

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07
Date: 15 February 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***

Public

Notice to the Prosecution of Document ICC-01/04-01/07-25-Conf-Exp

The Office of the Prosecutor
Mr Luis Moreno Ocampo, Prosecutor
Mrs Fatou Bensouda, Deputy Prosecutor
Mr Éric MacDonald, Trial Lawyer

Counsel for the Defence
Mr David Hooper, Lead Counsel
Mr Goran Sluiter, Legal Consultant
Ms Caroline Buisman, Co-counsel

The Registrar of the International Criminal Court (the “Court”);

NOTING the decision of the Registrar on 18 October 2007 (the “Decision”) ordering to monitor by video-surveillance the cell of Mr. Germain Katanga upon admission to the Detention Centre according to regulations 192 (3) and 196 (1) of the Regulations of the Registry¹;

NOTING the decision of the Single Judge on 14 February 2008 convening a hearing on 18 February 2008²;

NOTING the decision of the Single Judge to reclassify on 5 November 2007 pursuant to which the Decision has been reclassified³;

NOTING regulations 90 and 95 (1) and 103 of the Regulations of the Court;

NOTING regulation 156 of the Regulations of the Registry;

CONSIDERING that the title of the initial filing of the Registry does not put the content of the document at risk;

CONSIDERING that the Registry filed the initial document as confidential *ex parte* available to the Defence only, because it is related to the medical status of the detained person and the management of the Detention Centre;

¹ ICC-01/04-01/07-25-Conf-Exp.

² ICC-01/04-01/07-197.

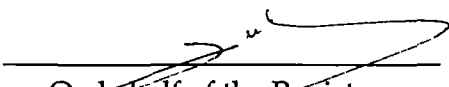
³ ICC-01/04-01/07-53.

CONSIDERING that the detained person was entitled to be informed of the Decision since its implementation without his knowledge could influence the disturbing and distressing change already caused by his arrival in The Hague;

CONSIDERING that information related to the medical status of the detained person is part of his medical record, and hence, cannot be communicated to the Prosecution;

SUBMITS the following notice to the Office of The Prosecutor:

- 1- On 18 October 2007, the Registrar filed a document marked confidential ex parte available to the Defence only, registered as "Décision du Greffier en application des normes 192.3 et 196.1 du Règlement du Greffe";
- 2- The document was initially registered under the case number ICC-01/04-01/07-25-Conf-Exp;
- 3- The document has been reclassified pursuant to the decisions of the Single Judge on 5 November 2007 into ICC-01/04-01/07-25-Conf and on 14 February 2008.


On behalf of the Registrar
Mare Dubuisson
Director of the Division of Court Services

Dated this 15 February 2008

At The Hague, The Netherlands