

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: 22/04/2014

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**

Confidential with Confidential Annex A and Confidential Annex B

**Defence Submissions pursuant to Trial Chamber's order to review the level of
confidentiality of documents admitted into evidence**

Source: Defence for Mr. Jean-Pierre Bemba Gombo

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 the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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States' Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations Other
Section**

A. INTRODUCTION

1. On 7 April 2014, Trial Chamber III (“Chamber”) issued its “Decision on the submission as evidence of items used during the questioning of witnesses but not submitted as evidence by the parties or participants” (“Decision”).¹ The Chamber ordered the parties:

To review the level of confidentiality of the items admitted by the present Decision and:

- (a) provide the Registry, within 10 days of notification of the present Decision, with the correct metadata as to the level of confidentiality of all items in relation to which the information is either not clear or has not been previously provided;
- (b) inform the Chamber, within 10 days of notification of the present Decision, on the possible reclassification as public, with or without redactions, of items in relation to which the reasons for maintaining their confidentiality no longer exist and/or inform the Chamber of the reasons for maintaining the confidentiality of all items for which no reclassification as public is justified.

2. The Defence accordingly files the present submissions.

B. SUBMISSIONS

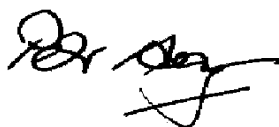
3. The Defence has reviewed the ten (10) Defence documents admitted into evidence.

4. Seven (7) documents are currently public, and the Defence submits should stay at this level of confidentiality. Two (2) photographs are currently confidential and should remain so. The public documents and the reasons advanced for the photographs to remain confidential are set out in Annex A.

¹ ICC-01/05-01/08-3034-Conf.

5. The Defence submits that one document (CAR-D04-0003-0513) should be reclassified as Public with the suggested redactions, as set out in Annex B.

The whole respectfully submitted.



Peter Haynes QC
Lead Counsel of Mr. Jean-Pierre Bemba

The Hague, The Netherlands

22 April 2014