

1 International Criminal Court - Pre-Trial Chamber I
2 Situation in the Democratic Republic of Congo - ICC-01/04-01/07
3 Status Conference - Open Session - Thursday, 19 June 2008
4

5 The hearing starts at 4.35 p.m.

6 COURT USHER: All rise. The International Criminal Court is now
7 in session. Please be seated.

8 JUDGE STEINER: Please Court Officer call the case. I apologise.
9 First I would like the security officers to bring in the detainees.
10 Now, please, if the Court Officer could call the case.

11 COURT OFFICER (interpretation): Situation in the Democratic
12 Republic of the Congo, the case against Germain Katanga and Mathieu
13 Ngudjolo Chui, ICC-01/04-01/07.

14 SINGLE JUDGE STEINER: Thank you very much. Welcome again,
15 Mr. Germain Katanga, Mr. Mathieu Ngudjolo Chui. This hearing is held in
16 closed session, and for the record I would like to ask again the
17 Prosecution, the Defence teams, and the representatives of the victims to
18 introduce themselves.

19 MR. MacDONALD (interpretation): Good morning -- good afternoon
20 again. Eric MacDonald for the Prosecution, assisted by Ms. Florence
21 Darques-Lane and Mr. Ian Bulmer.

22 MR. MacDONALD: (Previous translation continues) ... Katanga
23 together with Ms. Sophie Menegon.

24 MR. KILENDA (interpretation): Ms. Maryse Alie, and Ms. Aurelie
25 Roche, and me Jean-Pierre Kilenda for Mr. Ngudjolo.

1 MS. BAPITA (interpretation): Ms. Bapita for a number of victims,
2 except 8 -- a/0051, and a/0055.

3 MR. DIAKIESE (interpretation): Mr. Diakiese for victims 8 --
4 10 -- a/10 to a/15 excepting a/0014.

5 MS. MASSIDDA: (Previous translation continues)... for a Maitre
6 Mulamba Ngokogni (Interpretation) for a number of victims as stated
7 during the open session.

8 SINGLE JUDGE STEINER: Thank you. Also for the record I would
9 like to inform that according to the decision -- to the judgement of the
10 Appeals Chamber on the issue of languages, translation into Lingala is
11 being provided to Mr. Germain Katanga and is also available to
12 Mr. Mathieu Ngudjolo Chui.

13 So before we go into the explanation of the Prosecution in
14 relation to its -- the filing made today, document -- document number
15 610, and in reviewing the transcripts of the public part of this hearing,
16 I notice that there are some requests that are related to the oral
17 decision issued by the Presiding Judge exercising the functions of the
18 Single Judge at the hearing held on 10th June 2008, requests made for
19 reconsideration of some of the topics decided in such oral decision and
20 according to precedents of this Chamber, Pre-Trial Chamber II, and also
21 Pre-Trial Chamber II [sic], unless there are exceptional circumstances a
22 Chamber is not entitled to review its own decision, and in this case none
23 of the requests shown exceptional circumstances that would justify
24 reconsideration of any of the issues raised during the public session the
25 status conference. Therefore, the requests for reviewing the decision of

1 the 10th of June are rejected.

2 Now I would like to give the floor to the Prosecution.

3 MR. MacDONALD: Just for clarity, your Honour, you're referring
4 to which request to reconsideration of this -- the 10th of June decisions
5 of the Single Judge?

6 SINGLE JUDGE STEINER: As related to participation in the
7 confirmation hearing, in the room, requests made by the OPCV and by
8 Maitre Kilenda.

9 MS. MASSIDDA: Your Honour, with your permission.

10 SINGLE JUDGE STEINER: Yes, please.

11 MS. MASSIDDA: The Office of Public Counsel for Victims has not
12 requested during the open session reconsideration of the decision of the
13 10th of June. If I'm not mistaken, maybe we can review the transcript,
14 my expression used was simply "it could be that after consultation with
15 the Legal Representative the Legal Representative and/or the office will
16 consider to ask for a review." This was what I stated during the open
17 session. So at this point in time the OPCV has not put forward before
18 the Single Judge or the Pre-Trial Chamber any request for reconsideration
19 of the decision of the 10th of June. Thank you.

20 SINGLE JUDGE STEINER: So thank you for this clarification. In
21 any case, unless exceptional circumstances are shown, none* of the topics
22 of the oral decision will be reviewed or reconsidered by the Single
23 Judge prior to the confirmation hearing. Prosecution, Mr. MacDonald, please.

24 (expunged)

25 The hearing ends at 4.54 p.m.