



Original: **French**

No.: **ICC-01/04-01/07**
Date: **10 February 2009**

TRIAL CHAMBER II

Before: Judge Bruno Cotte, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Fumiko Saiga

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

Public Document

**Decision on the Urgent Application by Germain Katanga's Defence for an
Extension of Page Limit**

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

The Office of the Prosecutor

Mr Luis Moreno Ocampo, Prosecutor
 Ms Fatou Bensouda, Deputy Prosecutor
 Mr Éric Macdonald, Senior Trial Lawyer

**Counsel for the Defence of Germain
 Katanga**

Mr David Hooper
 Ms Caroline Buisman

**Counsel for the Defence of Mathieu
 Ngudjolo Chui**

Mr Jean-Pierre Kilenda Kakengi Basila
 Mr Jean-Pierre Fofé Djofia Malewa

Legal Representatives of the Victims

Ms Carine Bapita Buyangandu
 Mr Joseph Keta
 Mr Jean-Louis Gilissen
 Mr Hervé Diakiese
 Mr Jean Chrysostome Mulamba
 Nsokoloni
 Mr Fidel Nsita Luvengika
 Mr Vincent Lurquin
 Ms Flora Ambuyu Andjelani

Legal Representatives of the Applicants

**The Office of Public Counsel for
 Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the
 Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
 Section**

Other

1. **Trial Chamber II** of the International Criminal Court (respectively, “the Chamber” and “the Court”) is seized of an application (“the Application”),¹ filed on 9 February 2009 by Germain Katanga’s Defence, for an extension of the page limit of a document which it wishes to file under article 19(2) of the Rome Statute (“the Statute”). It asks that the number of pages authorised under regulation 37(1) of the *Regulations of the Court* be increased from 20 to 45.

2. The Chamber reminds Germain Katanga’s Defence that, under the terms of regulation 38(1)(c) of the *Regulations of the Court*, which specifies the permitted number of pages for certain types of documents filed by the parties, the page limit for challenges to admissibility or jurisdiction pursuant to article 19(2) of the Statute cannot exceed one hundred. It is therefore unnecessary to rule on the Application.

FOR THESE REASONS, THE CHAMBER:

1. **FINDS IT UNNECESSARY TO RULE** on the Application;
2. **REMINDS** the participants in the proceedings that, pursuant to regulation 34 of the *Regulations of the Court*, they have 21 days from the date of notification of any application filed under article 19(2) of the Statute in which to file a response; and
3. **AUTHORIZES** Germain Katanga’s Defence, if it considers it necessary, to file a reply pursuant to regulations 24 and 34 of the *Regulations of the Court* to the above-mentioned responses within 10 days from notification of the last response registered.

¹ Germain Katanga’s Defence, “Urgent Defence Application for Extension of Page Limit”, 9 February 2009, ICC-01/04-01/07-885.

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

[signed]

Judge Bruno Cotte

Presiding Judge

[signed]

Judge Fatoumata Dembele Diarra

[signed]

Judge Fumiko Saiga

Dated this 10 February 2009

At The Hague, The Netherlands