



Original: English

No. ICC-01/05-01/13 A-A9

Date: 8 March 2018

THE APPEALS CHAMBER

Before:

Judge Silvia Fernández de Gurmendi, Presiding Judge

Judge Sanji Mmasenono Monageng

Judge Howard Morrison

Judge Geoffrey A. Henderson

Judge Piotr Hofmański

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 document

Order on reclassification of documents

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 Mr Jean-Pierre Bemba Gombo
Ms Melinda Taylor
Ms Mylène Dimitri

Counsel for Mr Aimé Kilolo Musamba
Mr Michael G. Karnavas

Counsel for Mr Jean-Jacques Mangenda Kabongo
Mr Christopher Gosnell
Mr Peter Robinson

Counsel for Mr Fidèle Babala Wandu
Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Mr Narcisse Arido
Mr Charles Achaleke Taku
Ms Beth Lyons

REGISTRY

Registrar
Mr Herman von Hebel

The Appeals Chamber of the International Criminal Court,

In the appeals of Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu, and Mr Narcisse Arido against the decision of Trial Chamber VII entitled “Judgment pursuant to Article 74 of the Statute” of 19 October 2016 (ICC-01/05-01/13-1989-Red),

In the appeals of Mr Jean-Pierre Bemba Gombo, Mr Fidèle Babala Wandu, Mr Narcisse Arido and the Prosecutor against the decision of Trial Chamber VII entitled “Decision on Sentence pursuant to Article 76 of the Statute” of 22 March 2017 (ICC-01/05-01/13-2123-Corr),

Having before it the “Prosecution’s request to reclassify ICC-01/05-01/13-2216-Conf as public” of 14 February 2018 (ICC-01/05-01/13-2270),

Having before it the “Prosecution’s request to reclassify ICC-01/05-01/13-2217-Conf as public” of 20 February 2018 (ICC-01/05-01/13-2271),

Having before it the “Requête de la Défense de M. Babala sollicitant la reclassification comme publique de certaines soumissions confidentielles” of 7 March 2018 (ICC-01/05-01/13-2273),

Pursuant to regulation 23*bis* of the Regulations of the Court,

Issues the following

ORDER

The Registrar is directed to reclassify as public documents ICC-01/05-01/13-2216-Conf, ICC-01/05-01/13-2217-Conf, ICC-01/05-01/13-2193-Conf, ICC-01/05-01/13-2266-Conf, ICC-01/05-01/13-1171-Conf-Corr, ICC-01/05-01/13-1171-Conf-Corr-Anx, ICC-01/05-01/13-1211-Conf-Corr and ICC-01/05-01/13-1211-Conf-Corr-Anx.

REASONS

1. Regulation 23bis (3) of the Regulations of the Court provides that a Chamber may reclassify a document when the basis for the classification no longer exists.
2. The Appeals Chamber finds that no reason exists for documents ICC-01/05-01/13-2216-Conf, ICC-01/05-01/13-2217-Conf, ICC-01/05-01/13-2193-Conf, ICC-01/05-01/13-2266-Conf, ICC-01/05-01/13-1171-Conf-Corr, ICC-01/05-01/13-1171-Conf-Corr-Anx, ICC-01/05-01/13-1211-Conf-Corr, and ICC-01/05-01/13-1211-Conf-Corr-Anx to remain confidential and accordingly directs that these documents be reclassified as public.
3. With respect to document ICC-01/05-01/13-2228-Conf,¹ the Appeals Chamber recalls that on 24 January 2018 it ordered its reclassification as public.²

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



Judge Silvia Fernández de Gurmendi
Presiding Judge

Dated this 8th day of March 2018

At The Hague, The Netherlands

¹ See “Requête de la Défense de M. Babala sollicitant la reclassification comme publique de certaines soumissions confidentielles”, 7 March 2018, ICC-01/05-01/13-2273, fn. 1.

² “Decision on requests for leave to reply to the Prosecutor’s consolidated response to the appeal briefs”, [ICC-01/05-01/13-2259](#).