

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 11 June 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
with
Confidential Annex A and Confidential Annexes 1 and 2**

**Addendum to Prosecution's Request for Reclassification of 40 admitted Documents as
Public and for Application of Redactions, ICC-01/05-01/08-2946, 24 January 2014**

Source: The Office of the Prosecutor

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

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I. Background

1. On 11 December 2013, Trial Chamber III (“Chamber”) issued its “Order on the classification of items admitted into evidence”.¹ The Chamber referred to 583 items of evidence admitted in the case *The Prosecutor v. Jean-Pierre Bemba Gombo* (“Bemba case”) and ordered, *inter alia*, the parties and participants “to review the level of confidentiality of all items originating from them”,² and “to request that the Chamber reclassify as public, with or without redactions, [admitted evidentiary] items in relation to which the reasons for maintaining their confidentiality no longer exist...”³ The Chamber set the time limit of 10 January 2014.

2. On 6 January 2014, the Office of the Prosecutor (“Prosecution”) requested a time extension until 24 January 2014 to provide the Chamber with proposed redactions to some documents (out of the 583 admitted items), consisting of witness statements and expert reports, currently classified as confidential, in order to enable their reclassification as public documents.⁴

3. On 9 January 2014, the Chamber granted the Prosecution’s requested extension (“9 January Decision”).⁵

4. On 10 January 2014, the Prosecution submitted a chart listing all the items admitted into evidence, either requesting their respective reclassification as “Public” or explaining why confidentiality should be maintained, or redactions applied.⁶

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

² *Ibid.* at para. 4 (a).

³ *Ibid.* at para. 4 (d).

⁴ ICC-01/05-01/08-2926, Prosecution’s Application for Extension of Time Limit to Submit Proper Redactions of Admitted Evidence, 6 January 2014.

⁵ ICC-01/05-01/08-2929, Decision on “Prosecution’s Application for Extension of Time Limit to Submit Proper Redactions of Admitted Evidence”, 9 January 2014.

5. On 26 May 2014, the Chamber postponed the reclassification of the Military Expert Report CAR-OTP-0064-0547 (EVD-T-OTP-00119) and the written statement for witness P9 CAR-OTP-0010-0192 (EVD-T-OTP-00047), and ordered the Prosecution to submit relevant proposals for redactions to these documents or inform the Chamber that they can be reclassified as “Public” with no further redactions.

II. Request for Confidentiality

6. The Prosecution requests that the annexes to this addendum be received by the Chamber as “Confidential”: Annex A lists materials that are currently confidential, including two documents at Annexes 1 and 2 comprising the Military Expert Report and the witness statement, both of which are currently confidential.

III. Prosecution’s Request and Appended Annexes

7. The Prosecution requests the reclassification of the documents set out in Confidential Annexes 1 and 2 as “Public”, subject to proposed redactions which are highlighted in yellow.

⁶ ICC-01/05-01/08-2931-Conf-AnxA, Prosecution’s Submission pursuant to the Order on the Classification of Items admitted into Evidence, 10 January 2014.

IV. Relief Sought

8. The Prosecution respectfully requests that the Chamber authorise the proposed redactions to the Military Expert Report and the written statement of witness P9, and to reclassify them both as “Public”.



Fatou Bensouda, Prosecutor

Dated this 11th Day of June 2014

At The Hague, The Netherlands