

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/04-01/07
Date: 11 December 2007

PRE-TRIAL CHAMBER I

Before: Judge Akua Kuenyehia, Presiding Judge
Judge Anita Ušacka
Judge Sylvia Steiner

Registrar: Mr Bruno Cathala

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

PUBLIC DOCUMENT

Decision re-scheduling the status conference of 12 December 2007

The Office of the Prosecutor

Mr Luis Moreno Ocampo, Prosecutor
Mrs Fatou Bensouda, Deputy Prosecutor
Mr Éric MacDonald, Trial Lawyer
Mrs Florence Darques-Lane, Legal Adviser

Counsel for the Defence

Mr David Hooper

PRE-TRIAL CHAMBER I of the International Criminal Court (“the Chamber” and “the Court”, respectively);

NOTING the “Decision convening a status conference”¹ issued by the Chamber on 6 December 2007 in which it was decided that the agenda of the status conference would be (1) the update of the composition of the Defence’s Team; (2) access to databases and IT training given to the Defence Team; (3) further information regarding the language(s) understood and spoken by Germain Katanga; and (4) communication issues between the Defence Team and Germain Katanga;

NOTING the “Defence notice concerning the scheduling of the status conference” filed by the Defence Counsel on 7 December 2007 in which he “informs the Court that he is unable to be present on Wednesday afternoon due to pre-existing and significant professional commitments”;²

NOTING the “Decision convening a status conference on 14 December 2007”³ issued by the Single Judge on 7 December 2007 whereby the Single Judge intends to discuss disclosure issues and the calendar for the disclosure of the additional evidence on which the Prosecution intends to rely at the confirmation hearing;

NOTING the “Motion to re-schedule the Status Conference of 12 December 2007”⁴ filed on 11 December 2007 in which Defence Counsel explains that he has a long standing arrangement in Arusha, Tanzania at the seat of the International Criminal Tribunal for Rwanda to meet with the accused, lead counsel and a legal assistant to take instructions in respect of Prosecution witnesses; that he mistakenly understood that the status conference scheduled for 12 December 2007 had already been

¹ ICC-01/04-01/07-87.

² ICC-01/04-01/07-89.

³ ICC-01/04-01/07-91.

⁴ ICC-01/04-01/07-95-Conf.

rescheduled for 14 December 2007 and the Chamber's order for two status conferences in the same week with two different agendas; and, that he was therefore unable to make travel arrangements to come to The Hague for the status conference scheduled for 12 December 2007;

NOTING articles 61(1) and (2) and 67 of the Rome Statute ("the Statute") and regulation 30 of the Regulations of the Court ("the Regulations");

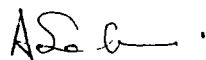
CONSIDERING that, in addition to the pre-existing professional commitments explained by Defence Counsel, a number of exceptional circumstances arise in this case, including (i) that the third item on the agenda for the status conference is "further information regarding the language(s) understood and spoken by Germain Katanga"⁵ which relates to the suspect's rights under article 67 of the Statute; and (ii) that this is the first hearing before Pre-Trial Chamber I in which Defence Counsel for Germain Katanga is to appear;

⁵ ICC-01/04-01/07-87, p. 4.

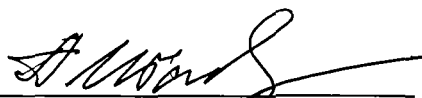
FOR THESE REASONS

DECIDES to re-schedule the 12 December 2007 status conference with the Prosecution, Germain Katanga and his Defence Counsel and the Registrar and/or his representatives for Friday 14 December 2007, at 14h00 prior to the hearing on disclosure issues with the Single Judge;

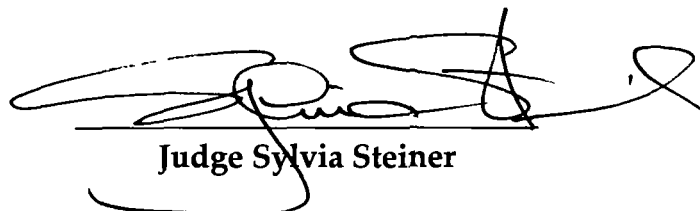
Done in both English and French, the English version being authoritative.



Judge Akua Kuenyehia
Presiding Judge



Judge Anita Ušacka



Judge Sylvia Steiner

Dated this Tuesday 11 December 2007

At The Hague (the Netherlands)