

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: **ICC-01/05-01/13**
Date: **26 January 2016**

TRIAL CHAMBER VII

Before: Judge Bertram Schmitt, Presiding Judge
Judge Marc Perrin de Brichambaut
Judge Raul Pangalangan

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

Kilolo Defence Request to Amend the List of Evidence

Source: Defence for Mr. Aimé Kilolo Musamba

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Ms Melinda Taylor

Counsel for Aimé Kilolo Musamba

Mr Paul Djunga Mudimbi

Mr Steven Powles

Counsel for Jean-Jacques Kabongo Mangenda

Mr Christopher Gosnell

Mr Arthur Vercken

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Mr Roland Azama Shalie Rodoma

Counsel for Narcisse Arido

Mr Charles Achaleke Taku

Ms. Beth Lyons

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

The Office of Public Counsel for Victims

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations Other
Section**

I. INTRODUCTION

1. On 21 January 2016, the Defence for Mr. Kilolo (The "Defence") filed its list of witnesses¹ along with its list of evidence.²
2. On the same day, the Defence disclosed some material to the parties. All the items were included in its list of evidence (the "List").
3. On 25 January 2015, the Defence was informed by a party that one item was missing from its last disclosure. The item was also inadvertently not added to the List.
4. The Defence respectfully requests the Trial Chamber's authorization to amend its list of evidence.

II. DEFENCE SUBMISSIONS

5. The item that was inadvertently not included in the List is an open source report from Cameroon's Institut National de la Statistique dated in 13 January 2009. The ERN number that was attributed to the document is CAR-D21-0014-0256.
6. The missing item has been formally disclosed on Tuesday 26 January 2016. Courtesy copies have already been sent to the parties.³

¹ ICC-01/05-01/13-1562-Conf-AnxA.

² ICC-01/05-01/13-1562-Conf-AnxC.

³ Kilolo defence e-mail of 26 January 2016.

7. The Defence submits that granting this request will not prejudice the parties' rights as only one single item will be added. Furthermore, the list of evidence was filed recently.
8. Should the Trial Chamber grant the request, the Defence stands ready to file immediately an amended version of its List.

III. RELIEF REQUESTED

9. For the reasons above, the Defence respectfully requests the authorization to file an amended list of evidence.

Respectfully submitted,



Maître Paul Djunga Mudimbi
Lead Counsel of Mr. Aimé Kilolo Musamba



Mr. Steven Powles
Associate Counsel of Mr. Aimé Kilolo Musamba

Dated this 26 January 2016,
At The Hague, The Netherlands.