



Original: English

No.: ICC-01/04-02/12 A
Date: 20 November 2014

THE APPEALS CHAMBER

Before: Judge Sanji Mmasenono Monangeng, Presiding Judge
Judge Sang-Hyun Song
Judge Cuno Tarfusser
Judge Erkki Kourula
Judge Ekaterina Trendafilova

SITUATION IN THE REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR v. MATHIEU NGUDJOLO CHUI***

Public Document

**With sixteen confidential Annexes *ex parte* Registry, Prosecutor and Defence of
Mr. Ngudjolo Chui only**

With two confidential Annexes *ex parte* Registry and Defence only

With four confidential Annexes *ex parte* Registry only

**Submission of the Registry proposed redactions following the Appeals Chamber
Order of 6 November 2014**

Source: Registry

Document 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
Mr Fabricio Guariglia

Counsel for the Defence

Mr Jean Pierre Kilenda Kakengi Basila
Mr Jean Pierre Fofé Djofia Malewa

Legal Representatives of the Victims

Mr Jean-Louis Gilissen
Mr Fidel Nsita Luvengika

Legal Representatives of the Applicants

REGISTRY

Registrar

Mr Herman von Hebel

Victims and Witnesses Unit

Nigel Verril

Detention Section

Patrick Craig

The Registrar of the International Criminal Court (the “Court”);

NOTING the “Decision and order in relation to the Prosecutor's request for reclassification and for lesser redacted versions of the Registry's monitoring reports” issued by the Appeals Chamber on 8 October 2014¹;

NOTING the Appeals Chamber “Order on the submission of proposed redactions to certain documents founding the Prosecutor’s third ground of appeal” dated 6 November 2014 (the “Order”)²;

NOTING the “Decision on the Registrar request for an extension of the time limit” issued by the Appeals Chamber on 17 November 2014³;

NOTING regulations 23 *bis* and 24 *bis* of the Regulations of the Court;

CONSIDERING that the redactions proposed by the Registry relate to information that is sensitive or confidential and that the reasons thereof are provided in a confidential annex;

CONSIDERING that the Registry has noticed that a few numbers of documents listed in the Order and which require redactions are original versions which also exist in redacted versions available to the parties;

CONSIDERING that some of the documents listed in the Order were available to the Registry only;

CONSIDERING that not all the documents listed in the Order require redactions;

HEREBY SUBMITS the following:

¹ ICC-01/04-02/12-209.

² ICC-01/04-02/12-232.

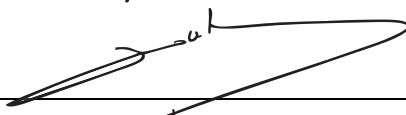
³ ICC-01/04-02/12-234.

1. The Registry has identified 15 documents which in its opinion should be made public with no redaction, as listed below:

- i. ICC-01/04-01/07-800-Conf
- ii. ICC-01/04-01/07-829-Conf-Exp
- iii. ICC-01/04-01/07-894-Conf-Exp
- iv. ICC-01/04-01/07-932-Conf-Exp
- v. ICC-01/04-01/07-1196-Conf-Exp
- vi. ICC-01 /04-01 /07-1215-Conf-Exp-tENG
- vii. ICC-01/04-01/07-1233-Conf-Exp
- viii. ICC-01 /04-01 /07-1319-Conf-Exp-tENG
- ix. ICC-01/04-01/07-1512-Conf-Exp-tENG
- x. ICC-01/04-01/07-1627-Conf-Exp
- xi. ICC-01/04-01/07-1778-Conf-Exp-tENG
- xii. ICC-01/04-01/07-1785-Conf-Exp-tENG
- xiii. ICC-01/04-01/07-1875-Conf-Exp-tENG
- xiv. ICC-01/04-01/07-2187-Conf-Exp-tENG
- xv. ICC-01/04-01/07-3120-Conf-Exp-tENG

2. As to the remaining 21 documents listed in the Order, their level of classification is as ordered by the Appeals Chamber, i.e. confidential ex parte Registry, Prosecutor and Defence only, except for some which in the view of the Registry should not be disclosed to the parties until the approval by the Appeals Chamber of the proposed redactions. Most specifically, three (3) documents are filed ex parte Defence and Registry only as they were never notified to the Prosecutor, and four (4) are filed ex parte Registry only as they were never notified to both parties. Such documents are identified in the justifications (Annex 1).

3. As for documents that existed in redacted versions but not listed in the Order, the Registry has deemed it judicious to propose redactions on redacted versions of such documents.



Marc Dubuisson, Director, DCS
on behalf of
Herman von Hebel, Registrar

Dated this 20 November 2014

At The Hague, The Netherlands