

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 7 April 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, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU
AND NARCISSE ARIDO***

Confidential Document

**Prosecution Response to "Kilolo Defence Request to Amend its List of Evidence"
(ICC-01/05-01/13-1776-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

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 Sacha Powles

Counsel for Jean-Jacques Mangenda Kabongo

Mr Christopher Michael Gosnell

Mr Arthur Vercken De Vreuschmen

Counsel for Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Mr Azama Shalie Rodoma

Counsel for Narcisse Arido

Mr Charles Achaleke Taku

Ms Beth Lyons

The Office of Public Counsel for the Victims	The Office of Public Counsel for the Defence
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States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Others

1. The Office of the Prosecutor ("Prosecution") defers to Trial Chamber VII's ("Chamber") discretion regarding the disposition of the Kilolo Defence Request to Amend its List of Evidence ("Request").¹

2. The Prosecution further incorporates by reference its submissions regarding the application of regulation 35(2) of the Regulations of the Court set out in the first paragraph of its recent response to the «*Requête de l'équipe de Défense de M. Babala aux fins d'ajouter deux documents à sa liste d'éléments de preuves*». ² To the extent the Request is limited to the addition of seven documents to the Kilolo Defence's list of exhibits,³ the Prosecution has not addressed their prospective admissibility. The Prosecution thus reserves the right to challenge the documents' "formal submission" and/or admission upon their tender.

Confidentiality

3. This filing is classified as "*Confidential*" as it responds to a filing of the same designation. The Prosecution does not object to its reclassification as "*Public*."



Fatou Bensouda, Prosecutor

Dated this 7th day of April, 2016
At The Hague, The Netherlands

¹ ICC-01/05-01/13-1776-Conf.

² ICC-01/05-01/13-1760-Conf.

³ Request, para. 3 and p. 4.