

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-01/04-02/06**

Date: **28 May 2020**

**THE APPEALS CHAMBER**

**Before:** Judge Howard Morrison, Presiding Judge  
Judge Chile Eboe-Osuji  
Judge Piotr Hofmański  
Judge Luz del Carmen Ibáñez Carranza  
Judge Solomy Balungi Bossa

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

**IN THE CASE OF  
*THE PROSECUTOR v. BOSCO NTAGANDA***

**Public**

**Prosecution request for reclassification of filing ICC-01/04-02/06-2536-Conf**

**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**

Ms Fatou Bensouda, Prosecutor  
Mr James Stewart  
Ms Helen Brady

**Counsel for the Defence**

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Ms Kate Gibson

**Legal Representatives of the Victims**

Ms Sarah Pellet  
Mr Dmytro Suprun

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants**

**The Office of Public Counsel for Victims**

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

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Other  
Section**

### **Prosecution request for reclassification**

1. On 22 May 2020, the Prosecution filed its Response to “Observations of the Common Legal Representative of the Victims of the Attacks on the Defence Appeal Part II”.<sup>1</sup> The Prosecution filed it confidentially as it referred to the contents of a document with the same confidentiality level.<sup>2</sup>
2. Since a public redacted version of the Common Legal Representative’s Observations has now been filed,<sup>3</sup> there is no longer a basis for maintaining the confidentiality of the Prosecution Response.
3. The Prosecution therefore requests reclassification of document ICC-01/04-02/06-2536-Conf to public.



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**Fatou Bensouda, Prosecutor**

Dated this 28<sup>th</sup> day of May 2020

At The Hague, The Netherlands

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<sup>1</sup> ICC-01/04-02/06-2536-Conf (“Prosecution Response”).

<sup>2</sup> ICC-01/04-02/06-2525-Conf.

<sup>3</sup> ICC-01/04-02/06-2525-Red, filed on 28 May 2020.