



Original: **French**

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

Date: **14 February 2012**

TRIAL CHAMBER II

**Before: Judge Bruno Cotte, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Christine Van den Wyngaert**

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

Public document with confidential annex

Decision amending the arrangements for the filing of the written submissions

Decision 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
Mr Éric MacDonald, Senior Trial Lawyer

Counsel for Germain Katanga

Mr David Hooper
Mr Andreas O'Shea

Counsel for Mathieu Ngudjolo Chui

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

Legal Representatives of Victims

Mr Jean-Louis Gilissen
Mr Fidel Nsita Luvengika

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

Office of Public Counsel for Victims

**Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

STIC

Ms Alexandra Tomić
Ms Aida Camara

TRIAL CHAMBER II of the International Criminal Court (“the Chamber” and “the Court”, respectively), acting pursuant to article 64 of the Rome Statute and regulations 8, 37 and 54 of the Regulations of the Court, decides the following.

NOTING the order of 15 December 2011 setting out the arrangements for the submission of the written and oral closing statements;

NOTING the order of 31 January 2012 issuing instructions to promote the public availability of the proceedings;

NOTING the informal meeting of 9 February 2012 between representatives of all parties and participants and legal officers of the Chamber;

NOTING the decision annexed hereto issued, in view of the urgency, by e-mail of 10 February 2012;

CONSIDERING the interest expressed by the parties and participants at the meeting of 9 February 2012, and shared by the Chamber, in being able to take account, to the extent possible, of the findings of Trial Chamber I in *Lubanga* in their closing briefs;

CONSIDERING, however, that the date on which the *Lubanga* judgment is to be handed down is yet to be announced and that it would therefore be unreasonable to delay the filing of the written submissions of the Office of the Prosecutor and the Legal Representatives of Victims while that date remains uncertain;

CONSIDERING that in its decision of 10 February 2012 – ten days before the time limit for the filing of the written submissions of the Office of the Prosecutor and the Legal Representatives of Victims – the Chamber amended the rules governing the presentation of the footnotes in the parties’ closing briefs, and that such amendment may give rise to a delay in the preparation of those written submissions;

DECIDES to extend the time limit for the filing of the written submissions of the Office of the Prosecutor and the Legal Representatives of Victims to 24 February 2012 at 4 p.m., it being stated that the Registry shall provide an unrevised draft translation of the Prosecutor's closing brief not later than 16 March 2012;

DECIDES, consequently, to extend the time limit for the filing of the written submissions of the two Defence teams until 30 March 2012 at 4 p.m., it being stated that the Registry shall provide an unrevised draft translation of the closing brief of the Defence for Germain Katanga not later than 4 May 2012 and that this time limit is mandatory; the date for the presentation of the oral statements remains 15 May 2012;

DECIDES that, once the date on which the *Lubanga* judgment will be handed down is known, it will inform the parties and participants of the form in which they may make any observations to which the judgment may give rise.

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

_____ [signed] _____

Judge Bruno Cotte
Presiding Judge

_____ [signed] _____

Judge Fatoumata Dembele Diarra

_____ [signed] _____

Judge Christine Van den Wyngaert

Dated this 14 February 2012,

At The Hague, The Netherlands