



Original: French

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

Date: 22 June 2017

TRIAL CHAMBER II

Before

**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

**Decision granting the Trust Fund for Victims an extension of time for submission
of the Draft Implementation Plan**

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

Legal Representatives of Victims

Mr Fidel Nsita Luvengika

Counsel for Germain Katanga

Mr David Hooper

Ms Caroline Buisman

Office of Public Counsel for Victims

Ms Paolina Massidda

Trust Fund for Victims

Mr Pieter de Baan

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

TRIAL CHAMBER II (“Chamber”) of the International Criminal Court (“Court”), acting pursuant to regulation 35(2) of the Regulations of the Court, issues the following decision.

1. On 24 March 2017, the Chamber issued an Order for Reparations against Germain Katanga (“Mr Katanga”), in which it acknowledged the victim status, for the purposes of reparations, of 297 of the 341 applicants for reparations and ordered that they be awarded individual as well as targeted collective reparations (“Order for Reparations”).¹ The Chamber directed the Trust Fund for Victims (“TFV”) to prepare a draft plan for the implementation of the Order for Reparations (“Draft Plan”) to benefit those of Mr Katanga’s victims identified by the Chamber, to be put before the Chamber by 27 June 2017.² The Chamber further directed observations from the Legal Representative of Victims (“Legal Representative”) and Mr Katanga’s Defence team (“Defence”) regarding the Draft Plan by 28 July 2017.³

2. On 20 June 2017, the TFV filed a request seeking that the deadline for the submission of its Draft Plan be extended to 11 June 2017 (“Request”).⁴ The TFV submitted that it required an additional two weeks in order to incorporate into the Draft Plan the information it had obtained from the Victims Participation and Reparations Section, the victims and their legal representatives, as well as from the Government of the Democratic Republic of the Congo.⁵ The TFV submitted that that would enable it to present for the Chamber’s approval an appropriately tailored Draft Plan, responsive to the harms suffered by the victims acknowledged in this case, as instructed by the Chamber.⁶

¹ “Order for Reparations pursuant to Article 75 of the Statute”, 24 March 2017, ICC-01/04-01/07-3728-tENG, with one public annex and once confidential annex *ex parte*, Legal Representative of the Victims, Office of Public Counsel for Victims and Defence team, for Germain Katanga (“Annexe II”).

² Order for Reparations, paras. 307 and 309, p.p. 107-108.

³ *Ibid.*, p. 109.

⁴ “Request for an extension of time”, 20 June 2017, ICC-01/04-01/07-3743 (Request).

⁵ Request, paras. 5-8.

⁶ *Ibid.*, paras. 6 and 9.

3. On the same day, the Office of Public Counsel for Victims (“OPCV”) informed the Chamber that it did not oppose the Request.⁷

4. The Chamber is of the view that the TFV has shown good cause within the meaning of regulation 35(2) of the Regulations of the Court and considers that an extension of two weeks in which to file the Draft Plan would not unduly delay the proceedings. Accordingly, the Chamber grants the extension of time requested by the TFV. It follows that the Legal Representative, the OPCV and the Defence must also be granted an extension of time in which to submit their observations on the Draft Plan.

⁷ Email from the OPCV to the Chamber dated 20 June 2017 at 14.25. In this regard, the Chamber notes that on 15 March 2017, it appointed the OPCV as the Legal Representative of some of the applicants for reparations (“*Décision relative à la requête du Représentant légal commun des victimes du 2 mars 2017*,” 15 March 2017, ICC-01/04-01/07-3727, para. 14 and p. 8).

FOR THESE REASONS, the Chamber

GRANTS the Request;

EXTENDS to 11 July 2017 the deadline for the TFV to submit the Draft Plan to the Chamber; and

GRANTS AN EXTENSION to 18 August 2017 for the Legal Representative, the OPCV and the Defence to submit their observations on the Draft Plan.

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

[signed]

Judge Marc Perrin de Brichambaut

Presiding Judge

[signed]

Judge Olga Herrera Carbuccion

[signed]

Judge Péter Kovács

Dated this 22 June 2017

At The Hague, Netherlands