

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: **ICC-01/04-01/07 OA 7**
Date: **27 June 2008**

THE APPEALS CHAMBER

Before: Judge Georghios M. Pikis, Presiding Judge
Judge Philippe Kirsch
Judge Navanethem Pillay
Judge Sang-Hyun Song
Judge Erkki Kourula

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

THE PROSECUTOR v. GERMAIN KATANGA AND MATHIEU NGUDJOLO CHUI

Public document

Decision

on “Victims and Witnesses Unit’s considerations on the system of witness protection and the practice of ‘preventive relocation’” and “Prosecution’s request for leave to file a response to ‘Victims and Witnesses Unit’s considerations on the system of witness protection and the practice of ‘preventive relocation’”



Decision/Order/Judgment to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

Counsel for Mr Katanga

Mr David Hooper
Mr Goran Sluiter

Counsel for Mr Ngudjolo Chui

Mr Jean-Pierre Kilenda Kakengi Basila
Ms Maryse Alié

REGISTRY

Registrar

Ms. Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against the decision entitled “Decision on Evidentiary Scope of the Confirmation Hearing, Preventive Relocation and Disclosure under Article 67 (2) of the Statute and Rule 77 of the Rules” (ICC-01/04-01/07-411-Conf-Exp),

In the matter of “Victims and Witnesses Unit’s considerations on the system of witness protection and the practice of ‘preventive relocation’” (ICC-01/04-01/07-585),

In the matter of “Prosecution’s request for leave to file a response to ‘Victims and Witnesses Unit’s considerations on the system of witness protection and the practice of ‘preventive relocation’” (ICC-01/04-01/07-594),

After deliberation,

Renders by majority, Judge Pikis dissenting, the following:

DECISION

(i) The Registrar is legitimised in submitting the document entitled “Victims and Witnesses Unit’s considerations on the system of witness protection and the practice of ‘preventive relocation.’”

(ii) The Prosecutor and the Defence are entitled to respond to the aforesaid document of the Registrar by Monday, 7 July 2008.

The reasons for the majority decision and the dissenting opinion will be given shortly.

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



Judge Georghios M. Pikis
Presiding Judge

Dated this 27th day of June 2008

At The Hague, The Netherlands