

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 21 October 2014

THE APPEALS CHAMBER

Before:

Judge Sang-Hyun Song, Presiding Judge

Judge Sanji Mmasenono Monageng

Judge Akua Kuenyehia

Judge Erkki Kourula

Judge Anita Ušacka

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

**IN THE CASE OF THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO,
AIMÉ KILOLO MUSAMBA, JEAN-JACQUES MANGENDA KABONGO,
FIDÈLE BABALA WANDU AND NARCISSE ARIDO**

Public document

Order on the reclassification of documents

Shs

Order to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor
Ms Fatou Bensouda, Prosecutor
Mr James Stewart, Deputy Prosecutor

Counsel for Mr Jean-Pierre Bemba Gombo
Mr Nicholas Kaufman

Counsel for Mr Aimé Kilolo Musamba
Mr Paul Djunga Mudimbi

Counsel for Mr Jean-Jacques Kabongo Mangenda
Mr Jean Flamme

Counsel for Mr Fidèle Babala Wandu
Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Mr Narcisse Arido
Mr Göran Sluiter

Registrar
Mr Herman von Hebel

shs

The Appeals Chamber of the International Criminal Court,

In the “Request for disqualification of the Prosecution from the investigation and prosecution of Mr Aimé Kilolo Musamba”, dated 28 February 2014 and registered on 3 March 2014 (ICC-01/05-01/13-233-Conf-tENG),

Having before it (1) the “Prosecution’s Request for Reclassification” of 20 August 2014 (ICC-01/05-01/13-644-Conf), requesting that the Appeals Chamber order Mr Kilolo Musamba to file a confidential version of his *ex parte* annex ICC-01/05-01/13-449-Conf-Exp-Anx1-Red and that, thereafter, her filings ICC-01/05-01/13-481-Conf-Exp, ICC-01/05-01/13-481-Conf-Exp-AnxA and ICC-01/05-01/13-481-Conf-Exp-AnxB be reclassified as confidential, in order for the Pre-Trial Chamber and the parties to assess the content of document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red in the context of the confirmation of charges proceedings; and (2) the “Prosecution’s Request for Reclassification of documents ICC-01/05-01/13-254-Conf and ICC-01/05-01/13-314-Conf-AnxA”, dated 28 August 2014 and registered on 29 August 2014 (ICC-01/05-01/13-655-Conf-Exp), submitting that documents ICC-01/05-01/13-254-Conf, ICC-01/05-01/13-314-Conf-AnxA and ICC-01/05-01/13-655-Conf-Exp can be reclassified as public, in accordance with the Appeals Chamber’s “Decision on the requests for Disqualification of the Prosecutor, the deputy Prosecutor and the entire OTP staff” of 22 August 2014 (ICC-01/05-01/13-648-Conf-Exp),

Recalling its “Order on the Prosecutor’s request for reclassification of documents” of 27 August 2014 (ICC-01/05-01/13-652), in which the Appeals Chamber instructed Mr Kilolo Musamba to inform the Appeals Chamber whether document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red can be reclassified as confidential,

Noting the “Notification de la Défense de M. Aimé Kilolo Musamba concernant la reclassification du document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red” of 29 August 2014 (ICC-01/05-01/13-656-Conf), in which Mr Kilolo Musamba indicates that document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red can be reclassified as confidential,

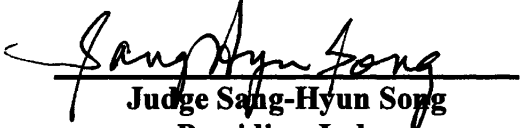
Pursuant to regulation 23 *bis* (3) of the Regulations of the Court,

Issues the following

ORDER

The Registrar is instructed to reclassify (1) documents ICC-01/05-01/13-449-Conf-Exp-Anx1-Red, ICC-01/05-01/13-481-Conf-Exp, ICC-01/05-01/13-481-Conf-Exp-AnxA and ICC-01/05-01/13-481-Conf-Exp-AnxB as confidential; and (2) documents ICC-01/05-01/13-254-Conf, ICC-01/05-01/13-314-Conf-AnxA and ICC-01/05-01/13-655-Conf-Exp as public.

Done in both English and French, the English version being authoritative.


Judge Sang-Hyun Song
Presiding Judge

Dated this 21th day of October 2014.

At The Hague, The Netherlands