

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 26 July 2010

TRIAL CHAMBER II

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

**SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO
IN THE CASE OF
THE PROSECUTOR *v.*
GERMAIN KATANGA AND MATHIEU NGUDJOLO CHUI**

Public Document

**with Confidential, *ex parte* Annex,
only available to the VWU and Trial Chamber I**

**Report on the implementation of protective measures
for Intermediary 143**

Source: Registrar

Document 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 McDonald, Senior Trial Lawyer

Counsel for Germain Katanga

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Mr Andreas O'Shea

Counsel for Mathieu Ngudjolo Chui

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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

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Counsel Support Section

Victims and Witnesses Unit

Ms Maria Luisa Martinod-Jacome

Detention Section

**Victims Participation and Reparations
Section**

Other
Trial Chamber I

The Registrar of the International Criminal Court (“the Court”);

NOTING the hearing held on 14 July 2010 (“hearing of 14 July 2010”)¹;

NOTING the Trial Chamber II’s «Ordonnance urgente relative à la mise en oeuvre de mesures de protection concernant l’intermédiaire 143 expurgée» of 16 July 2010 («Order of Trial Chamber II»)²;

NOTING Articles 43(6) and 68(1), (3) and (4) of the Rome Statute, Rules 16 to 19, 73, 76, 86 to 89 of the Rules of Procedure and Evidence, Regulations 23*bis* and 41 of the Regulations of the Court and Regulations 79 to 96 of the Regulations of the Registry;

CONSIDERING that on the hearing of 14 July 2010 the Presiding Judge ordered that the disclosure of the “identity of intermediary 143 to the Defence teams of Germain Katanga and Mathieu Ngudjolo [...] shall be applied whether this is during recess and even though the Lubanga case is stayed”³;

CONSIDERING that Trial Chamber II ordered the VWU to adopt and implement measures urgently that it considers to be most appropriate to ensure the protection of the intermediate 143 and to report about the state of implementation of the measures by 26 July 2010⁴;

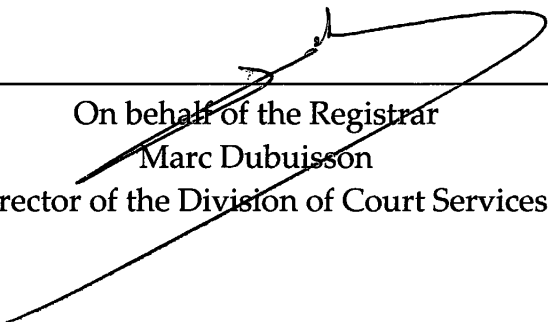
¹ ICC-01/04-01/07-T-172-CONF-ENG.

² ICC-01/04-01/07-2287-Red.

³ ICC-01/04-01/07-T-172-CONF-ENG, p. 9, lines 6 to 13.

⁴ ICC-01/04-01/07-2287-Red., p.6

RESPECTFULLY SUBMITS the Victims and Witnesses Unit's report on the implementation of protective measures for Intermediary 143 in confidential, *ex parte* VWU and Trial Chamber I only, annex to the current submission (Annex 1).



On behalf of the Registrar
Marc Dubuisson
Director of the Division of Court Services

Dated this 26 July 2010

At The Hague, The Netherlands