



Original: **English**

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

Date: 14 January 2010

TRIAL CHAMBER II

Before: Judge Bruno Cotte, Presiding Judge
Judge Fatoumata Dembele Diarra, Judge
Judge Christine Van den Wyngaert, Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

PUBLIC

Notice of a modification to the order of the Prosecution's witnesses

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

Mr Andreas O'Shea

Counsel for the Defence of Mathieu Ngudjolo Chui

Mr Jean-Pierre Kilenda Kakengi Basila

Mr Jean-Pierre Fofé Djofia Malewa

Legal Representatives of the Victims

Mr Jean-Louis Gilissen

Mr Fidel Nsita Luvengika

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(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

Deputy Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

The Prosecution hereby informs Trial Chamber II (“Chamber”) and the Participants, pursuant to the “Directions for the conduct of the proceedings and testimony”¹ (“Directions”) that, due to the unsolved issues of protection of Witness 28, it is obliged to change the order in which it will call its next witnesses.

The Prosecution’s next witnesses will be Witness 419, followed by Witness 250. Therefore, Witness 28 will be called to testify at a later stage in the Prosecution’s case still to be determined and if the Prosecution is satisfied that the witness is adequately protected. In accordance with the Directions, the Prosecution will inform the Chamber and Participants, in due course, of the intended date of the testimony of Witness 28.



Luis Moreno-Ocampo, Prosecutor

Dated this 14th day of January 2010

At The Hague, The Netherlands

¹ “Directions for the conduct of the proceedings and testimony”, ICC-01/04-01/07-1665-Corr, p. 10 at para. 8.