

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13

Date: 28 August 2014

THE APPEALS CHAMBER

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

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***

**Confidential - *EX PARTE*, only available to
Mr Kilolo and the Prosecutor**

**Prosecution's Request for Reclassification of documents
ICC-01/05-01/13-254-Conf and ICC-01/05-01/13-314-Conf-AnxA**

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

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Counsel for the Defence of Aimé Kilolo Musamba

Paul Djunga Mudimbi

Counsel for the Defence of Jean – Jacques Mangenda Kabongo

Counsel for Fidèle Babala Wandu

Counsel for Narcisse Arido

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

Detention Section

**Victims Participation and Reparations Others
Section**

1. On 22 August 2014, the Appeals Chamber ordered the parties to review their confidential filings and to ensure the submission of public redacted versions of the documents by 29 August 2014 at the latest.¹
2. The Prosecution has since reviewed all non-public written submissions and requests the Appeals Chamber to reclassify documents ICC-01/05-01/13-254-Conf² and ICC-01/05-01/13-314-Conf-AnxA³ as public, pursuant to Regulation 23bis(3).
3. In relation to ICC-01/05-01/13-254-Conf, the Prosecution filed this application confidentially because it related to other filings that were subject to the same classification. The Prosecution did not object to reclassifying this response as public.⁴
4. ICC-01/05-01/13-314-Conf-AnxA is a list of authorities annexed to a confidential document, for which the Prosecution is filing a public redacted version. That will eliminate the reason for its confidentiality.
5. This filing is classified as "Confidential-EX PARTE" as it references filings so designated. If the Chamber grants this request, the Prosecution submits that this application should also be reclassified as "Public".



Fatou Bensouda, Prosecutor

Dated this 28th Day of August 2014

At The Hague, The Netherlands

¹ ICC-01/05-01/13-648-Conf-Exp OA01, p. 3.

² ICC-01/05-01/13-254-Conf: Prosecution request to respond to the "Réponse à la requête du 3 mars 2014 aux fins de récusation de l'Accusation dans le cadre de l'enquête et des poursuites visant M. Aimé Kilolo Musamba et M. Jean-Jacques KABONGO MANGENDA", to file its response as part of a Consolidated Response, and to request an extension of page and time limits.

³ ICC-01/05-01/13-314-Conf-AnxA: Annex A: Prosecution's consolidated response to Defence requests for the disqualification of the Prosecutor, the Deputy Prosecutor and the other members of the Office of the Prosecutor from the case against Kilolo, Mangenda and Babala.

⁴ ICC-01/05-01/13-254-Conf, para. 5.