

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 3 April 2008

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Single Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF

THE PROSECUTOR v. Germain Katanga and Mathieu Ngudjolo Chui

Public Document

**Decision Concerning Observations on the Defence Request regarding Real Time
Transcript of Public Hearings**

Decision to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Mr Luis Moreno Ocampo, Prosecutor
Mr Eric MacDonald, Trial Lawyer

**Counsel for the Defence
of Germain Katanga**

Mr David Hooper
Ms Caroline Buisman

**Counsel for the Defence of Mathieu
Ngudjolo Chui**

Mr Jean-Pierre Kilenda Kakengi Basila
Ms Aurélie G. Roche

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

Mr Xavier-Jean Keita
Ms Melinda Taylor

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Bruno Cathala

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

NOTING the “*Demande de la Défense de Mathieu Ngudjolo afin d’autoriser le Bureau du Conseil Public pour la Défense d’avoir accès aux transcrits d’audiences publiques en temps réel par le biais du LiveNote*” (“the Defence Request”) filed by the Defence of Mathieu Ngudjolo Chui on 1 April 2008, in which the Defence requests that the Office of Public Counsel for the Defence (“the OPCD”) be provided with access to real time transcripts of public hearings on LiveNote;¹

NOTING rule 13 of the *Rules of Procedure and Evidence* (“the Rules”), regulations 21, 24(1), 27 and 77(5) of the *Regulations of the Court* (“the Regulations”) and regulations 50 and 145 of the *Regulations of the Registry*;

CONSIDERING that the Single Judge is of the view that in order to decide on the Defence Request it is necessary for the Single Judge to be in possession of information related to the Court procedures for providing access to real time transcripts of public hearings on LiveNote from the relevant section that would be responsible for implementing the Defence Request were it granted, namely the Registry;

CONSIDERING further that the Single Judge is of the view that it is necessary to have the observations of the relevant section that is the subject of the Defence Request, namely the OPCD;

CONSIDERING that pursuant to regulation 24(1) of the Regulations, the Prosecution is entitled to respond to any document filed by any participant in the proceedings;

¹ ICC-01/04-01/07-353.

FOR THESE REASONS,

DECIDE to give the Registry until Monday 7 April 2008, 16h00, to file a report on the current Registry procedures for providing access to real time transcripts of public hearings on LiveNote;

DECIDE to give the OPCD until Wednesday 9 April 2008, 16h00, to file its observations on the Defence Request;

DECIDE to give the Prosecution until Friday 11 April 2008, 16h00, to file its observations on the Defence Request.

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



Judge Sylvia Steiner
Single judge

Dated this Thursday 3 April 2008

At The Hague,

The Netherlands