

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 12 February 2014

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU
AND NARCISSE ARIDO***

Public

Prosecution Notification of Reclassification of Documents

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

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Counsel for the Defence of Jean-Pierre Bemba

Nicholas Kaufman

Counsel for the Defence of Aimé Kilolo Musamba

Ghislain Mabanga

Counsel for the Defence of Jean – Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Patrick Craig

Detention Section

Victims Participation and Reparations Section Others

1. The following documents fall within the Single Judge's "Decision on the reclassification of documents in the record of the situation and of the case" ("Decision"):¹

- a. ICC-01/05-44-Conf-Exp;
- b. ICC-01/05-44-Conf-Exp-AnxA;
- c. ICC-01/05-49-Conf-Exp;
- d. ICC-01/05-51-Conf-Exp;
- e. ICC-01/05-51-Conf-Exp-AnxA;
- f. ICC-01/05-51-Conf-Exp-AnxB;
- g. ICC-01/05-58-Conf-Exp;
- h. ICC-01/05-58-Conf-Exp-AnxA;
- i. ICC-01/05-58-Conf-Exp-AnxB;
- j. ICC-01/05-60-Conf-Exp;
- k. ICC-01/05-60-Conf-Exp-AnxA;
- l. ICC-01/05-60-Conf-Exp-AnxB;
- m. ICC-01/05-63-Conf-Exp;
- n. ICC-01/05-63-Conf-Exp-AnxA;
- o. ICC-01/05-63-Conf-Exp-AnxB;
- p. ICC-01/05-71-Conf-Exp; and
- q. ICC-01/05-71-Conf-Exp-AnxA.

2. The Office of the Prosecutor ("Prosecution") requests that the following be re-classified as "public":

- a. ICC-01/05-49-Conf-Exp.

3. The Prosecution requests that the following be re-classified as "confidential":

- a. ICC-01/05-44-Conf-Exp-AnxA;
- b. ICC-01/05-51-Conf-Exp;

¹ ICC-01/05-01/13-147, pp. 10-11.

- c. ICC-01/05-51-Conf-Exp-AnxA;
- d. ICC-01/05-51-Conf-Exp-AnxB;
- e. ICC-01/05-58-Conf-Exp-AnxA;
- f. ICC-01/05-60-Conf-Exp-AnxA;
- g. ICC-01/05-60-Conf-Exp-AnxB;
- h. ICC-01/05-63-Conf-Exp-AnxA; and
- i. ICC-01/05-71-Conf-Exp.

4. The Prosecution has concurrently filed confidential redacted versions of the following filings:²

- a. ICC-01/05-44-Conf-Exp;
- b. ICC-01/05-58-Conf-Exp;
- c. ICC-01/05-60-Conf-Exp;
- d. ICC-01/05-63-Conf-Exp; and
- e. ICC-01/05-63-Conf-Exp-AnxB.

5. The Prosecution has concurrently filed public redacted versions of the following filings:

- a. ICC-01/05-44-Conf-Exp;
- b. ICC-01/05-51-Conf-Exp;
- c. ICC-01/05-58-Conf-Exp;
- d. ICC-01/05-60-Conf-Exp;
- e. ICC-01/05-63-Conf-Exp; and
- f. ICC-01/05-71-Conf-Exp.

6. The Prosecution informs the Single Judge that no action is needed for:

- a. ICC-01/05-71-Conf-Exp-AnxA, which has already been re-filed

² To the extent possible and to implement the gravamen of the Decision, the Prosecution has also provided public redacted versions of these filings; namely for ICC-01/05-44-Conf-Exp; ICC-01/05-58-Conf-Exp; ICC-01/05-60-Conf-Exp; and ICC-01/05-63-Conf-Exp.

confidentially³ and publicly;⁴

- b. ICC-01/05-58-Conf-Exp-AnxB, which is an unofficial, Prosecution, French translation of the Single Judge's decision ICC-01/05-52-Conf-Exp that has already been re-filed confidentially⁵ and publicly.⁶ Rather than disclose an unofficial French version with redactions applied, the Prosecution would prefer to wait for the official French version to be issued.

7. The Prosecution has dated and redacted the relevant above filings in accordance with the Decision.⁷

8. The Single Judge may additionally consider directing the Registry's re-classification of its filing ICC-01/05-48, as "public."



Fatou Bensouda, Prosecutor

Dated this 12th day of February, 2014
At The Hague, The Netherlands

³ ICC-01/05-01/13-1-Red-Conf.

⁴ ICC-01/05-01/13-1-Red2.

⁵ ICC-01/05-52-Conf-Red.

⁶ ICC-01/05-52-Red2.

⁷ See ICC-01/05-01/13-147, paras 3-4.