

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No: ICC-01/04
Date: 26 June 2007

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Single Judge

Registrar: Mr Bruno Cathala

SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO

**Under seal
Ex parte only available to the Prosecution
URGENT
Decision concerning Supporting Materials in relation with the Prosecution's
Application for Warrants of Arrest under Article 58 of the Statute**

The Office of the Prosecutor

Mr Luis Moreno Ocampo, Prosecutor
Mrs Fatou Bensouda, Deputy Prosecutor
Ms Christine Chung, Senior Trial Lawyer
Mr Éric MacDonald, Trial Lawyer

I, Judge Sylvia Steiner, judge at the International Criminal Court (the “Court”);

NOTING the “Prosecutor’s Application for Warrants of Arrest under Article 58 and Request for Expedited Consideration (Part one)”¹ and the “Prosecutor’s Application for Warrants of Arrest under Article 58 and Request for Expedited Consideration (Part two)” filed on 22 and 25 June 2007, respectively;²

NOTING the “Prosecution’s Submission of Annexes and other materials”³ (“the Prosecution Submission”) filed by the Prosecution on 22 June 2007;

NOTING article 58 (1) of the Rome Statute (“the Statute”) according to which the Chamber shall issue a warrant of arrest of a person if it is satisfied that there are reasonable grounds to believe that the person has committed a crime within the jurisdiction of the Court;

CONSIDERING that the Prosecution, in its application, part one and two, makes reference to 14 witnesses; and that in its submission of Annexes and other materials, the Prosecution provides statements for only three of those witnesses;

CONSIDERING the need for additional supporting materials relating to the criminal responsibility of the two persons under article 25 (3) (b) of the Statute in relation to the ordering of the alleged crimes;

¹ ICC-01/04-348-US-Exp.

² ICC-01/04-350-US-Exp.

³ ICC-01/04-349-US-Exp and ICC-01/04-349-US-Exp-Anx1-10 and Anx-AnxH.

CONSIDERING the lack of identifying information, such as full names, aliases, exact place and date of birth, names of parents, civil status, in relation to both persons concerned, in the Prosecution Application, part one and two;

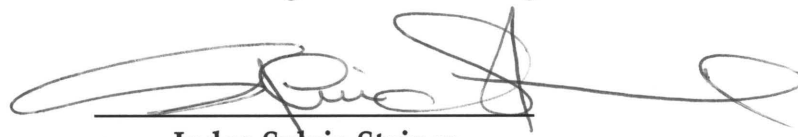
CONSIDERING further that the Prosecution Application, part one and two, were requested to be considered on an expedited basis;

FOR THESE REASONS

INVITE the Prosecution, by Wednesday, 27 June 2007, 4pm at the latest to provide the following:

- i) the statements of the remaining eleven witnesses referred to in the Prosecution Application, part one and two;
- ii) any additional supporting materials in relation to the criminal responsibility of the two persons under article 25 (3) (b) of the Statute as referred to in the Prosecution Application, part one and two; and
- iii) any identifying information in relation to both persons concerned in the Prosecution Application, part one and two.

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



Judge Sylvia Steiner
Single Judge

Dated this Tuesday 26 June 2006
At The Hague, The Netherlands