



Original: English

No. ICC-02/11-01/15 OA9

Date: 5 July 2017

THE APPEALS CHAMBER

Before:

**Judge Piotr Hofmański, Presiding Judge
Judge Kuniko Ozaki
Judge Sanji Mmasenono Monageng
Judge Howard Morrison
Judge Chang-ho Chung**

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

**IN THE CASE OF THE PROSECUTOR v. LAURENT GBAGBO AND
CHARLES BLÉ GOUDÉ**

Public document

Order for reclassification

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
Ms Helen Brady

Counsel for Laurent Gbagbo

Mr Emmanuel Altit
Mr Agathe Bahi Baroan

Legal Representatives of Victims

Ms Paolina Massidda

Counsel for Charles Blé Goudé

Mr Geert-Jan Alexander Knoops
Mr Claver N'dry

REGISTRY

Registrar

Mr Herman von Hebel

The Appeals Chamber of the International Criminal Court,

In the appeal of Mr Laurent Gbagbo against the oral decision of Trial Chamber I of 29 November 2016 (ICC-02/11-01/15-T-107-Conf-Eng, pp. 1-2),

Having before it the “Prosecution’s request for reclassification of filing ICC-02/11-01/15-819-Conf” of 8 June 2017 (ICC-02/11-01/15-953), the “Demande de reclassification des écritures ICC-02/11-01/15-822-Conf et ICC-02/11-01/15-830-Conf” of 9 June 2017 (ICC-02/11-01/15-954), and the “Request for reclassification of filings ICC-02/11-01/15-840-Conf and ICC-02/11-01/15-845-Conf” of 20 June 2017 (ICC-02/11-01/15-963) (collectively, the “Requests for Re-classification”),

Issues the following

ORDER

1. The Registrar is directed to re-classify as public the following order and documents:

ICC-02/11-01/15-816-Conf;
 ICC-02/11-01/15-819-Conf;
 ICC-02/11-01/15-822-Conf;
 ICC-02/11-01/15-830-Conf;
 ICC-02/11-01/15-840-Conf; and
 ICC-02/11-01/15-845-Conf.

2. The Registrar is directed to re-classify as public the following documents if the Prosecutor does not communicate her objection to the Registrar before 16h00 on 10 July 2017:

ICC-02/11-01/15-819-Conf-AnxA; and
 ICC-02/11-01/15-819-Conf-AnxB.

REASONS

1. On 11 May 2017, the Appeals Chamber issued the “Judgment on the appeal of Mr Laurent Gbagbo against the oral decision on redactions of 29 November 2016”.¹ The judgment was issued confidentially because much of the relevant trial record was confidential.²
2. With respect to the documents which are the subject of the Requests for Re-classification, the Appeals Chamber finds that no reason exists for ICC-02/11-01/15-819-Conf, ICC-02/11-01/15-822-Conf, ICC-02/11-01/15-830-Conf, ICC-02/11-01/15-840-Conf and ICC-02/11-01/15-845-Conf to remain confidential and directs that these documents be re-classified as public.
3. The Appeals Chamber also finds that no reason exists for its order, ICC-02/11-01/15-816-Conf, to remain confidential and directs that it be re-classified as public.
4. Although the Prosecutor has sought re-classification of ICC-02/11-01/15-819-Conf, she has not done so for the two annexes, ICC-02/11-01/15-819-Conf-AnxA and ICC-02/11-01/15-819-Conf-AnxB. Nevertheless, the Appeals Chamber finds that no reason exists for those annexes to remain confidential. Therefore, unless the Prosecutor objects by the deadline set out in the above Order, the Appeals Chamber directs that ICC-02/11-01/15-819-Conf-AnxA and ICC-02/11-01/15-819-Conf-AnxB be re-classified as public.

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


Judge Piotr Hofmański
Presiding Judge

Dated this 5th day of July 2017

At The Hague, The Netherlands

¹ ICC-02/11-01/15-915-Conf (OA9) (“*Gbagbo* OA9 Judgment”).

² *Gbagbo* OA9 Judgment, para. 27.