

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/05-01/08

Date: 6 January 2014

**TRIAL CHAMBER III**

**Before:** Judge Sylvia Steiner, Presiding Judge  
Judge Joyce Aluoch  
Judge Kuniko Ozaki

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC  
IN THE CASE OF  
THE PROSECUTOR  
V. JEAN-PIERRE BEMBA GOMBO**

**Public Document**

**Prosecution's Application for Extension of Time Limit to Submit Proper  
Redactions of Admitted Evidence**

**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**

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**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for Participation/Reparation**

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

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

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr. Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Other Section**

1. On 11 December 2013 Trial Chamber III (“Chamber”) ordered, *inter alia*, the parties and participants to request “the Chamber to reclassify as public, with or without redactions, [admitted evidentiary] items in relation to which the reasons for maintaining their confidentiality no longer exist by 10 January 2014 at the latest.”<sup>1</sup>

2. The Office of the Prosecutor (“Prosecution”) requests a time extension of 14 days, until 24 January 2014, to provide the Chamber with proposed redactions of 40 currently confidential documents in order to enable their reclassification as public documents. The Prosecution submits this request under Regulation 35 of the Regulations of the Court. Under Regulation 35 the Prosecution must show good cause to warrant the extension of time limits.

3. The Prosecution will be able to comply with the Chamber’s order to file by 10 January 2014 with regard to the majority of the 583 admitted items. However, during the review of the classification level of admitted documents the Prosecution identified 40 admitted documents<sup>2</sup> totaling over 800 pages of material that are currently classified as confidential. The Prosecution estimates that the majority of these documents could be reclassified as public as long as proper redactions are in place to ensure the protection of witnesses and other individuals who did not testify but whose identities are not known to the public. The Prosecution has begun the redaction process on the 40 admitted documents; however, due to the nature of the redaction process, the Prosecution will be unable to complete the redactions of the 40 admitted documents by 10 January 2014.

4. The redaction process is a time consuming process requiring that persons with detailed knowledge of the case to emplace proposed redactions on portions of documents that provide information about the identity of protected witnesses. The redaction process requires the careful reading of witness statements, accompanying

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<sup>1</sup> ICC-01/05-01/08-2921, Order on the classification of items admitted into evidence, 11 December 2013.

<sup>2</sup> The majority of the 40 documents are admitted statements of witnesses in the case.

testimony, and other relevant documentation on particular witnesses in order to provide the Chamber with accurate and informed proposals for redactions. The Prosecution is unable to conduct the level of detailed review necessary to provide the Chamber with accurate and informed proposals for redactions for the 40 admitted documents by the deadline imposed by the Chamber. However, the Prosecution will be able to provide the proposed redactions and the requests for reclassification of the 40 admitted documents by 24 January 2014.

5. For the above reasons the Prosecution respectfully requests that the Chamber grant the Prosecution request.



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**Fatou Bensouda, Prosecutor**

Dated this 6<sup>th</sup> Day of January 2014

At The Hague, The Netherlands