

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05
Date: 1 May 2009

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

**Public Document
With Confidential Ex Parte Registry Annex**

Observations of the Registrar on the "Decision Requesting Observations on Re-classification and Unsealing of Documents"

Source: Registrar

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

The Office of the Prosecutor
Fatou Bensouda, Deputy Prosecutor
Petra Kneuer, Senior Trial Lawyer

Counsel for the Defence
Nkwebe Liriss
Karim A.A. Khan
Aimé Kilolo-Musamba
Pierre Legros

Legal Representatives of Victims
Edith Douzima Lawson

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**
Paolina Massida

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

States Representatives

Amicus Curiae

REGISTRY

Registrar
Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRAR of the International Criminal Court (the “Court”);

NOTING the “*Decision Requesting Observations on Re-classification and Unsealing of Documents*”¹ issued by the Single Judge on 3 April 2009;

NOTING articles 43(6), 57(3)(c), 64(2), 67(1) and 68(1) of the Rome Statute (the “Statute”); rules 15, 17 to 19, 87 and 88 of the Rules of Procedure and Evidence; regulations 8, 23bis, 24bis and 42(3) of the Regulations of the Court and regulation 14 of the Regulation of the Registry;

CONSIDERING that the Single Judge requested the Registry “*to submit, no later than 4 May 2009, their respective proposals detailing the treatment of its documents filed in the records of the Situation and the Case including, where appropriate, proposals for redactions*”²;

CONSIDERING that, as a matter of practice, the Registry handles as confidential all communications with States;

CONSIDERING that, for security and protection reasons and in order to secure the success of future judicial cooperation, all information related to the identity of ICC staff members and/ or representatives of state authorities shall remain at a minimum confidential;

CONSIDERING that in accordance with article 68(1) of the Statute, the Court shall ensure that necessary measures (i.e in this case, non-disclosure of sensitive information relating to victims and witnesses) are taken to “protect the safety,

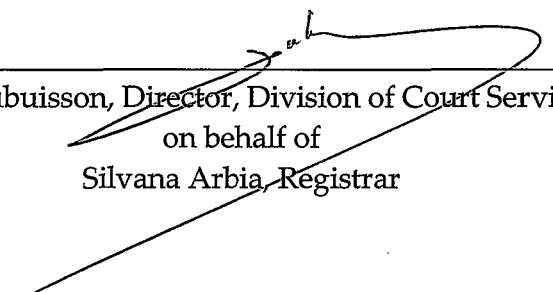
¹ ICC-01/05-25

² Idem. p. 6

physical and psychological well-being, dignity and privacy of victims and witnesses”;

CONSIDERING that the observations on the reclassification of documents submitted by the Registry contain sensitive information;

RESPECTFULLY SUBMITS therefore, in an Annex classified confidential *ex parte* only available to the Registry, her observations on the reclassification of submissions by the Registry and where appropriate her proposals for redactions.



Marc Dubuisson, Director, Division of Court Services
on behalf of
Silvana Arbia, Registrar

Dated this 1 May 2009

At The Hague in The Netherlands