

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07

Date: 6 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. MATHIEU NGUDJOLO**

Under Seal – *Ex Parte*, Prosecutor and Registry Only

**Urgent Request for the Scheduling of an *Ex Parte* Hearing to Discuss Issues
relevant to the Transfer of Mathieu NGUDJOLO**

The Office of the Prosecutor

Mr. Luis Moreno-Ocampo, Prosecutor

Ms. Fatou Bensouda, Deputy Prosecutor

Mr. Éric MacDonald, Trial Lawyer

Ms. Florence Darques-Lane, Legal Adviser

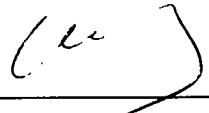
The Office of the Prosecutor ("Prosecution"), respectfully requests the Single Judge to schedule an urgent *ex parte* hearing to be held this afternoon with the Prosecution and the Registry to discuss issues related to the transfer of Mathieu NGUDJOLO.

Request for Sealing

The Prosecution request that this submission be received under seal, *ex parte*, Prosecutor and Registry only as it relates to material that is under seal.

1. The Registry is currently in the Democratic Republic of the Congo ("DRC") to secure the arrest and surrender of Mathieu NGUDJOLO to the International Criminal Court ("ICC"). It is expected that the transfer could take place as early as this evening, 6 February 2008. It is most likely that news media agencies will contact the Office of the Prosecutor and the Office of the Registrar as soon as it becomes known in the DRC that Mathieu NGUDJOLO has been transferred to the ICC. The Prosecution and the Office of the Registrar are also planning to hold a joint press conference. For these reasons, the Prosecution would like to discuss the possible modalities of unsealing the Arrest Warrant once the airplane carrying Mathieu NGUDJOLO to the Netherlands will be in European airspace.
2. The Prosecution would also like to discuss with the Single Judge the issuance of a temporary segregation¹ order prohibiting contacts between Germain KATANGA and Mathieu NGUDJOLO.

¹ See Regulation 101(2) and (3) of the Regulations of the Court.



Luis Moreno-Ocampo
Prosecutor

Dated this 6th day of February 2008

At The Hague, The Netherlands