

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 10 June 2014

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, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU
AND NARCISSE ARIDO***

Confidential

**Prosecution's Response to the Bemba Defence's Request for the Provision of a
Copy of the CD and DVD Mentioned in the Registrar's Submission ICC-01/05-
01/13-410-Conf**

Source: The Office of the Prosecutor

Document to be notified in accordance with Regulation 31 of the *Regulations of the*

Court to:

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Counsel for the Defence of Jean-Pierre Bemba

Nicholas Kaufman

Counsel for the Defence of Aimé Kilolo Musamba

Ghislain Mabanga

Counsel for the Defence of Jean – Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Göran Sluiter

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Others

I. Introduction

1. The Office of the Prosecutor ("Prosecution") hereby responds to the Bemba Defence's request to obtain a copy of the CD and DVD containing material seized in these proceedings and transferred by the Dutch authorities to the Registry on 13 May 2014, compatible with the electronic system of the Court ("Request").¹ The Request should be dismissed as moot.

II. Confidentiality

2. This filing is classified as "Confidential" as it refers to material that is so designated. A "Public" redacted version will be filed.

III. Submissions

3. The Bemba Defence's request to obtain a copy of the CD and DVD containing the seized material is moot, considering that the Registry made their content available on 28 May 2014² in accordance with the order of the Single Judge.³

IV. Requested Relief

4. For the foregoing reason, the Prosecution respectfully requests the Chamber to dismiss the Request.



Fatou Bensouda, Prosecutor

Dated this 10th Day of June 2014
At The Hague, The Netherlands

¹ ICC-01/05-01/13-471-Conf.

² ICC-01/05-01/13-438-Conf, para. 5.

³ ICC-01/05-01/13-403, p. 5.