

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07

Date: 10 July 2007

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Single judge

Registrar: Mr Bruno Cathala

**SITUATION IN THE REPUBLIC OF CONGO
IN THE CASE OF
THE PROSECUTOR
*v. GERMAIN KATANGA***

URGENT

Under Seal

Ex parte only available to the Prosecutor

**Prosecution's Request for the Variation of the Calendar for the Submission of a
Formatted Version of the Arrest Warrant Application and Redacted Witness
Statements**

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor

Mrs Fatou Bensouda, Deputy Prosecutor

Mr Éric MacDonald, Trial Lawyer

The Office of the Prosecutor (“OTP” or “Prosecution”) respectfully requests that the Scheduling Orders in the Decision Rejecting the Prosecution Urgent Request and Establishing a Calendar for the Disclosure of the Supporting Materials of the Prosecution Application for a Warrant of Arrest against Germain Katanga of 6 July 2007¹ (“6 July Decision”), be varied in so far as the scheduling orders and calendar relate to the formatting and provision of a redacted version of the formatted Arrest Warrant Application and the disclosure of redacted witness statements. The OTP respectfully submits this request on an urgent basis because of the Single Judge’s order to submit a formatted and redacted version of the Arrest Warrant Application by 11 July 2007.

Request for Sealing

1. The Prosecution requests that this application be received under seal since it relates to material that is currently under seal.

Request For the Variation of the Calendar Relating to Formatting and Provision of a Redacted Version of the Arrest Warrant Application and the Provision of Redacted Witness Statements

2. The 6 July Decision ordered that the Prosecution file by 11 July 2007 a formatted version of the Arrest Warrant Application according to new guidelines as provided by the Single Judge. The 6 July Decision also ordered that a redacted version of the formatted version of the Application be submitted by 11 July 2007. Furthermore the 6 July 2006 Decision, requests the OTP to disclose the statements of witnesses 7, 13 and 14 in their unredacted versions to the Defence, or to request, following the example provided for in Annex 1 to the Decision on the

¹ ICC-01/04-01/07-5-US-Exp.

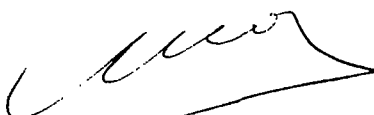
Confirmation of Charges in the *Lubanga case*, the authorization of the Single Judge for any redaction that the Prosecution might still consider necessary.² The OTP has until 31 August 2007 to request the authorisation of the Single Judge, if need be, for redactions to the statements of the remaining witnesses.

3. In order to ensure that: (1) the formatting of the Arrest Warrant Application follows the guidelines as ordered by the Single Judge in the 6 July Decision; (2) the redactions of the formatted Arrest Warrant Application and the redactions of the witness statements are made in the most thorough way possible so as to ensure the adequate protection for the witnesses. The OTP respectfully requests the above mentioned orders and corresponding calendar be varied to afford the Prosecution 7 additional days to complete the formatting and redactions to the Arrest Warrant Application and the redactions to the witness statements.
4. The OTP is currently finalising the different witness referrals and they will be submitted as requested in the 6 July Decision.

² ICC-01/04-01/07-5-US-Exp, p 8-9.

Conclusion

For the above mentioned reasons, the Prosecution respectfully requests that the Single Judge vary the calendar, by affording the Prosecution 7 additional days, in so far it relates to the provision of the formatted and redacted version of the Arrest Warrant Application and the provision of redacted witness statements.



Luis Moreno-Ocampo
Chief Prosecutor

Dated this 10th day of July 2007

At The Hague, The Netherlands