

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **French**

No.: ICC-01/04-01/07

Date: 6 July 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***

**Under seal  
URGENT**

**REQUEST TO THE DEMOCRATIC REPUBLIC OF THE CONGO FOR THE  
PURPOSE OF OBTAINING THE IDENTIFICATION, TRACING, FREEZING AND  
SEIZURE OF THE PROPERTY AND ASSETS OF GERMAIN KATANGA**

**The Office of the Prosecutor**

Mr Luis Moreno-Ocampo, Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor

Ms Christine Chung, Senior Trial Lawyer

Mr Eric McDonald, Trial Lawyer

**THE REGISTRAR** of the International Criminal Court;

**NOTING** the warrant of arrest issued for Mr Germain Katanga on 2 July 2007 by Pre-Trial Chamber I (“the Chamber”) in accordance with article 58 of the *Statute of the Court* (“the Statute”), to which a photograph of Mr Katanga is attached;<sup>1</sup>

**NOTING** the decision of the Chamber issued on 2 July 2007, assigning to the Registrar of the Court the task of preparing and transmitting the request for the identification, tracing and freezing or seizure of the property and assets of Mr Germain Katanga to the competent authorities of the Democratic Republic of the Congo, in accordance with rule 176 of the *Rules of Procedure and Evidence*;<sup>2</sup>

**NOTING** articles 57(3)(e), 75, 89, 93(1)(k), 96 and 97 of the Statute and rule 99(1) of the *Rules of Procedure and Evidence*;

**CONSIDERING** that paragraph 15 of United Nations Security Council resolution 1596 states that “[...] all States shall [...] immediately freeze the funds, other financial assets and economic resources which are on their territories from the date of adoption of this resolution, which are owned or controlled, directly or indirectly, by persons designated by the [Sanctions] Committee pursuant to paragraph 13 above, or that are held by entities owned or controlled, directly or indirectly, by any persons acting on their behalf or at their direction [...]”;

**CONSIDERING** that in the “List of Individuals and Entities Subject to the Measures Imposed by Paragraphs 13 and 15 of Security Council Resolution 1596 (2005)” the Sanctions Committee identifies Germain Katanga as one of the persons subject to the said resolution;<sup>3</sup>

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<sup>1</sup> ICC-01/04-01/07-1-US

<sup>2</sup> ICC-01/04-01/07-2-US

<sup>3</sup> Security Council Sanctions Committee established by resolution 1533 (2004) concerning the Democratic Republic of the Congo, *List of Individuals and Entities Subject to the Measures Imposed by Paragraphs 13 and 15 of Security Council Resolution 1596 (2005)*. This list can be found on the United Nations website at the following address: <http://www.un.org/sc/committees/1533/index.shtml>

**REQUESTS** the requested State to take, in accordance with the procedures provided for in its national legislation, all necessary measures to identify, trace, freeze or seize the property and assets of Germain Katanga on its territory, including his moveable and immoveable property, bank accounts, shares in a partnership, business or private company, subject to the rights of *bona fide* third parties;

**REQUESTS** the requested State, pursuant to article 96(3) of the Statute, to advise the Court, if necessary of any specific requirements of its national law;

**REQUESTS** the requested State to communicate to the Court, if necessary, the name and address of any provisional administrator who may have been appointed in accordance with its national law to manage, during the course of the proceedings before the Court, the property and assets of Germain Katanga which may have been frozen or seized;

**REQUESTS** the requested State to inform the Court, pursuant to article 97 of the Statute, of any problems which may impede or prevent the execution of this request.

[signed]

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**On behalf of the Registrar,  
Marc Dubuisson,  
Head of the Division of Court Services**

Dated this 6 July 2007

At The Hague, The Netherlands