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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*

Public with Confidential Ex Parte Annexes A and B

Defence Application for non-standard redactions

Source: Counsel for Jean-Pierre Bemba Gombo

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

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Victims Participation and Reparations Section Other

Introduction

1. The Defence for Mr. Jean-Pierre Bemba requests the Honourable Trial Chamber to authorise non-standard redactions to extracts from the Dutch case file.
2. The Defence for Me. Kilolo transmitted a copy of the case file to the Defence for Mr. Bemba on 4 April 2016.
3. Nonetheless, on 5 April, the Defence for Me. Kilolo communicated its position that the Defence for Mr. Bemba could not disclose any elements of the case file to third parties without the prior written authorisation of the Defence for Me. Kilolo for each and every item.
4. On 6 April 2016, the Trial Chamber issued its decision ordering the Defence for Me. Kilolo to communicate any elements from the case file, which related to the cooperation request transmitted to the Dutch authorities.¹
5. This decision implicitly entitles the Defence to rely on any elements, which the Defence for Me. Kilolo was obliged to transmit to the Defence for Mr. Bemba.
6. The Defence for Me. Kilolo nonetheless reiterated its earlier position concerning non-disclosure on 12 April 2016 at 2.38pm.
7. The Defence notes firstly, the benefit of the parties having access to the case file in its entirety,² and secondly, that there does not appear to be any privileged or personal information in the case file which would warrant redaction/non-disclosure.

¹ ICC-01/05-01/13-1774

² The Defence stamped all pages of the case file which were transmitted to it, and would in principle, favour the disclosure of the entirety of the file. The documents attached to this request are a small component of the case file; there are 1142 pages in total.

8. Nonetheless, in light of the position of the Defence for Me. Kilolo, the Defence submits the attached proposals for non-standard redactions to be implemented to elements of the case file which fall potentially outside of the Dutch cooperation request, for the Trial Chamber's consideration.³



Melinda Taylor
Counsel of Mr. Jean-Pierre Bemba

Dated this 13th day of April 2016

The Hague, The Netherlands

³ The redacted documents have been transmitted to the parties as a courtesy copy, and formal disclosure will be effected on 13 April 2016.