

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-01/11-01/11

Date: 30 March 2012

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernandez de Gurmendi, Presiding Judge
Judge Hans-Peter Kaul
Judge Christine Van den Wyngaert

SITUATION IN LIBYA

*IN THE CASE OF THE PROSECUTOR v.
SAIF AL-ISLAM GADDAFI and ABDULLAH AL-SENUSSI*

Confidential Document

With Confidential *Ex parte*, Prosecution only Annexes A and B

Prosecution's Submissions on the Order In Relation To Reclassification of Documents

Source: 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

Counsel for the Defence

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

Mr Xavier-Jean Keïta, Principal Counsel
Ms Melinda Taylor, Counsel

States' Representatives

Counsel for the Appellant

REGISTRY

Registrar

Ms. Silvana Arbia

Counsel Support Section

Deputy Registrar

Mr. Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 26 March 2012, the Pre-trial Chamber issued an Order in relation to the reclassification of documents¹ ("Order") in which it ordered the Libyan authorities, the Registrar, the Prosecutor, and the OPCD, to (i) identify which, if any, of their respective filings as set out in the annexes should retain redactions or a confidential or confidential *ex parte* classification, providing reasons as to the necessity of maintaining the relevant redactions or classification; and (ii) in relation to those filings which cannot be reclassified as public, to file proposals for redactions, providing reasons as to the necessity of the proposed redactions.
2. The Prosecution herewith complies with this Order and provides the required explanations for the three documents identified by the Chamber in the Confidential *ex parte* Annex 1. Given that the Chamber's Order refers to the relevant Prosecution filings in an *ex parte* Annex, the Prosecution has provided its explanations concerning the reclassification of each of the filings in *ex parte* Annex A. The proposed publicly redacted filing is filed as Confidential and *ex parte* Annex B.

¹ ICC-01/11-01/11-86-Conf

3. Pursuant to Regulation 23(*bis*) of the Regulations of the Court, the Prosecution requests that this Application be treated as confidential and its annexes be treated as confidential, *ex parte*.



Luis Moreno-Ocampo,
Prosecutor

Dated this 30th Day of March 2012

At The Hague, the Netherlands