

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-RoR221-02/09

Date: 9 March 2012

THE PRESIDENCY

Before: Judge Sang-Hyun Song, President
Judge Fatoumata Dembele Diarra, First Vice-President
Judge Hans-Peter Kaul, Second Vice-President

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

Public

**Order reclassifying documents related to the “Decision on the Application of Mr
Germain Katanga in respect of the new policy in the detention centre on the registration
of telephone contacts”**

Order to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

**Counsel for the Defence for Mr Germain
Katanga**

Mr David Hooper
Mr Andreas O'Shea

**Counsel for the Defence for Mr Mathieu
Ngudjolo Chui**

Mr Jean-Pierre Kilenda Kakengi Basila
Mr Jean-Pierre Fofé Djofia Malewa

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Detention Section

Mr Patrick Craig

The Presidency of the International Criminal Court;

In the application for judicial review of Mr Germain Katanga (“applicant”) of 25 February 2009 entitled “Defence Appeal to the Presidency on behalf of Mr Germain Katanga, in Respect of the New Policy” (“Application”);¹

Noting the Presidency’s “Decision on the reclassification of the confidential ‘Decision on the Application of Mr Germain Katanga in respect of the new policy in the detention centre on the registration of telephone contacts’ of 17 September 2009”² in which the Presidency’s decision on the Application³ (“Decision”) was re-classified as public;

Noting that in view of the publication of the Decision and the information contained therein, there is no further reason to retain the confidential or confidential *ex parte* classification of related documents;

Hereby

Orders the Registrar to reclassify the following documents as public:

ICC-RoR221-02/09-1-Conf-Exp and the annexes thereto;⁴

ICC-RoR221-02/09-2-Conf-Exp and its annex;⁵

ICC-RoR221-02/09-3-Conf-Exp;⁶

ICC-RoR221-02/09-4-Conf-Exp;⁷

ICC-RoR221-02/09-5-Conf-Exp;⁸ and

ICC-RoR221-02/09-7-Conf.⁹

¹ ICC-RoR221-02/09-1-Conf-Exp.

² ICC-RoR221-02/09-8, 20 October 2009.

³ Decision on the Application of Mr Germain Katanga in respect of the new policy in the detention centre on the registration of telephone contacts, ICC-RoR221-02/09-6-Corr, 17 September 2009.

⁴ Defence Appeal to the Presidency on behalf of Mr Germain Katanga, in Respect of the New Policy, 25 February 2009.

⁵ Transmission of document to the Presidency pursuant to regulation 221(2) of the Regulations of the Registry, 6 March 2009.

⁶ Order concerning the “Defence Appeal to the Presidency on behalf of Mr Germain Katanga, in Respect of the New Policy”, 23 March 2009.

⁷ Explications du Greffier sur les raisons motivant la nouvelle procédure relative aux contacts téléphoniques des personnes détenues, 26 March 2009.

⁸ Defence Observations on the “Explications du Greffier sur les raisons motivant la nouvelle procédure relative aux contacts téléphoniques des personnes détenues”, 16 April 2009.

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



Judge Sang-Hyun Song
President

Dated this 9 March 2012

At The Hague, The Netherlands

⁹ Defence Observations on the reclassification of the Decision on the Application of Mr Germain Katanga in respect of the new policy in the detention centre on the registration of telephone contacts, 23 September 2009.