

**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**

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**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”<sup>1</sup>;

**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;

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<sup>1</sup> 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