

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/04-01/07
Date: 30 January 2008

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***

Public

Decision convening a hearing on 4 February 2008

The Office of the Prosecutor

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

Counsel for the Defence

Mr David Hooper
Mr Göran Sluiter
Ms Caroline Buisman

I, Judge Sylvia Steiner, judge at the International Criminal Court (the “Court”);

NOTING the “Decision Establishing Time Limits for Decisions on Protective Measures and Requests for Redactions”,¹ issued by the Single Judge on 12 December 2007;

NOTING the *ex parte*, closed session hearing with the Prosecution and the VWU held on 14 December 2007;²

NOTING the “First Decision on the Prosecution Request for Authorisation to Redact Witness Statements”³ (“the First Decision on Redactions”), issued by the Single Judge on 14 December 2007, by which the Single Judge partially granted the Prosecution’s request for authorisation to redact information in the interview notes and statements of witnesses 1, 3, 7, 8, 12, 13 and 14;

NOTING the “Decision on the Prosecution Request for Authorisation to Redact Statements of Witnesses 4 and 9”⁴ (“the Second Decision on Redactions”) issued by the Single Judge on 21 December 2007, by which the Single Judge partially granted the Prosecution’s request for authorisation to redact information in the interview notes and statements of witnesses 4 and 9;

¹ ICC-01/04-01/07-97-Conf-Exp-Corr.

² ICC-01/04-01/07-T-12-ENG ET

³ ICC-01/04-01/07-88-Conf-Exp.

⁴ ICC-01/04-01/07-123-Conf-Exp.

NOTING the “Prosecution's Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions to Statements of Witnesses and Related Materials to Be Relied Upon at the Confirmation Hearing”⁵ filed by the Prosecution on 15 January 2008;

NOTING the “Corrigendum to Prosecution's Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions to Statements of Witnesses and Related Materials to Be Relied Upon at the Confirmation Hearing dated 14 January 2008 and Submission of Additional Materials”⁶ filed by the Prosecution on 16 January 2008;

NOTING the “Second Corrigendum to Prosecution's Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions to Statements of Witnesses and Related Materials to Be Relied Upon at the Confirmation Hearing Dated 14 January 2008 and Submission of Additional Materials”⁷ filed by the Prosecution on 22 January 2008;

NOTING articles 57(3) (c) and 68 of the Rome Statute (“the Statute”), rules 76 to 83, and 121 of the Rules of Procedure and Evidence (“the Rules”);

CONSIDERING that issues relating to witnesses 7, 8, 9 and 12 which arose from the requests for redactions and the 14 December 2007 hearing, necessitate the Single Judge to convene another hearing;

CONSIDERING that the issues relating to witnesses 7, 8, 9 and 12 shall be heard in an *ex parte* hearing and in closed session with the Prosecution; and that, in order to facilitate the hearing, the pending questions relating to the above mentioned

⁵ ICC-01/04-01/07-145 and ICC-01/04-01/07-145-Conf-Exp-Anx1 to AnxP2

⁶ ICC-01/04-01/07-147-Conf-Exp and ICC-01/04-01/07-147-Conf-Exp-AnxF1 to AnxF14, AnxJ12 to AnxJ15 and AnxK1 to AnxK6.

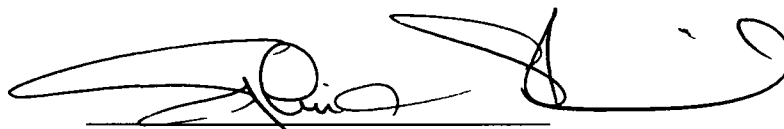
⁷ ICC-01/04-01/07-155-Conf-Exp and ICC-01/04-01/07-145-Conf-Exp-AnxD4-Corr.

witnesses are attached to this decision in an annex classified as confidential and *ex parte* available only to the Prosecution,

FOR THESE REASONS

DECIDE to convene an *ex parte* hearing, in closed session with the Prosecution, Monday 4 February 2008 at 14h00.

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


Judge Sylvia Steiner
Single Judge

Dated this Wednesday 30 January 2008

At The Hague

The Netherlands