

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/05-01/13
Date: 11 December 2014

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

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

Decision on the reclassification of documents in the record of the case

Decision to be notified, in accordance with regulation 31 of the Regulations of the Court, to

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Paul Djunga Mudimbi

Counsel for Jean-Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Counsel for Narcisse Arido

Göran Sluiter

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

States Representatives

REGISTRY

Registrar

Herman von Hebel

Detention Section

Victims and Witnesses Unit

Others

**Victims Participation and
Reparations Section**

I, Judge Cuno Tarfusser, having been designated as Single Judge of Pre-Trial Chamber II of the International Criminal Court;

NOTING the “Decision pursuant to Article 61(7)(a) and (b) of the Rome Statute”¹;

NOTING article 57(3)(c) of the Statute, rules 15, 43 and 81 of the Rules of Procedure and Evidence, regulation 23*bis* of the Regulations of the Court (“Regulations”) and regulation 25 of the Regulations of the Registry;

CONSIDERING that, according to regulation 23*bis*(3) of the Regulations, the Chamber may order the reclassification of documents when the grounds for the original classification no longer exist;

CONSIDERING that, in the Single Judge’s view, disclosure of relevant documents to the public may no longer prejudice the investigations and the suspect’s rights and that, accordingly, all restrictions to the principle of publicity, at the relevant time deemed necessary for those purposes, shall now be lifted;

CONSIDERING by the same token that persisting security reasons make it necessary to preserve the confidentiality of the identity of Independent Counsel *vis-à-vis* the public;

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

DECIDES

- a) that the following documents shall be reclassified as public:
 - ICC-01/05-01/13-39-Conf;
 - ICC-01/05-01/13-56-Conf;
 - ICC-01/05-01/13-91-Conf;
 - ICC-01/05-01/13-94-Conf;
 - ICC-01/05-01/13-158-Conf;

¹ ICC-01/05-01/13-749.

- ICC-01/05-01/13-199-Conf-Exp;
- ICC-01/05-01/13-214-Conf;
- ICC-01/05-01/13-278-Conf;
- ICC-01/05-01/13-418-Conf-Exp;
- ICC-01/05-01/13-452-Conf;
- ICC-01/05-01/13-457-Conf;
- ICC-01/05-01/13-466-Conf-Exp;
- ICC-01/05-01/13-487-Conf;
- ICC-01/05-01/13-499-Conf;
- ICC-01/05-01/13-502-Conf;
- ICC-01/05-01/13-765-Conf;

b) that a public redacted version of the following documents shall be filed:

- ICC-01/05-01/13-6-Conf-Exp;
- ICC-01/05-01/13-44-Conf;
- ICC-01/05-01/13-55-Conf;

ORDERS the Prosecutor and the Defence teams to review each of their filings which are not currently classified as public and (i) to indicate those which can be reclassified as public or (ii) to file a confidential or public redacted version of any remaining filings, as appropriate.

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



Judge Cuno Tarfusser
Single Judge

Dated this Thursday, 11 December 2014 at The Hague, The Netherlands