

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

N° : ICC-01/04-01/07
Date : 7 December 2007

PRE-TRIAL CHAMBER I

Before : Judge Sylvia Steiner, Single Judge

Registrar : Mr Bruno Cathala

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

Confidential

Defence notice concerning scheduling of status conference

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Eric MacDonald, Trial Lawyer
Mrs. Florence Darques-Lane, Legal Adviser

Defence Counsel

Mr David Hooper

1. Counsel for the Defence, Mr. David Hooper, sworn in on 6th December 2007, learnt last night of a proposed Status-Conference to be held at 3.00pm on Wednesday 12th December 2007. It is with great regret that Counsel now informs the Court that he is unable to be present on Wednesday afternoon due to pre-existing and significant professional commitments as were previously and informally indicated. Counsel also has logistical difficulties as he has already booked flights. The outgoing portion of the flight cannot be altered.
2. Defence Counsel appreciates the Chamber's desire to hold the Status-Conference as soon as possible. He has attended the seat of the Court this week and will be here for all of the week of 17th December 2007. He has just learnt that the Court is in recess from 14th December 2007 and while appreciating that a hearing in the week of 17th December 2007 may not be practicable for that reason remains at the disposition of the Court for that week. Further, should the Court be in a position to consider holding the Status-Conference on the afternoon of 14th December 2007 then Counsel will make earnest efforts at this late stage to cut short his commitment for next week to the extent of allowing his attendance before the Chamber on Friday afternoon. It is with regret that after full consideration of his commitment he would not reasonably be able to attend on Wednesday 12th December 2007.
3. If the Court is unable to assist Counsel prior to Christmas by way of a date, if the Court is minded to vacate Wednesday 12th December 2007 and cannot accommodate the hearing on Friday 14th December 2007 or the following week, then Counsel respectfully proposes that the Chamber may be able to hold the Status-Conference on the first day of the new session, that is, 7th January 2008 or at any time in the week before. Counsel is available on 7th of January 2008.
4. Defence Counsel has discussed the position with Mr. Katanga who is in full agreement with these proposals. Given the nature of this document, Defence Counsel filed it as a confidential document.



Mr David Hooper, Defence Counsel

The 7th December 2007

At Den Haag, The Netherlands