

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **French**

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

Date: **12 June 2015**

TRIAL CHAMBER II

Before: Judge Marc Perrin de Brichambaut, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Péter Kovács

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR v. GERMAIN KATANGA***

Public Document

**Decision on the Defence request for an extension of the time for submitting its
response to the observations in the reparations proceedings**

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

Office of the Prosecutor

Ms Fatou Bensouda
Mr James Stewart
Mr Éric MacDonald

Counsel for Germain Katanga

Mr David Hooper
Ms Caroline Buisman

Legal Representatives of Victims

Mr Fidel Nsita Luvengika

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

States' Representatives

**Office of Public Counsel for the
Defence**

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Other

Mr Pieter de Baan (Trust Fund for
Victims)

*Ligue pour la paix, les droits de l'homme
et la justice (LIPADHOJ)*

United Nations

Queen's University Belfast's Human
Rights Centre and University of Ulster's
Transitional Justice Institute

Redress Trust

TRIAL CHAMBER II (“the Chamber”) of the International Criminal Court, in the case of *The Prosecutor v. Germain Katanga*, acting pursuant to regulation 35 of the Regulations of the Court (“the Regulations”), issues the following decision.

1. On 1 April 2015, the Chamber invited the parties and participants to file submissions on the principles and procedures to be applied to reparations, by 30 April 2015, and scheduled 29 May 2015 as the deadline for the filing of any response.¹
2. On the same day, the Chamber gave leave for the Redress Trust, Queen’s University Belfast’s Human Rights Centre, University of Ulster’s Transitional Justice Institute, the NGO *Ligue pour la paix, les droits de l’homme et la justice* (“LIPADHOJ”) and the United Nations and invited representations from them by 30 April 2015. The Chamber also ordered the parties and participants to file any responses by 29 May 2015.²
3. On 24 April 2015, the Chamber extended the deadline for submission of the observations of the parties and participants to 15 May 2015 and ordered the Defence, the Legal Representative of the Victims and the Registry to file any consolidated response to these observations by 12 June 2015.³ On the same day, the Chamber also granted a request by the United Nations and invited representations from them as well as the Redress Trust, Queen’s University Belfast’s Human Rights Centre, University of Ulster’s Transitional Justice Institute and LIPADHOJ by 15 May 2015. In the same decision, the Chamber

¹ “Ordonnance enjoignant les parties et les participants à déposer des observations pour la procédure en réparation”, 1 April 2015, ICC-01/04-01/07-3532.

² “Ordonnance autorisant le dépôt d’observations en application de l’article 75-3 du Statut”, 1 April 2015, ICC-01/04-01/07-3533-Red.

³ “Decision on the ‘Request by the Board of Directors for extension of time to submit Observations on Reparations Procedure’”, 24 April 2015, ICC-01/04-01/07-3541-tENG. See also “Request by the Board of Directors for extension of time to submit Observations on Reparations Procedure”, 22 April 2015, ICC-01/04-01/07-3539.

ordered the parties and participants to file any consolidated response to the representations by 12 June 2015.⁴

4. On 10 June 2015, the defence team for Mr Katanga (“the Defence”) filed an urgent request for an extension of time to submit its consolidated response to the representations.⁵ In its request, the Defence submitted that, owing to unforeseen circumstances, lead counsel was unable to oversee the drafting of the response by the initial deadline.⁶ The Defence therefore requested the Chamber to extend the deadline to 15 June 2015.⁷
5. The Chamber recalls that, having regard to the first sentence of regulation 35(2) of the Regulations, a chamber may extend a time limit only if good cause is shown. In this case, the Chamber considers that there is good cause to extend to 16 June 2015 the time limit by which the Defence must file its consolidated response to the representations.
6. In the circumstances, the Chamber is also of the view that the extension must be granted to the other parties and participants.

⁴ “Decision on the request by the United Nations for extension of the deadline for submitting observations in the reparations proceedings”, 24 April 2015, ICC-01/04-01/07-3542-tENG.

⁵ “Urgent Defence Request for an Extension of Time”, 10 June 2015, ICC-01/04-01/07-3560.

⁶ *Ibid.*, para. 5.

⁷ *Ibid.*, para. 4.

FOR THESE REASONS, THE CHAMBER,

GRANTS the Request;

ORDERS the Defence, the Legal Representative and the Registry to file their consolidated responses to the representations of the parties and participants by 4 p.m. on 16 June 2015;

ORDERS the parties and participants to file any consolidated response to the representations of the Redress Trust, Queen's University Belfast's Human Rights Centre, University of Ulster's Transitional Justice Institute, LIPADHOJ and the United Nations by 4 p.m. on 16 June 2015.

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

[signature]

Judge Marc Perrin de Brichambaut
Presiding Judge

[signature]

Judge Olga Herrera Carbuccia

[signature]

Judge Péter Kovács

Dated this 12 June 2015,

At The Hague, the Netherlands