

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

**No. ICC-01/05-01/13 OA  
Date: 21 October 2014**

**THE APPEALS CHAMBER**

**Before:**  
**Judge Sang-Hyun Song, Presiding Judge**  
**Judge Sanji Mmasenono Monageng**  
**Judge Akua Kuenyehia**  
**Judge Erkki Kourula**  
**Judge Anita Ušacka**

**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 the reclassification of documents**

*Shs*

**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  
Mr James Stewart, Deputy Prosecutor

**Counsel for Mr Jean-Pierre Bemba Gombo**  
Mr Nicholas Kaufman

**Counsel for Mr Aimé Kilolo Musamba**  
Mr Paul Djunga Mudimbi

**Counsel for Mr Jean-Jacques Kabongo Mangenda**  
Mr Jean Flamme

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

**Counsel for Mr Narcisse Arido**  
Mr Göran Sluiter

---

**Registrar**  
Mr Herman von Hebel

*shs*

The Appeals Chamber of the International Criminal Court,

In the “Request for disqualification of the Prosecution from the investigation and prosecution of Mr Aimé Kilolo Musamba”, dated 28 February 2014 and registered on 3 March 2014 (ICC-01/05-01/13-233-Conf-tENG),

Having before it (1) the “Prosecution’s Request for Reclassification” of 20 August 2014 (ICC-01/05-01/13-644-Conf), requesting that the Appeals Chamber order Mr Kilolo Musamba to file a confidential version of his *ex parte* annex ICC-01/05-01/13-449-Conf-Exp-Anx1-Red and that, thereafter, her filings ICC-01/05-01/13-481-Conf-Exp, ICC-01/05-01/13-481-Conf-Exp-AnxA and ICC-01/05-01/13-481-Conf-Exp-AnxB be reclassified as confidential, in order for the Pre-Trial Chamber and the parties to assess the content of document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red in the context of the confirmation of charges proceedings; and (2) the “Prosecution’s Request for Reclassification of documents ICC-01/05-01/13-254-Conf and ICC-01/05-01/13-314-Conf-AnxA”, dated 28 August 2014 and registered on 29 August 2014 (ICC-01/05-01/13-655-Conf-Exp), submitting that documents ICC-01/05-01/13-254-Conf, ICC-01/05-01/13-314-Conf-AnxA and ICC-01/05-01/13-655-Conf-Exp can be reclassified as public, in accordance with the Appeals Chamber’s “Decision on the requests for Disqualification of the Prosecutor, the deputy Prosecutor and the entire OTP staff” of 22 August 2014 (ICC-01/05-01/13-648-Conf-Exp),

Recalling its “Order on the Prosecutor’s request for reclassification of documents” of 27 August 2014 (ICC-01/05-01/13-652), in which the Appeals Chamber instructed Mr Kilolo Musamba to inform the Appeals Chamber whether document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red can be reclassified as confidential,

Noting the “Notification de la Défense de M. Aimé Kilolo Musamba concernant la reclassification du document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red” of 29 August 2014 (ICC-01/05-01/13-656-Conf), in which Mr Kilolo Musamba indicates that document ICC-01/05-01/13-449-Conf-Exp-Anx1-Red can be reclassified as confidential,

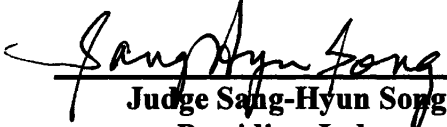
Pursuant to regulation 23 *bis* (3) of the Regulations of the Court,

*Issues* the following

## ORDER

The Registrar is instructed to reclassify (1) documents ICC-01/05-01/13-449-Conf-Exp-Anx1-Red, ICC-01/05-01/13-481-Conf-Exp, ICC-01/05-01/13-481-Conf-Exp-AnxA and ICC-01/05-01/13-481-Conf-Exp-AnxB as confidential; and (2) documents ICC-01/05-01/13-254-Conf, ICC-01/05-01/13-314-Conf-AnxA and ICC-01/05-01/13-655-Conf-Exp as public.

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

  
Judge Sang-Hyun Song  
Presiding Judge

Dated this 21<sup>th</sup> day of October 2014.

At The Hague, The Netherlands