

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 9 April 2009

TRIAL CHAMBER II

Before:

**Judge Bruno Cotte, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Fumiko Saiga**

SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO

IN THE CASE OF

THE PROSECUTOR v. GERMAIN KATANGA and MATHIEU NGUDJOLO CHUI

Confidential

**Ex parte only available to the Office of the Prosecutor and the Victims and
Witnesses Unit**

**Decision on the Joint Request for an Extension of Time Limit of Decision ICC-
01/04-01/07-1038-Conf-Exp**

Order 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

Ms Fatou Bensouda, Deputy Prosecutor

Mr Eric MacDonald, Senior Trial Lawyer

Counsel for Germain Katanga

Counsel for Mathieu Ngudjolo Chui

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**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Mr Simo Vaatainen

Detention Section

HAVING REGARD to regulation 35 of the *Regulations of the Court* ("the Regulations"), Trial Chamber II ("the Chamber") of the International Criminal Court ("the Court"), hereby makes the following order.

I. BACKGROUND AND SUBMISSIONS

1. On 8 April 2009, the Chamber issued its « Décision concernant la requête du Procureur aux fins d'expurgations d'informations relevant de l'article 67-2 du Statut ou la règle 77 du Règlement de procédure et de preuve (ICC-01/04-01/07-934) ».¹ In this decision, the Chamber ordered the Prosecution to consult with the Victims and Witnesses Unit in order to review the redactions requested in the security evaluation of Witness W-055 contained in an investigator's note and reduce them to the strict minimum.² The Chamber gave the Prosecution until 9 April 2009, 4 p.m. at the latest, to submit new proposals in this regard.

2. On the same day, the Prosecution and the Victims and Witnesses Unit filed a "Joint Request for an Extension of Time Limit of Decision ICC-01/04-01/07-1038-Conf-Exp"³, in which they asked for an extension of time limit until Tuesday 14 April 2009 4 p.m. The justification for this joint request is that "Annex C contains approximately 147 pages and that the Victims and Witnesses Unit had never taken notice of these transcripts before.

¹ ICC-01/04-01/07-1038-Conf-Exp

² Id. par. 44

³ ICC-01/04-01/07-1045-Conf-Exp

II. ANALYSIS

3. The Chamber accepts that the Victims and Witnesses Unit will require the necessary time to familiarise itself with the relevant documents and to conduct the necessary analysis.

4. The Chamber further considers that no major inconvenience is caused by the requested extension.

FOR THESE REASONS,

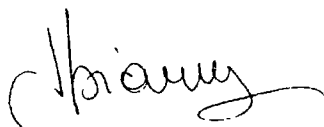
The Chamber

GRANTS the joint request for an extension of time limit to submit new proposals for the redaction of the investigator's note (DRC-OTP-0193-0078) until 14 April 2009, at 4 p.m.;

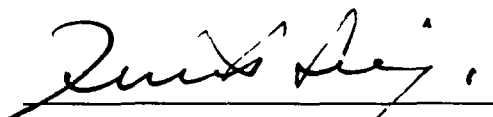
Done in both English and French, the English version being authoritative.



Judge Bruno Cotte
Presiding Judge



Judge Fatoumata Dembele Diarra



Judge Fumiko Saiga

Dated this Friday, 1 April 2009

At The Hague