

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/07 OA 8

Date: 10 July 2009

THE APPEALS CHAMBER

Before: Judge Daniel Ntanda Nsereko, Presiding Judge
Judge Sang-Hyun Song
Judge Erkki Kourula
Judge Ekaterina Trendafilova
Judge Joyce Aluoch

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
THE PROSECUTOR v. GERMAIN KATANGA AND MATHIEU NGUDJOLO CHUI**

Public document

**Directions on the submission of observations pursuant to article 19 (3) of the Rome
Statute and rule 59 (3) of the Rules of Procedure and Evidence**

Decision/Order/Judgment 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

Counsel for the Defence of Germain

Katanga
Mr David Hooper
Mr Andreas O'Shea

Legal Representatives of Victims

Ms Carine Bapita Buyangandu
Mr Joseph Keta
Mr Jean-Louis Gilissen
Mr Hervé Diakiese
Mr Jean Chrysostome Mulamba Nsokoloni
Mr Fidel Nsita Luvengika
Mr Vincent Lurquin
Ms Flora Mbuyu Anjelani

Counsel for the Defence of Mathieu

Ngudjolo Chui
Mr Jean-Pierre Kilenda Kakengi Basila
Mr. Jean-Pierre Fofé Djofia Malewa

The Office of Public Counsel for Victims

Ms Paolina Massida

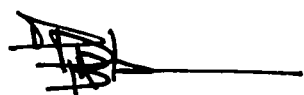
States Representatives

The Government of the Democratic Republic
of the Congo

REGISTRY

Registrar

Ms Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of Mr. Germain Katanga entitled “Appeal of the Defence for Germain Katanga against the Decision of the Trial Chamber ‘*Motifs de la décision orale relative à l’exception d’irrecevabilité de l’affaire*’” of 22 June 2009 (ICC-01/04-01/07-1234) on the admissibility of the case,

Having before it the “Document in Support of Appeal of the Defence for Germain Katanga against the Decision of the Trial Chamber ‘*Motifs de la décision orale relative à l’exception d’irrecevabilité de l’affaire*’” (ICC-01/04-01/07-1279) (hereinafter the: “Document in Support of the Appeal”),

Pursuant to article 19 (3), second sentence, of the Statute and rule 59 (3) of the Rules of Procedure and Evidence,

Gives the following

DIRECTIONS

1) The Democratic Republic of the Congo and

a) victims a/0330/07 and a/0331/07, who are represented by Ms Flora Mbuyu Anjelani, Mr Fidel Nista Luvengika and Mr Vincent Lurquin;

b) victims a/0333/07 and a/0110/08 who are represented by Mr Jean-Louis Gilissen and Mr Joseph Keta;

c) victims a/0148/08, a/0520/08, a/0524/08, a/0053/09, a/0082/09, a/0112/09, a/0114/09, a/0117/09, a/0120/09 as well as victims who have communicated with the Court in relation to the case of Mr Katanga and who are represented by the Office of Public Counsel for Victims pursuant to Trial Chamber II’s decision entitled “*Décision arrêtant la procédure à suivre au titre de l’article 19 du Statut (règle 58 du Règlement de procédure et de preuve)*” of 5 March 2009 (ICC-01/04-01/07-943-Conf);



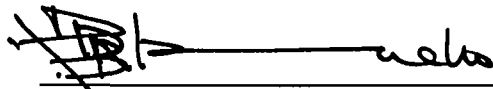
d) victims and applicants on whose behalf observations entitled “Observations des victimes quant à l’exception d’incompétence soulevée par la défense de Germain Katanga dans sa requête du 10/2/2009” (ICC-01/04-01/07-1060) were submitted before Trial Chamber II by their legal representatives, namely, Ms Carine Bapita Buyangandu; Mr Hervé Diakiese and Mr Jean-Chrysostome Mulamba Nsokoloni

may submit observations on the Document in Support of the Appeal and on the response thereto within ten days after notification of the response or, in the event that no response is filed, the effluxion of the time stipulated for that purpose.

2) Ms Buyangandu, Mr Diakiese and Mr Jean-Chrysostome Mulamba Nsokoloni are directed to specify the pseudonyms of the said victims and applicants whom they represent in these proceedings;

3) Mr. Germain Katanga and the Prosecutor may each file a consolidated response to the observations referred to in paragraph one. These observations shall be filed within four days of the notification of the last observations, or, in the event that no or not all observations are filed, the effluxion of the time stipulated for that purpose.

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



Judge Daniel David Ntanda Nsereko
Presiding Judge

Dated this 10th day of July 2009

At The Hague, The Netherlands