

ANNEX III

Reference: NV/2014/3402/AB

CONFIDENTIAL

The Registry of the International Criminal Court presents its compliments to the Embassy of France in the Kingdom of the Netherlands and has the honour of transmitting, the *Decision requesting observations from States for the purposes of the review of the detention of the suspects pursuant to regulation 51 of the Regulations of the Court* (ICC-01/05-01/13-638) of 26 September 2014 - in the case of Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido - for onward transmission to the relevant authorities.

In the aforementioned decision, the Chamber requests the relevant authorities of the Republic of France to submit, no later than Friday 10 October 2014, their observations on the possible conditional release of Mr Narcisse Arido into its territory and France's ability to enforce the conditions restricting liberty under rule 119(1) of the Rules of Procedure and Evidence and regulation 51 of the Regulations of the Court.

The French authorities are also requested to specify in their observations the level of classification to be applied as well as the relevant justifications for it.

For any queries, the French authorities may contact [REDACTED]

[REDACTED] by e-mail at [REDACTED] or by telephone on [REDACTED]

The Registrar of the International Criminal Court avails himself of this opportunity to renew to the Embassy of France in the Kingdom of the Netherlands the assurances of his highest consideration.

The Hague, 2 October 2014

[ICC stamp]

Embassy of France
Kingdom of the Netherlands

**Cour
Pénale
Internationale**



**International
Criminal
Court**

RECORD OF NOTIFICATION

Record of notification

Title	Dated	Registration Number
Note verbale (<i>The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido</i>)	2 October 2014	NV/2014/3402/AB
<i>Decision requesting observations from States for the purposes of the review of the detention of the suspects pursuant to regulation 51 of the Regulations of the Court</i>	26 September 2014	ICC-01/05-01/13-683
<i>Décision invitant des États à présenter des observations aux fins du réexamen de la détention des suspects en application de la norme 51 du Règlement de la Cour</i>	26 September 2014	ICC-01/05-01/13-683-tFRA

Address of recipient:

Address: Embassy of France, Anna Paulownastraat 76, 2518 BJ 'S-Gravenhage

To be completed by the person responsible for notification

I, the undersigned _____ on 02/10/2014 Time: 4:15 p.m.
At: _____ [signed]

Have notified the above-mentioned documents to the aforementioned recipient.

Comments:

This record of notification was prepared by:

First name(s) and surname: _____

Function/Title: _____

Signature: _____ [signed]

Signature of recipient: _____ [signed] 4:15 p.m.

[Emblem]
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FRENCH REPUBLIC

EMBASSY OF FRANCE IN THE NETHERLANDS

Diplomatic Chancery

[stamp: ICC-OTP, 10 OCT 2014, RECEIVED]

No. 2014-258128

The Hague, 10 October 2014

The Embassy of France in the Netherlands presents its compliments to the International Criminal Court (Registry) and has the honour to refer to its note verbale NV/2014/3402/AB of 2 October requesting the French authorities to submit, no later than 10 October, their observations for the purposes of the review of the detention of the suspects pursuant to regulation 51 of the Regulations of the Court, and in particular, on the possible conditional release of Mr Narcisse Arido into the territory of France and France's ability to enforce the conditions restricting liberty under rule 119(1) of the Rules of Procedure and Evidence and regulation 51 of the Regulations of the Court, has the honour to submit as follows.

In response to the Court's invitation, the French authorities answer in the negative to the request for Narcisse Arido's release into the territory of France which entails duties whose discharge France would be required to ensure.

In fact, Chapter IX of the Statute and French law make no provision for such cooperation.

Where a procedure for judicial supervision within the framework of a request for judicial assistance from the International Criminal Court cannot be implemented, the French authorities cannot guarantee the presentation of Mr Narcisse Arido to the Court, should he not appear. Such guarantees could not therefore depend on Mr Arido's undertakings alone.

These observations do not require any particular classification and may be made public./.

The Embassy of France in the Netherlands avails itself of this opportunity to renew to the International Criminal Court (Registry) the assurances of its highest consideration.

[Stamped: Embassy of France in the Netherlands]

International Criminal Court
Registry
The Hague

Official Court Translation