

From: Trial Chamber V Communications [REDACTED]

Sent: 16 February 2021 17:06

Subject: Decision on Defence requests for reclassification

Dear counsel, dear colleagues from the Registry,

Noting the Yekatom Defence and the Ngaïssona Defence requests for reclassification of certain documents (email from the Yekatom Defence to the Chamber, 5 February 2021, at 17:57; and email from the Ngaïssona Defence to the Chamber, 11 February 2021, at 12:32), the Single Judge finds that the basis for the current classification, confidential or confidential *ex parte*, only available to the Yekatom Defence, no longer exists for the following documents and orders their reclassification as public or public redacted, as the case may be:

- ICC-01/14-01/18-37-Conf (only the main document) as public;
- ICC-01/14-01/18-49-Conf (only the main document) as public;
- ICC-01/14-01/18-123-Conf as public;
- ICC-01/14-01/18-132-Conf as public;
- ICC-01/14-01/18-145-Conf as public;
- ICC-01/14-01/18-263-Conf-Exp as public; and
- ICC-01/14-01/18-426-Conf-Corr-Red2 as public redacted.

Conversely, the Single Judge finds that a number of documents may not be reclassified as requested, as they require redactions to information concerning the functioning of the Detention Centre. The Single Judge instructs the Yekatom Defence to file public redacted versions of the following documents:

- ICC-01/14-01/18-235-Conf, redacting [REDACTED]
- ICC-01/14-01/18-291-Conf, redacting ' [REDACTED]
- ICC-01/14-01/18-389-Conf, redacting 'a [REDACTED]' in paragraph 4;
- ICC-01/14-01/18-414-Conf, redacting [REDACTED]' in paragraph 5;
- ICC-01/14-01/18-433-Conf, redacting [REDACTED]' in paragraph 9;

- ICC-01/14-01/18-458-Conf, redacting (i) in paragraph 5: '[REDACTED]'; and
- ICC-01/14-01/18-494-Conf, redacting: (i) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The Single Judge trusts that, in the future, the Yekatom Defence will carefully consult the public redacted versions of the decisions issued by Pre-Trial Chamber II or by this Chamber and ensure consistency with the redactions applied therein. Where no such public redacted version is yet available, the Single Judge refers the participants to his previous order in paragraph 44 of the Decision on Reclassification of Documents (28 January 2021, ICC-01/14-01/18-856-Red).

Kind regards, TC V