

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 18 June 2012

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
with two confidential annexes

Registry's transmission of correspondence received from the Host State following the "Order on duty counsel's requests concerning the detention of the detention of Witnesses DRC-D02-P-0236, DRC-D02-P-0228, and DRC-D02-P-0350" (Document ICC-01/04-01/07-3291-Conf)

Source: The Registrar

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

The Office of the Prosecutor

Ms. Fatou Bensouda

Mr. Eric MacDonald

Counsel for the Defence for Germain Katanga

Mr David Hooper

Mr Andreas O'Shea

Counsel for the Defence for Mathieu Ngudjolo Chui

Mr Jean-Pierre Kilenda Kakengi Basila

Mr Jean-Pierre Fofé Djofia Malewa

Legal Representatives of the Victims

Mr. Fidel Nsita Luvengika

Mr. 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

Counsel Support Section

Deputy Registrar

Didier Preira

Victims and Witnesses Unit

Ms 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 “Requests concerning the Detention of Witnesses DRC-d02-P-0236, DRC-D02-P-0228, and DRC-D02-P-0350” (hereinafter the “Requests”) submitted by the Duty Counsel for the detained witnesses on 14 May 2012¹;

NOTING the “Registry’s observations following the “Requests concerning the Detention of Witnesses DRC-D02-P-0236, DRC-D02-P-0228, and DRC-D02-P-0350” (Document ICC-01/04-01/07-3291-Conf)”, submitted by the Registrar on 30 May 2012²;

NOTING the “Order on duty counsel’s requests concerning the detention of Witnesses DRC-D02-P-0236, DRC-D02-P-0228 and DRC-D02-P-0350”, rendered by Trial chamber II on 1 June 2012³;

CONSIDERING that the Registry was ordered to urgently initiate the consultations with the host State described at paragraph 13 herein and instructed to report on the outcome of the consultations by 4 p.m. on 18 June 2012⁴. ;

NOTING Articles 68 and 87 to 93 of the Rome Statute, Regulation 23*bis* and 24*bis* of the Regulations of the Court.

¹ ICC-01/04-01/07-3291-Conf

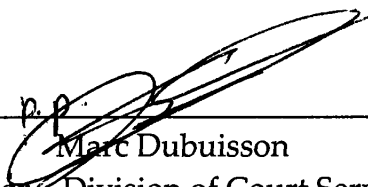
² ICC-01/04-01/07-3302-Conf

³ ICC-01/04-01/07-3303-tENG

⁴ ICC-01/04-01/07-3303-tENG, psge 9.

TRANSMITS hereby, respectfully, as confidential annexes to this present document, correspondence received from the Host State as well as the Registry note verbale notifying document ICC-01/04-01/07-3303 and inviting the Host State for consultations.

The Registry remains available to undertake consultations on an *ad hoc* basis with the Host State in the event transportation requests arise and will keep the Trial Chamber updated accordingly.



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

Dated this 18 June 2012

At The Hague, The Netherlands