

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-RoR221-02/09**

Date: **23 March 2009**

THE PRESIDENCY

Before: Judge Sang-Hyun Song, President
Judge Fatoumata Dembele Diarra, First Vice-President
Judge Hans-Peter Kaul, Second Vice-President

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. GERMAIN KATANGA AND MATHIEU NGUDJOLO CHUI***

Confidential

ex parte only available to the Defence for Mr Katanga and Mr Ngudjolo and the
Registrar

**Order concerning the “Defence Appeal to the Presidency on behalf of Mr Germain
Katanga, in Respect of the New Policy”**

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

**Counsel for the Defence for Germain
Katanga**
Mr David Hooper

**Counsel for the Defence for Mathieu
Ngudjolo Chui**
Mr Jean-Pierre Kilenda Kakengi Basila

REGISTRY

Registrar
Ms Silvana Arbia

Detention Section
Mr Anders Backman

Deputy Registrar
Mr Didier Preira

The Presidency of the International Criminal Court;

In the application for judicial review of Mr Germain Katanga of 25 February 2009 entitled "Defence Appeal to the Presidency on behalf of Mr Germain Katanga, in Respect of the New Policy";¹


Noting the submissions of the Registrar of 6 March 2009;²

Hereby

Orders the Registrar, by 12 pm on 26 March 2009, to:

Explain the reasons underlying the adoption of the impugned policy,³ particularly the fifteen-day waiting period.

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



Judge Sang-Hyun Song
President

Dated this 23 March 2009

At The Hague, The Netherlands

¹ ICC-RoR221-02/09-1-Conf-Exp.

² Submission of information to the Presidency in respect of the Registrar's decision to monitor the non-privileged communications and visits of Mr. Germain Katanga dated 12 February 2009, ICC-RoR221-01/09-4-Conf-Exp, paragraph 3; Explanation of the Registrar to the Presidency pursuant to the Presidency Order of 25 February 2009 in respect of Mr. Mathieu Ngudjolo Chui, ICC-RoR221-03/09-2-Conf-Exp, paragraph 5.

³ Annex 1 to ICC-RoR221-02/09-1-Conf-Exp-Anx1.