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Press Release : 21/10/2014

Bemba, Kilolo et al. case: ICC Pre-Trial Chamber II grants interim release to four suspects

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Situation: Central African Republic

Case: *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*

Today, 21 October 2014, Judge Cuno Tarfusser, Single Judge of Pre-Trial Chamber II of the International Criminal Court (ICC), reviewed *motu proprio* the detention of the suspects in the case *The Prosecutor v. Bemba, Kilolo et al.* and ordered the release of Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido.

The Chamber found that, since the reasonableness of the duration of the detention has to be balanced *inter alia* against the statutory penalties applicable to the offences at stake in these proceedings, the release was necessary to avoid that the duration of the pre-trial detention become disproportionate. In this case, in the event of conviction, the Court may impose a term of imprisonment not exceeding five years, or a fine, or both.

The four suspects, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido, will be released, respectively, to Belgium, the United Kingdom, the Democratic Republic of the Congo and France. The suspects shall appear before the Court when requested.

Pre-Trial Chamber II's decision will be implemented as soon as the ICC Registry finalises all the necessary arrangements. The Office of the Prosecutor may also appeal this decision and request suspensive effect.

Jean-Pierre Bemba, the fifth suspect in this case, will remain in detention in connection with ongoing proceedings in another case before the Court, *The Prosecutor v. Jean-Pierre Bemba Gombo*.

Background: At the ICC, detention is the exception and not the rule. The Chambers periodically reviews their rulings on the detention of a suspect, and may do so at any time. Upon such review, a Chamber may modify its ruling as to detention.

On 20 November 2013, Judge Cuno Tarfusser, Single Judge of Pre-Trial Chamber II, issued a warrant of arrest for Jean-Pierre Bemba Gombo, his lead Counsel Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo (a member of Mr Bemba's Defence team and case manager), Fidèle Babala Wandu (a member of the DRC Parliament and Deputy Secretary General of the Mouvement pour la Libération du Congo), and Narcisse Arido (a Defence witness) for offences against the administration of justice allegedly committed in connection with the case of The Prosecutor v. Jean-Pierre Bemba Gombo.

Fidèle Babala Wandu and Aimé Kilolo Musamba were transferred to the ICC Detention Centre on 25 November 2013, following their arrests. Fidèle Babala Wandu and Aimé Kilolo Musamba's first appearance before the ICC was held on 27 November 2013. Jean-Pierre Bemba Gombo appeared with them as well. Following his arrest, Jean-Jacques Mangenda Kabongo was transferred to the ICC Detention Centre on 4 December 2013 and made his first appearance before the ICC on 5 December 2013. Narcisse Arido was transferred to the ICC Detention Centre on 18 March 2014 and made his first appearance before the ICC on 20 March 2014.

The decision on the confirmation of charges will be made in writing in due course following the receipt of the observations submitted by all the parties and participants.

[Decision ordering the release of Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido](#)

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