

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

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

Date: **14 April 2016**

**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***

**Public**

**Decision on Three Requests to Add Items to Lists of Evidence**

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

**Counsel for Jean-Jacques Mangenda Kabongo**

Mr Christopher Gosnell

**Counsel for Fidèle Babala Wandu**

Mr Jean-Pierre Kilenda Kakengi Basila

**Counsel for Narcisse Arido**

Mr Charles Achaleke Taku

**Legal Representatives of Victims**

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for Participation/Reparation**

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

**States Representatives**

**Others**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Section**

**Judge Bertram Schmitt**, acting as Single Judge on behalf of Trial Chamber VII ('Single Judge' and 'Chamber', respectively) of the International Criminal Court, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, having regard to Regulations 23 *bis* and 35 of the Regulations of the Court, issues the following 'Decision on Three Requests to Add Items to Lists of Evidence'.

1. On 6 April 2016, the defence for Mr Kilolo requested to add seven items to its list of evidence.<sup>1</sup>
2. On 7 April 2016, the defence for Mr Arido requested to amend its list of evidence, and in particular to add eight items.<sup>2</sup>
3. On 8 April 2016, the defence for Mr Bemba requested to add 13 items to its list of evidence (collectively, 'Requests').<sup>3</sup>
4. By 13 April 2016,<sup>4</sup> the Office of the Prosecutor indicated that it deferred to the discretion of the Chamber on the Requests while reserving the right to challenge the formal submission and/or admissibility of the documents in question.<sup>5</sup>
5. For the reasons advanced by the defence teams and noting that the Requests are all unopposed, the Single Judge grants the relief sought.

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<sup>1</sup> Kilolo Defence Request to Amend its List of Evidence, ICC-01/05-01/13-1776-Conf (notified 7 April 2016).

<sup>2</sup> Narcisse Arido's Request to Amend the Defence List of Evidence, ICC-01/05-01/13-1778 (with confidential annex).

<sup>3</sup> Defence Request to add items on the list of Evidence, ICC-01/05-01/13-1792-Conf-Corr (corrigendum notified 13 April 2016).

<sup>4</sup> Responses to ICC-01/05-01/13-1776-Conf had to be filed by 11 April 2016. Email from Trial Chamber VII Communications to the parties, 7 April 2016 at 11:50. Responses to ICC-01/05-01/13-1778 and ICC-01/05-01/13-1792-Conf had to be filed by 13 April 2016. Email from Trial Chamber VII Communications to the parties, 11 April 2016 at 16:34.

<sup>5</sup> Prosecution Response to "Kilolo Defence Request to Amend its List of Evidence" (ICC-01/05-01/13-1776-Conf), 7 April 2016, ICC-01/05-01/13-1777-Conf; Prosecution's Consolidated Response to "Narcisse Arido's Request to Amend the Defence List of Evidence" (ICC-01/05-01/13-1778) and the Bemba Defence's "Request to add items on the list of Evidence" (ICC-01/05-01/13-1792-Conf), 13 April 2016, ICC-01/05-01/13-1802-Conf.

**FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY**

**GRANTS** the Requests;

**ORDERS** the Registry to reclassify ICC-01/05-01/13-1776-Conf; ICC-01/05-01/13-1777-Conf and ICC-01/05-01/13-1802-Conf as 'public'; and

**ORDERS** the defence for Mr Bemba to file a redacted version of ICC-01/05-01/13-1792-Conf forthwith.

Done in both English and French, the English version being authoritative.

A handwritten signature in black ink, appearing to read 'Bertram Schmitt', is written over a horizontal line.

**Judge Bertram Schmitt, Single Judge**

Dated 14 April 2016

At The Hague, The Netherlands