

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/04-01/06

Date: 30 April 2014

THE APPEALS CHAMBER

Before: Judge Erkki Kourula, Presiding Judge
Judge Sang-Hyun Song
Judge Sanji Mmasenono Monageng
Judge Anita Ušacka
Judge Ekaterina Trendafilova

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF

THE PROSECUTOR v. THOMAS LUBANGA DYILO

Confidential

Prosecution's Request for Reclassification of Document ICC-01/04-01/06-3069-Conf

Source: 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

Ms Fatou Bensouda
Mr James Stewart
Ms Helen Brady

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju-Duval

Legal Representatives of Victims

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu
Mr Paul Kabongo Tshibangu
Mr Joseph Keta Orwinyo

REGISTRY

Registrar

Mr Herman von Hebel

Submissions

1. On 25 March 2014, the Prosecution filed the "Prosecution Response to '*Requête de la Défense de M. Lubanga aux fins de communication d'éléments de preuve recueillis par le Procureur dans le cadre des enquêtes conduites en vertu de l'Article 70'*".¹
2. The Prosecution response was filed confidentially because it referred to parts of the trial proceedings which were given in closed session. Given that a public redacted version is available, the response can be made public.
3. This application is filed confidentially because it refers to a document bearing that designation. If the Chamber decides to grant this request, the Prosecution submits that this application should also be reclassified as public.

Relief sought

4. The Prosecution requests that the Appeals Chamber reclassify document ICC-01/04-01/06-3069-Conf from confidential to public, pursuant to Regulation 23bis(3) of the Regulations of the Court.



Fatou Bensouda, Prosecutor

Dated this 30th day of April 2014
At The Hague, The Netherlands

¹ ICC-01/04-01/06-3069-Conf.