



Original: English

No.: ICC-01/04-02/12
Date: 26 November 2012

TRIAL CHAMBER II

Before: Judge Bruno Cotte , Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Christine Van den Wyngaert

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF
THE PROSECUTOR v. MATTHIEU NGUDJOLO CHUI

Public
With 3 confidential annexes
Registry Report on the implementation of Decision ICC-01/04-01/07-3319

Source: REGISTRAR

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

The Office of the Prosecutor

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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Silvana Arbia

Deputy Registrar

Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRAR of the International Criminal Court (the “Court”);

NOTING the “*Décision relative à la mise en œuvre de la norme 55 du Règlement de la Cour et prononçant la disjonction des charges portées contre les accusés*” issued by Trial Chamber II (the “Chamber”) on 21 November 2012 (the “Decision”)¹;

NOTING article 64-5 of the Rome Statute, rule 136 of the Rules of Procedure and Evidence and regulations 22 and 27 of the Regulations of the Registry;

CONSIDERING that the Chamber ordered the severance in respect of the charges against the accused Mathieu Ngudjolo²;

CONSIDERING that the Chamber also ordered the Registry “to take all necessary measures” to, *inter alia*, make the separation of cases possible³;

CONSIDERING that pursuant to regulation 22 of the Regulations of the Registry “(...) part of one situation or case record shall be transferred to another situation or case record, for the reasons relating to, *inter alia*, a joinder or separation of trials under rule 136”;

INFORMS that following the separation of trials the case record ICC-01/04-02/12 has been created for the case *The Prosecutor v. Mathieu Ngudjolo Chui*;

¹ ICC-01/04-01/07-3319

² *Ibid*, page 32. The Decision in French reads “[l]a Chambre PRONONCE la disjonction des charges portées contre l’accusé Mathieu Ngudjolo”

³ *Ibid*, page 32. The Decision in French reads “[l]a Chambre ORDONNE au Greffe de prendre toutes les dispositions nécessaires”

INFORMS that all documents submitted after Decision ICC-01/04-01/07-3319 that are to be registered in the case *The Prosecutor v. Mathieu Ngudjolo Chui* are numbered pursuant to Regulation 27 of the Regulations of the Registry;

INFORMS that all court records and material (documents, decisions, transcripts, evidence and audio visual material) registered in the case ICC-01/04-01/07 prior to Decision ICC-01/04-01/07-3319 are by default and as of today part of the record of the case ICC-01/04-02/12;


INFORMS that the registration number initially attributed to the above court records and material in the case ICC-01/04-01/07 will remain unchanged in the case ICC-01/04-02/12;

INFORMS that the same level of confidentiality and the same access level to these court records and material will be preserved in the case ICC-01/04-02/12;

TRANSFERS the material of the case record ICC-01/04-01/07, as described in annexes 1 to 3 below, to the new case record ICC-01/04-02/12:

- list of court records transferred (Annex 1);
- list of transcripts transferred (Annex 2);
- list of evidence registered in the case transferred (Annex 3);

SUBMITS respectfully the above annexes on a confidential basis, in accordance with regulation 23 *bis* 1 of the Regulations of Court, as they contain information of a confidential nature.



Marc Dubuisson, Director, Division of Court Services
Per delegation of Silvana Arbia, Registrar

Dated this 26 November 2012

At The Hague, The Netherlands