

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/04-02/07
Date: 22 February 2008

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Single Judge

Registrar: Mr Bruno Cathala

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. MATHIEU NGUDJOLO CHUI***

**URGENT
Public Document**

Order Concerning Notification of Decision of 14 February 2008

The Office of the Prosecutor
Mr Luis Moreno Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Éric MacDonald, Trial Lawyer
Ms Florence Darques-Lane, Legal Adviser

Duty Counsel for the Defence
Mr Jean-Pierre Kilenda Kakengi
Basila

I, Sylvia Steiner, judge at the International Criminal Court (“the Court”),

NOTING the “Decision Convening a Hearing on 18 February 2008” (“the Decision”) issued by the Single Judge on 14 February 2008, in which the Single Judge ordered that the confidential redacted version of document ICC-01/04-02/07-19-Conf-Exp and its confidential annex be notified to the Prosecution and the Defence; and decided that the Defence had until Wednesday 20 February 2008 at 16h00 to submit its additional observations;¹

NOTING the “*Requête*”² (“the Request”) filed by the Duty Counsel for the Defence on 21 February 2008, in which Duty Counsel submitted that time limits should start running from the moment the Duty Counsel receives notification, via DHL, of the confidential documents;

NOTING articles 67 of the *Rome Statute* (“the Statute”), rule 13 of the *Rules of Procedure and Evidence* (“the Rules”) and regulations 31 and 35 of the Regulations of the Court (“the Regulations”);

CONSIDERING that the Single Judge issued the Decision on 14 February 2008; and that the Decision, the confidential redacted version of document ICC-01/04-02/07-19-Conf-Exp and its confidential annex should have been immediately notified by the Registry to the Defence;

CONSIDERING further that Duty Counsel for the Defence, in his Request, did not inform the Single Judge of the date on which he was effectively notified of the relevant documents;

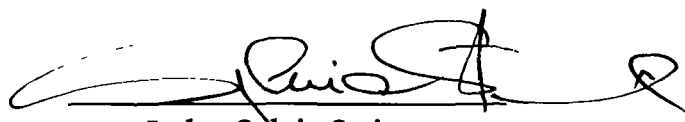
¹ ICC-01/04-02/07-25.

² ICC-01/04-02/07-34.

FOR THESE REASONS,

ORDER the Registrar to file by Friday 22 February 2008 at 16.00 hours in the record of the case *The Prosecutor v. Mathieu Ngudjolo Chui*: (i) information on how and when the Defence was notified of the Decision; and (ii) any record in his possession relating to such notification.

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



Judge Sylvia Steiner
Single Judge

Dated this Friday 22 February 2008

At The Hague, The Netherlands