

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/05-01/13**
Date: **4 September 2015**

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, 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***

Confidential Document

**Prosecution's Response to the Defence Request for Leave to Reply
(ICC-01/05-01/13-1214)**

Source: Office of the Prosecutor

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

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Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

1. The Bemba Defence's request for leave to reply, supporting its request for reconsideration of, or leave to appeal, the "Decision on 'Defence Request for Disclosure and Judicial Assistance'" should be rejected.¹ The Prosecution's arguments were not unforeseeable because they do not deviate from the Trial Chamber's protocol for redactions.² Rather, as demonstrated by the Prosecution's response to the Bemba Defence's original motion in this matter,³ the redactions presently at issue were standard redactions, classified as category A.6.⁴

2. For this reason, the Request does not show good cause, and should be dismissed.⁵



Fatou Bensouda, Prosecutor

Dated this 4th day of September 2015
At The Hague, The Netherlands

¹ ICC-01/05-01/13-1214 ("Request"). Although the Request is filed publicly, this response is filed confidentially, out of an abundance of caution, because it refers to the contents of confidential filings.

² *Contra* Request, para.2.

³ See ICC-01/05-01/13-1116-Conf, para.12 ("The limited existing redactions fall under category A.6., pursuant to the Protocol establishing a redaction regime in this case. These redactions should continue to apply, absent a showing that the security concerns no longer exist").

⁴ *Contra* Request, para.3 (requesting leave to make submissions whether the redactions are "non-standard redactions" in the meaning of paragraphs 9-11 of the Trial Chamber's decision on disclosure: see ICC-01/05-01/13-959, paras.9-11).

⁵ *Contra* Request, para.3.