

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/04-02/12 A**

Date: **20 October 2014**

THE APPEALS CHAMBER

Before: Judge Sanji Mmasenono Monageng, Presiding Judge
Judge Sang-Hyun Song
Judge Cuno Tarfusser
Judge Erkki Kourula
Judge Ekaterina Trendafilova

SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO

IN THE CASE OF

THE PROSECUTOR

v. MATHIEU NGUDJOLO CHUI

**Public
with Confidential Annex**

**Prosecution's Updated Provisional List of Decisions and Authorities for use at the
Appeal Hearing**

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

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Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

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States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Other Section

1. The Office of the Prosecutor (“Prosecution”) submits this updated list of relevant decisions, orders and transcripts of the Court, and electronic copies of authorities (internet links) that it anticipates it may use at the appeal hearing.¹ The list continues to be provisional—the Prosecution may refer to additional documents from the trial record and authorities during the hearing, depending on the responses of the other parties and participants, and questions from the Chamber.
2. To assist the Appeals Chamber in referring to authorities actually cited, the Prosecution will submit written copies of its submissions prepared for the hearing—with appropriate references—once counsel have finished speaking.
3. The Prosecution files the attached annex confidentially, pursuant to Regulation 23*bis* of the Regulations of the Court (“RoC”), as it refers to documents which are still confidential.²



Fatou Bensouda, Prosecutor

Dated this 20th of October 2014

At The Hague, The Netherlands

Word Count: 384³

¹ See Confidential Annex. This updates and supersedes ICC-01/04-02/12-215. Minor amendments have been made to the list of authorities, adding three legal authorities (*Semanza*, *Kajelijeli*, and *Situation in the CAR*) and, in the interest of time, removing reference to two legal authorities (*Gotovina* and *Simić*).

² See ICC-01/04-02/12-209 A, para.16.

³ It is certified that this document contains the number of words specified and complies in all respects with the requirements of Regulation 36 of the RoC. This statement (51 words), not itself included in the word count, follows the Appeals Chamber’s direction to “all parties” appearing before it: ICC-01/11-01/11-565 OA6, para.32.