

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07
Date: 7 February 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 Document

**Information to the Chamber Concerning Notification of Second Decision on
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
Mr Göran Sluiter
Ms Caroline Buisman

The Registrar of the International Criminal Court (the "Court");

NOTING the "Order Concerning Notification of Second Decision on Redactions" ¹ issued by Pre-Trial Chamber I (the "Chamber") requesting the Registry to file by Thursday 7 February 2008 at 16:00 hours in the record: (i) information on how and when the Prosecution and the Defence were notified of the "confidential available to the Defence" version of the Second Decision on Redactions; and (ii) any record in his possession relating to such notification;

NOTING Regulation 31 of the Regulations of the Court;

CONSIDERING that on the 21st of December 2007 at 20:35, the Chamber filed the confidential redacted version of the "Decision on Prosecution Request for authorisation to redact statements of witnesses 4 and 9" ² (the "Decision");

CONSIDERING that the Decision was filed as urgent;

CONSIDERING that the Decision was notified to the Prosecution by an email sent the same day at 20:57 (attached to the present decision as annex 1);

CONSIDERING that the Defence was informed of the filing of the Decision by means of a notification email sent the same day at 20:58 (attached to the present document as annex 2); however, the notification email also stipulated that due to the confidentiality of the Decision it had to be notified manually ;

¹ ICC-01/04-01/07-178

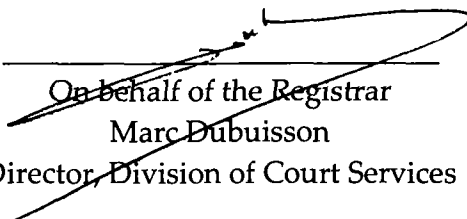
² ICC-01/04-01/07-124-Conf

CONSIDERING that due to the date and the time at which the Decision was registered, the use of courier services was no longer possible;

CONSIDERING that, for the above mentioned reasons, the duty officer of the Registry arranged to deliver the Decision personally to Ms Caroline Buisman, member of the Defence team of Mr. Katanga; that the duty officer made every effort to conduct a prompt notification without imposing to Ms Buisman to come back to the Court in person at a late hour;

CONSIDERING that Ms Buisman, on behalf of Mr. David Hooper, Defence Counsel of Mr. Katanga, signed the copy control list dated the 21st December 2007 (attached to the present document as annex 3), hereby attesting that she received the Decision;

CERTIFIES that the Decision ICC-01/04-01/07-124-Conf has been notified manually to Ms Caroline Buisman.


On behalf of the Registrar
Marc Dubuisson
Director, Division of Court Services

Dated this Wednesday 7 February 2008

At The Hague, The Netherlands