

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07
Date: 11 January 2008

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Single Judge

Registrar: Mr Bruno Cathala

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

URGENT

Public

**Prosecution's Request for a Limited Variation of the Decision Establishing Time
Limits for Decisions on Protective Measures and Requests for Redactions**

The Office of the Prosecutor

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

Counsel for the Defence

Mr. David Hooper
Ms. Caroline Buisman

The Office of the Prosecutor (“Prosecution”) respectfully requests an extension of the time limit to submit the proposed redactions to documents it intends to rely on at the Confirmation Hearing in the case *the Prosecutor v. Germain Katanga* set by the Single Judge. The Prosecution contends that the various factors as detailed below constitute good cause justifying an extension of time pursuant to Regulation 35 of the Court.

Procedural Background

1. On 13 December 2007, the Single Judge issued a “Corrigendum to the Decision Establishing Time Limits for Decisions on Protective Measures and Requests for Redactions” (“Decision”).¹ In the Decision, the Single Judge decided that “all requests for authorisation to redact information in the evidence on which the Prosecution intends to rely at the confirmation hearing shall be made at the latest by Monday 14 January 2008 at 16.00 hours”.²
2. On 21 December 2007, the Single Judge in the “Decision on the Defence Request Concerning Languages”³ decided “(iii) that the interview notes and statements of all other witnesses on which the Prosecution intends to rely at the confirmation hearing and that must be disclosed pursuant to rule 76 of the Rules, shall only be disclosed subsequent to a decision by the Single Judge on the pending Prosecution requests for redactions or the additional requests for redactions made by the Prosecution by 14 January 2008”.⁴

Request for extension

3. In compliance with the order, the Prosecution will file on Monday 14 January 2008, requests for redactions to statements it intends to rely on at the confirmation hearing, in addition to those already filed in support of the arrest warrant application (“Additional Statements”).

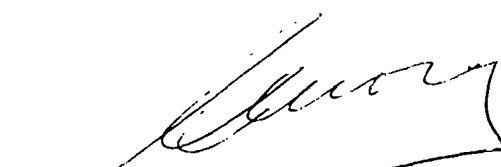
¹ ICC-01/04-01/07-103.

² *Ibid*, page 7.

³ ICC-01/04-01/07-127.

⁴ *Ibid*, para. 39.

4. In order to comply with the above mentioned Decision the Prosecution is also currently completing its review of all documents it intends to rely on at the Confirmation Hearing. The Prosecution has reviewed approximately 75% of the documents it has identified as potentially relevant for the case *the Prosecutor v. Germain Katanga* and none require authorisation for redactions prior to their inclusion on the list of evidence. However, because of the lengthy redaction process to the Additional Statements to meet the 14 January 2008 deadline, the Prosecution will not be in a position to complete the review of the remaining documents by the set deadline. The Prosecution submits that these factors constitute good cause justifying an extension of time pursuant to Regulation 35 of the Court.
5. For the aforementioned reasons, the Prosecution respectfully requests that the Single Judge grant the Prosecution a one week extension to submit requests for redactions to documents.


Luis Moreno-Ocampo
Prosecutor

Dated this 11th day of January 2008
At The Hague, The Netherlands