

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 26 May 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

Prosecution's Observations on Registry's "Registry's considerations on victims' rights to access the record of the case and to attend closed session hearings"

Source: Office of the Prosecutor

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

The Office of the Prosecutor

**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 Maryse Alié

Legal Representatives of Victims

Ms Carine Bapita Buyangandu

Mr Joseph Keta

Mr J.L. Gilissen

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

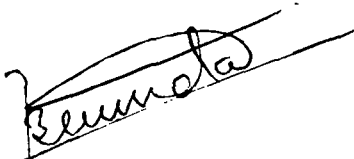
Other

Background

1. On 20 May 2008, the Registry submitted to the Pre-Trial Chamber "Registry's considerations on victims' rights to access the record of the case and to attend closed session hearings" (the "Registry's filing").¹ On 21 May 2008, the Single Judge issued the "Decision regarding Responses to the Requests for Limitations on Access to Confidential Materials by Non Anonymous Victims of the Case"², wherein *inter alia* the Prosecution was invited to make observations on the Registry's filing by no later than 26 May 2008.

Observations on the Registry's Proposal

2. The Prosecution supports any mechanism that may be employed that will enhance the security of witnesses and confidential information in the case record and permit victims to participate in the proceedings pursuant to the "Decision on the set of Procedural Rights Attached to Procedural Status of Victim at the Pre-Trial Stage of the Case".³ The proposal made in the Registry's filing, namely that the Chamber consider limiting access to confidential material and attendance at confidential hearings to the Legal Representative of the victims only, is one such mechanism.



 Fatou Bensouda, Deputy Prosecutor
 on behalf of
 Luis Moreno-Ocampo, Prosecutor

Dated this 26th day of May 2008

At The Hague, The Netherlands

¹ ICC-01/04-01/07-486.

² ICC-01/04-01/07-489.

³ ICC-01/04-01/07-474.