



Original: English

**No. ICC-01/14
Date: 7 November 2024**

PRE-TRIAL CHAMBER II

Before:

**Judge Rosario Salvatore Aitala, Presiding
Judge Sergio Gerardo Ugalde Godínez
Judge Haykel Ben Mahfoudh**

SITUATION IN CENTRAL AFRICAN REPUBLIC II

Public

Order on the reclassification of the warrant of arrest for Edmond Beina and on other procedural matters

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

The Office of the Prosecutor

Mr Karim A. A. Khan
Mr Mame Mandiaye Niang

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

Central African Republic

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Mr Juan Escudero

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

PRE-TRIAL CHAMBER II of the International Criminal Court issues this Order on the reclassification of the warrant of arrest for Edmond Beina (‘Mr Beina’) and on other procedural matters.

1. On 30 May 2014, the Government of the Central African Republic (the ‘CAR’) referred the situation in the CAR since 1 August 2012 to the Court.¹
2. On 7 December 2018, upon the Prosecution’s request,² the Chamber, in a previous composition, issued a warrant of arrest for Mr Beina (the ‘Warrant of Arrest’) pursuant to article 58(1) of the Rome Statute (the ‘Statute’) as under seal, *ex parte*, only available to the Prosecution.³
3. On 28 October 2024, the Registry transmitted to the Chamber a challenge to the admissibility of the case of Mr Beina before the Court, submitted by the CAR on 22 October 2024 (the ‘Admissibility Challenge’).⁴ The material submitted by the CAR in support of the Admissibility Challenge was transmitted to the Chamber by the Registry on 30 October 2024 and 1 November 2024.⁵
4. On 30 October 2024, the Chamber ordered the Prosecution and the Victims and Witnesses Unit (the ‘VWU’) to submit observations on the possible unsealing of the Warrant of Arrest and the issuance of a public redacted version thereof, and to propose redactions accordingly.⁶
5. On 31 October 2024 and 4 November 2024, respectively, the Prosecution and the VWU indicated that they had no redactions to propose and that the Warrant of Arrest could be reclassified as public.⁷

¹ ICC-01/14-1-Anx1.

² ICC-01/14-18-US-Exp, with 11 under seal, *ex parte*, annexes.

³ ICC-01/14-32-US-Exp.

⁴ ICC-01/14-189-US-Exp-AnxII.

⁵ ICC-01/14-190-US-Exp, with one under seal, *ex parte*, annex; ICC-01/14-191-US-Exp with 232 under seal, *ex parte*, annexes.

⁶ Email from the Chamber, 30 October 2024, at 17:00.

⁷ Email from the Prosecution, 31 October 2024, at 11:52; Email from the VWU, 4 November 2024, at 17:03.

6. The Chamber notes that regulation 23bis(3) of the Regulations of the Court provides that it may reclassify a document when the basis for the classification no longer exists, including on its own motion.
7. In light of the Prosecution and the VWU's observations, the Chamber considers it appropriate to reclassify the Warrant of Arrest (ICC-01/14-32-US-Exp) as public and to henceforth proceed publicly in these proceedings.
8. By the same token, the Chamber orders the CAR to submit a public redacted version of the Admissibility Challenge, or to inform the Chamber whether the Admissibility Challenge can be reclassified as public by Tuesday, 12 November 2024.
9. Finally, in order to expedite the proceedings and without prejudice to the forthcoming decision on the conduct of proceedings, the Chamber orders the Registrar to assist Mr Beina in choosing counsel to represent him before the Court for the limited purposes of the current article 19 proceedings. The Registrar is hereby instructed to report to the Chamber on the foregoing by Tuesday, 19 November 2024.

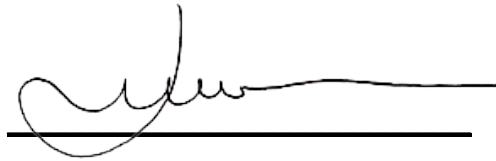
FOR THESE REASONS, THE CHAMBER HEREBY

ORDERS the reclassification of document ICC-01/14-32-US-Exp as public;

ORDERS the CAR to submit a public redacted version of the Admissibility Challenge or to indicate whether it can be reclassified as public by Tuesday, 12 November 2024; and

ORDERS the Registrar to assist Mr Beina in choosing counsel for the purposes of the present proceedings and to report to the Chamber accordingly by Tuesday, 19 November 2024.

Done in English. A French translation will follow. The English version remains authoritative.



Judge Rosario Salvatore Aitala

Presiding



**Judge Sergio Gerardo Ugalde
Godínez**



Judge Haykel Ben Mahfoudh

Dated this Thursday, 7 November 2024

At The Hague, The Netherlands