

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 31 July 2009

THE APPEALS CHAMBER

Before: Judge Daniel David 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

**Further 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*’” of 8 July 2009 (ICC-01/04-01/07-1279; hereinafter: “Document in Support of the Appeal”),

Having given, on 13 July 2009, “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” (ICC-01/04-01/07-1295), directing *inter alia* that the Democratic Republic of the Congo may file observations on the Document in Support of the Appeal and the eventual response thereto within ten days of notification of the response,

Having before it the letter of the Minister of Justice of the Democratic Republic of the Congo dated 18 July 2009, addressed to the Registrar of the International Criminal Court (ICC-01/04-01/07-1326-Anx1),

Having before it the “Prosecution’s Response to Document in Support of Appeal of the Defence for Germain Katanga against the Decision of the Trial Chamber ‘*Motifs de la décision oral relative à l’exception d’irrecevabilité de l’affaire*’” of 30 July 2009 (ICC-01/04-01/06-1346-Conf; hereinafter: “Response”), which was submitted in English,

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

Gives the following further



DIRECTIONS

The Democratic Republic of the Congo may submit observations on the Document in Support of the Appeal and the Response thereto within ten days of notification of the French translation of the Response.

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

A handwritten signature in black ink, appearing to read 'Ntanda Nsereko', is written over a horizontal line.

Judge Daniel David Ntanda Nsereko
Presiding Judge

Dated this 31st day of July 2009

At The Hague, The Netherlands