

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

**No.: ICC-01/04-01/07
Date: 16 April 2014**

THE PRESIDENCY

Before: Judge Sang-Hyun Song, President
Judge Sanji Mmasenono Monageng, First Vice-President
Judge Cuno Tarfusser, Second Vice-President

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR v GERMAIN KATANGA***

Public with Public Annex I

Decision replacing two judges in Trial Chamber II

Decision to be notified in accordance with regulation 31 of the *Regulations of the Court***to:****The Office of the Prosecutor**

Ms Fatou Bensouda

Mr James Stewart

Mr Eric MacDonald

Counsel for the Defence

Mr David Hooper

Mr Andreas O'Shea

Legal Representatives of the Victims

Mr Jean-Louis Gilissen

Mr Fidel Nsita Luvengika

Legal Representatives of the Applicants**Unrepresented Victims****Unrepresented Applicants for
Participation/Reparation****The Office of Public Counsel
for the Victims**

Ms Paolina Massidda

The Office of Public Counsel for the Defence**States Representatives***Amicus Curiae***REGISTRY**

Registrar

Mr Herman von Hebel

Counsel Support Section**Victims and Witnesses Unit**

Mr Patrick Craig

Detention Section**Victims Participation and Reparations
Section**

Ms Fiona McKay

Other

Trial Chamber II

Judge Silvia Fernández de Gurmendi

Judge Olga Herrera Carbuccion

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

NOTING the request transmitted to the Presidency on 7 March 2014 by Judge Bruno Cotte, presiding judge of Trial Chamber II, to leave the Court at the conclusion of the article 76 proceedings and decision in the case of *The Prosecutor v Germain Katanga*;

NOTING the request transmitted to the Presidency on 11 March 2014 by Judge Fatoumata Dembele Diarra, judge of Trial Chamber II, to leave the Court at the conclusion of the article 76 proceedings and decision in the case of *The Prosecutor v Germain Katanga*;

NOTING the decision of the Presidency of 16 April 2014, granting the requests of Judges Cotte and Diarra to leave the Court (Annex I);

CONSIDERING that the functions of the Trial Chamber shall normally be carried out by three judges of the Trial Division in accordance with article 39(2)(b)(ii) of the Statute;

CONSIDERING rule 38 of the Rules and regulation 15 of the Regulations of the Court providing for the replacement of judges;

HEREBY DECIDES to reconstitute Trial Chamber II, currently composed of Judges Bruno Cotte, Fatoumata Dembele Diarra and Christine Van den Wyngaert, in the case of *The Prosecutor v Germain Katanga*, as follows effective on the date of the issuance of the article 76 decision:


Judge Christine Van den Wyngaert

Judge Silvia Fernández de Gurmendi

Judge Olga Herrera Carbuccion

ORDERS the Registrar to file and notify this decision to the relevant parties and participants in the case.

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


Judge Sang-Hyun Song
President

Dated this 16 April 2014

At The Hague, The Netherlands