



Original: **French**

No.: **ICC-01/04-02/12**

Date: **18 August 2015**

**TRIAL CHAMBER II**

**Before:** Judge Marc Perrin de Brichambaut, Presiding Judge  
Judge Olga Herrera Carbuccion  
Judge Péter Kovács

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

**Public**

**Order instructing the Prosecution to file observations on the Request for  
Compensation**

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

**Office of the Prosecutor**

Ms Fatou Bensouda

Mr James Stewart

Ms Helen Brady

**Counsel for Mathieu Ngudjolo**

Mr Jean-Pierre Kilenda Kakengi Basila

**Legal Representatives of Victims**

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparations**

**Office of Public Counsel for the  
Defence**

**States' Representatives**

**REGISTRY**

---

---

**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Others**

**TRIAL CHAMBER II** (“the Chamber”) of the International Criminal Court, acting pursuant to article 85 of the Rome Statute (“the Statute”) and rule 174(1) of the Rules of Procedure and Evidence (“the Rules”), orders the following.

1. On 27 February 2015, the Appeals Chamber rendered its judgment confirming, by majority, the decision of Trial Chamber II dated 18 December 2012 acquitting Mathieu Ngudjolo Chui.<sup>1</sup>
2. On 14 August 2015, Counsel for Mr Ngudjolo filed a request for compensation on the grounds of article 85 of the Statute<sup>2</sup> (“the Request for Compensation”).
3. The Chamber notes that rule 174(1) of the Rules provides that “[a] request for compensation [...] shall be transmitted to the Prosecutor, who shall have an opportunity to respond in writing.”

---

<sup>1</sup> “Judgment on the Prosecutor’s appeal against the decision of Trial Chamber II entitled ‘Judgment pursuant to article 74 of the Statute’”, ICC-01/04-02/12-271-Corr.

<sup>2</sup> “*Requête en indemnisation sur pied de l’article 85 (1) et (3) du Statut de Rome*”, 14 August 2015, ICC-01/04-02/12-290, with public Annexes I and IV and confidential Annexes II, III and V.

**FOR THESE REASONS, THE CHAMBER**

**INSTRUCTS** the Prosecution to file observations on the Application for Compensation by 18 September 2015 at 4 p.m.

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

[signed]

---

**Judge Marc Perrin de Brichambaut**  
**Presiding Judge**

[signed]

---

**Judge Olga Herrera Carbuccion**

[signed]

---

**Judge Péter Kovács**

Dated this 18 August 2015

At The Hague, the Netherlands