

**Cour
Pénale
Internationale**
**International
Criminal
Court**

No. ICC-01/04

Date: 1 February 2006

Original: French

PRE-TRIAL CHAMBER I

Before: Judge Claude Jorda, Presiding Judge
Judge Akua Kuenyehia
Judge Sylvia Steiner

Registrar: Mr Bruno Cathala

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public Document

**DECISION ON THE PROSECUTION'S
APPLICATION FOR LEAVE TO REPLY**

The Office of the Prosecutor:

Mr Luis Moreno-Ocampo
Ms Fatou Bensouda
Mr Ekkehard Withopf
Ms Lyne Décarie

**Legal Representative of Applicants
VPRS 1 to VPRS 6:**

Mr Emmanuel Daoud

***Ad hoc* Counsel for Defence**

Mr Joseph Tshimanga

PRE-TRIAL CHAMBER I of the International Criminal Court (“the Court”);

NOTING the Decision on the Applications for Participation in the Proceedings of VPRS 1, VPRS 2, VPRS 3, VPRS 4, VPRS 5 and VPRS 6 (“the Decision”) of Pre-Trial Chamber I (“the Chamber”) registered on 18 January 2006;¹

NOTING the Prosecution’s Application for Leave to Appeal Pre-Trial Chamber I’s Decision on the Applications for Participation in the Proceedings of VPRS 1, VPRS 2, VPRS 3, VPRS 4, VPRS 5 and VPRS 6 registered on 23 January 2006;²

NOTING the Observations of the Legal Representative of VPRS 1 to VPRS 6 following the Prosecution’s Application for Leave to Appeal Pre-Trial Chamber I’s Decision on the Applications for Participation in the Proceedings of VPRS 1 to VPRS 6 registered on 27 January 2006;³

NOTING the Prosecution’s Application for leave to reply to the Observations of the Legal Representative of VPRS 1 to VPRS 6 following the Prosecution’s Application for Leave to Appeal Pre-Trial Chamber I’s Decision on the Applications for Participation in the Proceedings of VPRS 1 to VPRS 6 registered on 30 January 2006;⁴

CONSIDERING regulation 24 (5) of the Regulations of the Court;

CONSIDERING that this regulation provides that participants may only reply to a response with the leave of the Chamber;

CONSIDERING that the question of victims participating at the investigation stage has not arisen previously and the fact that for the first time VPRS 1 to VPRS 6 object to an application from the Prosecutor at this stage;

¹ ICC-01/04/100-Conf-Exp-tEN-Corr.

² ICC-01/04-103

³ ICC-01/04-105-tEN

⁴ ICC-01/04-107

CONSIDERING the time limits provided for under regulation 34 (c) of the Regulations of the Court;

FOR THESE REASONS,

DECIDES to grant leave to the Prosecutor to reply to the Observations within ten days of notification of the Observations of the representative of VPRS 1 to VPRS 6.

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

Judge Claude Jorda
Presiding Judge

Judge Akua Kuenyehia

Judge Sylvia Steiner

Done this Wednesday 1 February 2006

At The Hague

The Netherlands