

**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;<sup>1</sup>

**NOTING** the "*Requête*"<sup>2</sup> ("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;

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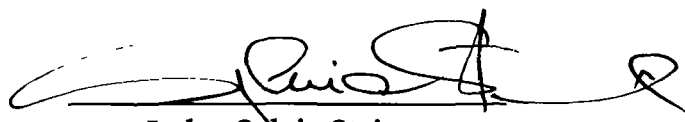
<sup>1</sup> ICC-01/04-02/07-25.

<sup>2</sup> 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