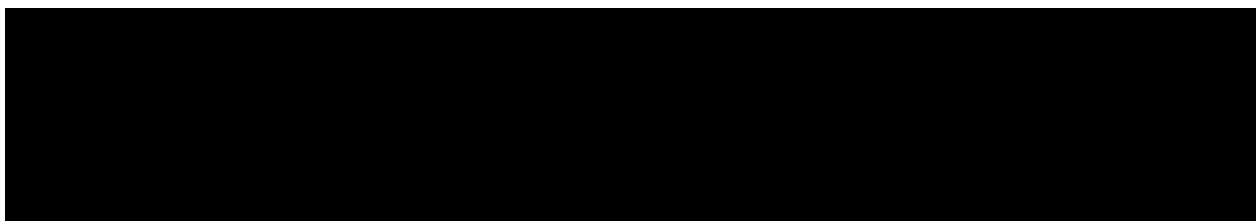
7. Mr. Bemba was authorised to make a phone call to his counsel to confirm that no incidents resulted from any action of the massive crowd of his supporters occurred after the funeral and confirmation was given by his counsel⁹.

⁸ Mr. Bemba was approved to use Mr. Marc Dubuisson's duty cell phone to make this phone call.

⁹ *Ibid*

Monitoring of the Health Condition of Mr. Bemba

8. During the entire transport, the representative of the Registry ensured that food, drinks and basic medication were at disposal of Mr. Bemba. Mr. Bemba did not request for the provision of any food, drinks and medication. His condition of health was closely observed at all time.

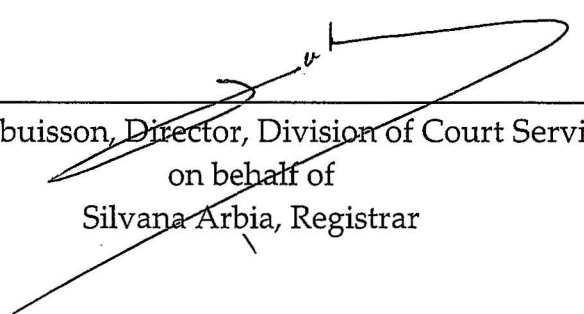


Result of the Transfer of Mr. Bemba

12. During the entire transfer, Mr. Bemba has been cooperative at all time and no conditions set up by the Chamber have been breached by him.

13. Lastly, during the entire transfer, Mr. Bemba expressed his great gratitude toward the Chamber for the *"Decision on the Defence's Urgent Request concerning Mr Jean-Pierre Bemba's Attendance of his Father's Funeral"* granting him this transfer to attend his father's funeral.

RESPECTFULLY SUBMITTED,



Marc Dubuisson, Director, Division of Court Services
on behalf of
Silvana Arbia, Registrar

Dated this 10 July 2009

At The Hague in the Netherlands