

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/05-01/13

Date: 06 May 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**

Public

**Kilolo Defence's Consolidated Response to Prosecution's Requests for Variation
of Trial Chamber's Orders (ICC-01/05-01/13-1864 and ICC-01/05-01/13-1865).**

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. PROCEDURAL BACKGROUND

1. On 3 May 2016, the Prosecution filed two motions requesting the variation of Trial Chamber's orders (the "First Request" and the "Second Request").¹
2. In its First Request, the Prosecution seeks variation of time for closing statements. The Prosecution requests the Trial Chamber to extend the date for closing statements by at least one week.²
3. In its Second Request, the Prosecution seeks both the Chamber's leave to append two annexes of 70 pages in total to its closing submissions and a clarification regarding the scope of the submissions the Chamber will consider for its Judgement.³ The Prosecution requests, in the alternative, an extension of 130 pages if the Trial Chamber determines that it will not consider arguments advanced in the Pre-trial stage.⁴
4. On 3 and 4 May 2016, the Trial Chamber instructed the Parties to file any response to the First and Second Requests by Friday 6 May 2016.⁵
5. The Kilolo Defence hereby files its consolidated response to the Prosecution's Requests.

¹ ICC-01/05-01/13-1864 and ICC-01/05-01/13-1865.

² ICC-01/05-01/13-1864.

³ ICC-01/05-01/13-1865.

⁴ Idem.

⁵ See e-mail from Trial Communication to the Parties sent on 3 May 2016 at 5:38 PM and 4 May 2016 at 11:09 AM.

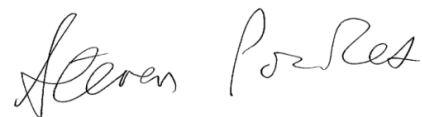
II. SUBMISSIONS

6. The Defence does not oppose the Prosecution's request to extend the date for the closing statements by at least one week. The Defence submits that it will be in the interest of the justice that all Parties benefit of an adequate time to analyse the closing briefs and prepare adequately for their closing statements.
7. Regarding the Prosecution's second Request to append two annexes of 70 or 130 pages to its closing brief, the Defence takes no position and defers to the Chamber's decision.
8. The Defence agrees however that a clarification regarding the scope of the submissions the Chamber will consider for its Judgment will benefit to all the Parties.

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 06 May 2016,
At The Hague, The Netherlands.