

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/04-01/07
Date: 26 October 2007

PRE-TRIAL CHAMBER I

Before: Judge Akua Kuenyehia, Presiding Judge
Judge Anita Ušacka
Judge Sylvia Steiner

Registrar: Mr Bruno Cathala

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. GERMAIN KATANGA***

PUBLIC DOCUMENT

**Order for a Report of Additional Information on the Detention and Surrender of
the Detainee Germain Katanga**

The Office of the Prosecutor
Mr Luis Moreno Ocampo
Mrs Fatou Bensouda
Mr Éric MacDonald

Counsel for the Defence
Mr Xavier-Jean Keïta
(Office of the Public Counsel for the
Defence)

PRE-TRIAL CHAMBER I (“the Chamber”) of the International Criminal Court (“the Court”):

NOTING the Warrant of Arrest for Germain Katanga, issued by Pre-Trial Chamber I on 2 July 2007;¹

NOTING the “Information to the Chamber on the execution of the Request for the arrest and surrender of Germain Katanga” filed on behalf of the Registrar by the Director of the Division of Court Services on 22 October 2007;²

NOTING the public hearing held by the Chamber on 22 October 2007 for the first appearance of Germain Katanga following his arrest and surrender to the Court;³

NOTING articles 67(1)(a) and (f) and 89 of the Rome Statute (“the Statute”) and rules 117(1), 184(4) and 187 of the Rules of Procedure and Evidence (“the Rules”);

CONSIDERING that at his first appearance before the Court on 22 October 2007, Germain Katanga indicated that he “speaks Lingala best” and that “sometimes it is difficult for [him] to understand and... to express [him]self”⁴ in French;

CONSIDERING that it is a duty of the Chamber to ensure that proceedings are conducted in a manner which is fair, expeditious, and with full respect for the rights of an arrested person; and that, pursuant to article 67 of the Statute, in the determination of any charge, the arrested person is promptly informed of the

¹ ICC-01/04-01/07-1.

² ICC-01/04-01/07-40-Conf-Exp and Anx1 to Anx9.

³ ICC-01/04-01/07-26.

⁴ ICC-01-04-01-07-T-5-ENG [22Oct2007Edited] 1-31 NB PT, p. 3, lines 17-21.

“nature, cause and content of the charge, in a language which he fully understands and speaks” and has “the assistance of a competent interpreter and such translations as are necessary to meet the requirements of fairness, if any of the proceedings or documents presented to the Court are not in a language which he fully understands and speaks”;

CONSIDERING that the Registrar may, in carrying out his obligations in respect of arrest and surrender pursuant to rules 117(1) and 187 of the Rules, acquire relevant information concerning the languages that a detained person understands and speaks;

CONSIDERING that in performing its obligations under the Statute and the Rules, on 22 October 2007 the Division of Court Services, on behalf of the Registrar, provided information to the Chamber concerning the execution of the request for the arrest and surrender of Germain Katanga, which appeared to indicate that the Registrar is in a position to provide additional information concerning languages read, spoken and understood by Germain Katanga;⁵

FOR THESE REASONS

ORDERS the Registrar to file in the record of the Case a Report on any additional relevant information concerning languages read, spoken or understood by Germain Katanga, as soon as practicable but no later than 2 November 2007;

⁵ ICC-01/04-01/07-40-Conf-Exp and Anx1 to Anx9.

DECIDES that the Prosecution and Defence may submit observations on the Report of the Registrar within a time limit which will be determined by the Chamber when the Report is filed.

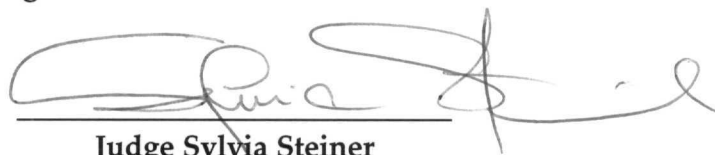
Done in both English and French, the English version being authoritative.



Judge Akua Kuenyehia
Presiding Judge



Judge Anita Ušacka



Judge Sylvia Steiner

Dated this Thursday 26 October 2007

At The Hague (the Netherlands)