

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 23 August 2011

PRE-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 Document

**Registry's transmission of observations received from the DRC authorities in
execution of Document ICC-01/04-01/07-3097**

Source: The 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

Mr. Eric MacDonald

Counsel for the Defence for Germain

Katanga

Mr David Hooper

Mr Andreas O'Shea

Counsel for the Defence for Mathieu

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Mr Jean-Pierre Kilenda Kakengi Basila

Mr Jean-Pierre Fofé Djofia Malewa

Legal Representatives of the Victims

Me Fidel Nsita Luvengika

Me Jean-Louis Gilissen

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

Kingdom of the Netherlands

Amicus Curiae

REGISTRY

Registrar

Silvana Arbia

Deputy Registrar

Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Maria-Luisa Martinod-Jacome

Detention Section

**Victims Participation and Reparations
Section**

Other

Me Ghislain Mabanga Monga Mabanga

The Registrar of the International Criminal Court (the "Court")

NOTING the "Decision on the security situation of three detained witnesses in relation to their testimony before the Court (art. 68 of the Statute) and Order to request cooperation from the Democratic Republic of the Congo to provide assistance in ensuring their protection in accordance with article 93(1)(j) of the Statute" rendered by Trial Chamber II on 22 June 2011¹;

NOTING the "Registry's report on the orders received in document ICC-01/04-01/07-3033", submitted by the Registrar on 5 July 2011²;

NOTING the "Registry's report on the implementation of ICC-01/04-01/07-3033" submitted by the Registrar on 5 August 2011³

NOTING the "Order to provide confirmation of full implementation of Decision ICC-01/04-01/07-3033" rendered by Trial Chamber II on 10 August 2011⁴;

CONSIDERING the Registry was ordered "to enter into contact with the relevant DRC authorities in order to obtain the confirmations [...] and to report to the Chamber by Friday 19 August 2011"⁵.

¹ ICC-01/04-01/07-3033

² ICC-01/04-01/07-3061

³ ICC-01/04-01/07-3087-Conf

⁴ ICC-01/04-01/07-3097

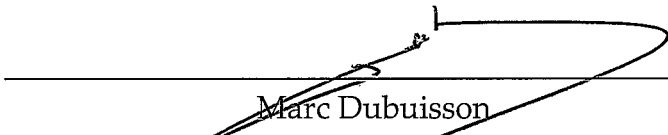
⁵ ICC-01/04-01/07-3097, page 7.

NOTING that the French version of the decision only was notified to the authorities of the Democratic Republic of the Congo on 17 August as such leaving the DRC authorities and the Registry limited time to comply with the Chamber's order.

NOTING that the deadline was extended until 23 August 2011 at 12.00 hours⁶.

NOTING Articles 68 and 87 to 93 of the Rome Statute, Regulation 24*bis* of the Regulations of the Court.

TRANSMITS hereby, respectfully, the observations of the authorities of the Democratic Republic of the Congo as annex 1 to this present document.



Marc Dubuisson
Director – Division of Court Services
per delegation
Silvana Arbia, Registrar

Dated this 23 August 2011

At The Hague, The Netherlands

⁶ Email from the Legal Officer of Trial Chamber II, received on Friday 19 August at 10.59 hours.