



Original: **English**

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

Date original: **14 October 2016**

Date: **7 June 2021**

TRIAL CHAMBER II

Before: Judge Chang-ho Chung, Presiding Judge
Judge Péter Kovács
Judge María del Socorro Flores Liera

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. GERMAIN KATANGA***

PUBLIC

With confidential Annexes I and II

***EX PARTE* only available Registry and Prosecution**

**Public Redacted Version of the “Registry’s report on the financial
situation of Germain Katanga” ICC-01/04-01/07-3717-Conf-Exp**

Source: The Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor

Counsel for the Defence

Mr David Hooper

Ms Caroline Buisman

Legal Representatives of the Victims

Mr Fidel Nsita Luvengika

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Mr Esteban Peralta-Losilla

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

Other

Presidency

I - Introduction

1. The Registry informs the Chamber of the outcome of its investigation into the financial situation of Mr Katanga following [REDACTED].¹

II - Classification

2. The present submissions as well as the related annexes are classified as confidential pursuant to regulation 23bis(1) of the Regulations of the Court because they contain sensitive information and [REDACTED].

III - Applicable law

3. The Registry submits this information in accordance with article 75 of the Rome Statute and [REDACTED].

IV - Submissions

Financial status of Mr Katanga prior to conviction

4. By paragraph 15 of its Resolution 1596 (2005), the United Nations Security Council froze the assets of a number of designated persons, one of whom was Mr Katanga.²
5. On 6 July 2007, Pre-Trial Chamber I issued the « *Demande adressée à la République démocratique du Congo en vue d'obtenir l'identification, la localisation, le gel et la saisie des biens et avoirs de Germain Katanga* ».³
6. On 14 November 2007, Mr Katanga applied for the first time for legal assistance paid by the Court, signed a legal aid application form which was

¹ [REDACTED]

² S/RES/1596 (2005)

³ ICC-01/04-01/07-7-US

completed by hand in English with the assistance of his counsel. On 19 February 2008, Mr Katanga signed another legal aid application form completed in French. Mr Katanga declared in both application forms that he had no assets. In particular, he stated that although he was nominated as a General in December 2004, he had never been paid and had never had a bank account. He was accordingly assessed as totally indigent for legal aid purposes on 23 November 2007.⁴

7. Following extensive financial investigation by the Registry, which involved consultations with the Office of The Prosecutor ("Prosecution") and the issuance of a request for cooperation to the Democratic Republic of the Congo (DRC) to identify any assets held by Mr Katanga, no reply was received from DRC and no evidence was found of any such assets. As a result, Mr Katanga received legal aid continuously, on the basis that he was fully indigent. [REDACTED].

Current financial status of Mr Katanga

8. [REDACTED]. [REDACTED]:

"[REDACTED]".⁵

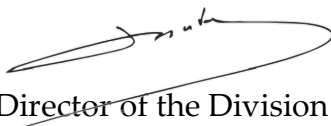
9. [REDACTED].
10. [REDACTED].
11. [REDACTED].

⁴ See Décision du Greffier sur les demandes d'aide judiciaire aux frais de la Cour déposées par M. Germain Katanga (ICC-01/04-01/07-7).

⁵ [REDACTED]

V - Conclusion

12. [REDACTED].

A handwritten signature in black ink, appearing to read 'M. Dubuisson', is written over the text 'Director of the Division of Judicial Services'.

Marc Dubuisson – Director of the Division of Judicial Services

On behalf of

Peter Lewis, Registrar

Dated this 7 June 2021

At The Hague, The Netherlands