



Original: **English**

No.: **ICC-01/05-01/08**

Date: **10/01/2014**

TRIAL CHAMBER III

Before: Judge Sylvia Steiner, Presiding Judge
Judge Joyce Aluoch
Judge Kuniko Ozaki

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

**IN THE CASE OF
THE PROSECUTOR
*v. Jean-Pierre Bemba Gombo***

**Public
With Confidential Annex A**

**Defence Submissions pursuant to the the "Order on the classification of items
admitted into evidence"**

Source: Defence for Mr. Jean-Pierre Bemba Gombo

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Ms. Fatou Bensouda

Mr. Jean-Jacques Badibanga

Counsel for the Defence

Mr. Peter Haynes QC

Ms Kate Gibson

Legal Representatives of the Victims

Maitre Marie-Edith Douzima-Lawson

Maitre Assingambi Zarambaud

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented

(Participation/Reparation)

Applicants

**The Office of Public Counsel for
Victims**

Ms. Paolina Massida

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

Mr. Xavier-Jean Keita

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Herman von Hebel

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Mr. Patrick Craig

Detention Section

**Victims Participation and Reparations
Section Other**

A. BACKGROUND

1. On 11 December 2013, Trial Chamber III (“the Chamber”) rendered its *Order on the classification of items admitted into evidence* (“Order”).¹ Noting the confusion in the present case as to the level of confidentiality of many of the 583 documents admitted as exhibits, the Chamber rendered the following order:

(a) ORDERS the parties and participants to review the level of confidentiality of all items originating from them;

(b) ORDERS the parties and participants to directly communicate to the Registry the correct level of confidentiality of the items originating from them when this is either unclear or has not previously been provided, by 10 January 2014 at the latest;

(c) ORDERS the Registry to implement in the Court's eCourt system the information provided by the parties and participants pursuant to paragraph 4(b) above, as soon as practicable;

(d) ORDERS the parties and participants to request that the Chamber reclassify as public, with or without redactions, items in relation to which the reasons for maintaining their confidentiality no longer exist, by 10 January 2014 at the latest;

(e) ORDERS the parties and participants to inform the Chamber of the reasons for maintaining the confidentiality of all items for which no reclassification as public is requested, by 10 January 2014 at the latest;

(f) ORDERS the parties and participants to respond to any request for reclassification within 7 days of its notification; and

(g) ORDERS the Registry, in consultation with the parties and the participants, to ensure that all orders for reclassification of documents issued in the present case are correctly implemented as expeditiously as possible.

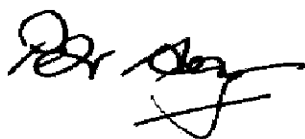
B. SUBMISSIONS

2. Having reviewed the level of confidentiality of all items originating from the Defence, the Defence requests that the Chamber reclassify as public the documents

¹ ICC-01/05-01/08-2921

as indicated in the appended Annex A. Those documents for which a request for reclassification is made are highlighted accordingly. The Defence requests the maintenance of confidentiality of two (2) documents identified in the same Annex A. Justifications for their confidentiality have been provided.

The whole respectfully submitted.

A handwritten signature in black ink, appearing to read 'Peter Haynes', with a stylized flourish at the end.

Peter Haynes QC
Counsel of Mr. Jean-Pierre Bemba

Done this day 10 January 2014

The Hague, The Netherlands