



Original: **French**

No.: ICC-01/04-01/06  
Date: 6 September 2017

**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. THOMAS LUBANGA DYILO***

**URGENT**

**Public Document**

**Decision Granting the Request of the Office of Public Counsel for Victims for  
Extension of Page Limit**

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

**Office of the Prosecutor**

**Counsel for Thomas Lubanga Dyilo**

Ms Catherine Mabilie

Mr Jean-Marie Biju-Duval

**Legal Representatives of V01 Victims**

Mr Luc Walley

Mr Franck Mulenda

**Legal Representatives of V02 Victims**

Ms Carine Bapita Buyangandu

Mr Paul Kabongo Tshibangu

Mr Joseph Keta Orwinyo

**Office of Public Counsel for Victims**

Ms Paolina Massidda

**REGISTRY**

---

**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

Mr Philipp Ambach

**Trust Fund for Victims**

Mr Pieter de Baan

**TRIAL CHAMBER II** (“Chamber”) of the International Criminal Court (“Court”), acting pursuant to regulation 37(2) of the Regulations of the Court (“Regulations”), issues the following decision.

1. On 13 July 2017, the Chamber instructed the Legal Representatives of V01 Victims and the Legal Representatives of V02 Victims (“Legal Representatives V01 and V02”), the Office of Public Counsel for Victims (“OPCV”), and the Defence team for Thomas Lubanga Dyilo (“Defence” and “Mr Lubanga” respectively) to file submissions on the evidence admitted in the instant case, with a view to making a determination on the share of reparations to be paid by Mr Lubanga<sup>1</sup> (“Order of 13 July 2017”).
2. On 21 July 2017, the Chamber extended the time limit to 8 September 2017 for the OPCV and Legal Representatives V01 and V02 to file submissions in conformity with the Order of 13 July 2017, and until 29 September 2017 for the Defence to file its response to the submissions of the OPCV and Legal Representatives V01 and V02.<sup>2</sup>
3. On 5 September 2017, with a view to filing its submissions, the OPCV moved the Chamber to extend to 30 the page limit set out under regulation 37(1) of the Regulations<sup>3</sup> (“Request”).
4. In support of its Request, the OPCV pointed out the complexity of the task assigned by the Chamber and the importance of the issue to the victims.<sup>4</sup> It also submitted that, in *The Prosecutor v. Germain Katanga*, the Chamber had already acknowledged the difficulty of such a task by granting a limit of 35 pages for the response to similar submissions.<sup>5</sup> The OPCV submitted that such reasoning had to apply *mutatis mutandis* to the instant case.<sup>6</sup>

---

<sup>1</sup> “Order Instructing the Parties to File Submissions on the Evidence Admitted for the Determination of Thomas Lubanga Dyilo’s Liability for Reparations”, 13 July 2017, ICC-01/04-01/06-3339-tENG.

<sup>2</sup> “Decision on the Application of the Office of Public Counsel for Victims for an extension of the time limit set by the Order of 13 July 2017”, 21 July 2017, ICC-01/04-01/06-3345-tENG..

<sup>3</sup> “*Demande aux fins d’augmentation du nombre de pages autorisées*”, 5 September 2017, ICC-01/04-01/06-3354.

<sup>4</sup> Request, paras. 5-9.

<sup>5</sup> *Ibid.*, para. 9.

<sup>6</sup> *Idem.*

5. The Chamber recalls that, under regulation 37(2) of the Regulations, it may extend the page limit “in exceptional circumstances”. In the instant case, it considers that the reasons advanced by the OPCV do not in themselves constitute exceptional circumstances within the meaning of regulation 37(2) of the Regulations. However, the Chamber is mindful of the complexity and novelty of the matters the parties have to address, and considers that it serves the interests of these proceedings to obtain sufficiently detailed submissions. Consequently, the Chamber authorizes the OPCV to present its submissions in a document not exceeding 30 pages.

6. Further, the Chamber considers that both Legal Representatives V01 and V02 should also be authorized to file their submissions in a document not exceeding 30 pages.

7. Lastly, the Chamber considers that the Defence should be authorized to file its response to the respective submissions of the OPCV and Legal Representatives V01 and V02 in a document not exceeding 45 pages.

**FOR THESE REASONS, the Chamber**

**GRANTS** the Request;

**AUTHORIZES** the OPCV and Legal Representatives V01 and V02 respectively to file a document of 30 pages; and

**AUTHORIZES** the Defence to file a document of 45 pages in response to the respective observations of the OPCV and Legal Representatives V01 and V02.

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 6 September 2017

At The Hague, Netherlands