



Original: English

No. ICC-01/04-01/06 A7 A8

Date: 10 October 2018

THE APPEALS CHAMBER

Before:

**Judge Piotr Hofmański, Presiding Judge
Judge Chile Eboe-Osuji
Judge Howard Morrison
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa**

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR v. THOMAS LUBANGA DYILO

Public document

Decision on Trust Fund for Victims' request for time extension

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

Legal Representatives of V01 Victims

Mr Luc Walley
Mr Franck Mulenda

Counsel for the Defence

Ms Catherine Mabil
Mr Jean-Marie Biju-Duval

Legal Representatives of V02 Victims

Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo

Trust Fund for Victims

Mr Pieter de Baan

Office of Public Counsel for victims

Ms Paolina Massidda

REGISTRY

Registrar

Mr Peter Lewis

The Appeals Chamber of the International Criminal Court,

In the appeals of the legal representatives of the V01 group of victims (ICC-01/04-01/06-3396-Corr-Red-tENG) and of Mr Thomas Lubanga Dyilo (ICC-01/04-01/06-3394-Red-tENG) against the decision of Trial Chamber II entitled ‘Decision Setting the Size of the Reparations Award for which Thomas Lubanga Dyilo is Liable’ of 15 December 2017, of which a corrected version was filed on 21 December 2017 (ICC-01/04-01/06-3379-Red-Corr-tENG),

Having before it the Trust Fund for Victims’ ‘Request for an extension of time’ of 10 October 2018 (ICC-01/04-01/06-3426),

Renders, pursuant to regulation 35 (2) of the Regulations of the Court, the following

DECISION

The time limit for the filing of the written observations of the Trust Fund for Victims is extended to 16h00 on Thursday, 15 November 2018.

REASONS

I. PROCEDURAL HISTORY

1. On 21 September 2018, the Appeals Chamber issued an order scheduling a hearing, and inviting the Trust Fund for Victims (hereinafter: ‘TFV’) to submit written observations by 16h00 on Thursday, 11 October 2018, and to attend the scheduled hearing (hereinafter: ‘Scheduling Order and Invitation’).¹

¹ ‘Scheduling order for a hearing before the Appeals Chamber and invitation to the Trust Fund for Victims to submit observations’, 21 September 2018, [ICC-01/04-01/06-3419](#).

2. On 4 October 2018, the Appeals Chamber issued an order postponing the above-mentioned hearing to December 2018, with the date to be set in due course.²

3. On 10 October 2018, the TFV requested that the Appeals Chamber grant an extension of time to submit its written observations until 15 November 2015³ (hereinafter: ‘Request’).

4. On the same day, the Office of Public Counsel for victims filed a response, in which it supports the Request.⁴

II. MERITS

5. Pursuant to regulation 35 (2) of the Regulations of the Court, a Chamber may extend or reduce a time limit if good cause is shown.⁵

6. In support of its Request, the TFV indicates that due to relevant staff being on mission and ‘pressing deadlines in other proceedings’, its staff ‘was not able, for reasons outside its control, to work on the requested observations’ until 1 October 2018.⁶ The TFV further indicates that its limited staff is ‘currently occupied with a major submission due on 2 November 2018 in another reparations proceedings’ [*sic*].⁷ The TFV requests an extension of time until 15 November 2018.⁸

7. In light of the submissions of the TFV in its Request, the Appeals Chamber is satisfied that good cause has been shown warranting a time extension for the filing of the TFV’s written observations.

8. Accordingly, the Appeals Chamber determines that the time limit for the filing of the written observations of the TFV as described in the Scheduling Order and Invitation is extended to 16h00 on Thursday, 15 November 2018.

² ‘Order regarding the hearing scheduled by the Appeals Chamber’, 4 October 2018, [ICC-01/04-01/06-3423](#).

³ ‘Request for an extension of time’, 10 October 2018, [ICC-01/04-01/06-3426](#), p. 4.

⁴ ‘Réponse à la « Request for an extension of time » (ICC-01/04-01/06-3426)’, ICC-01/04-01/06-3427, para. 11.

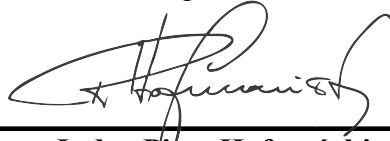
⁵ See, e.g., *Prosecutor v. Thomas Lubanga Dyilo*, ‘Decision on requests for an extension of the time limit’, 20 September 2013, [ICC-01/04-01/06-3050](#), para. 3.

⁶ [Request](#), para. 6.

⁷ [Request](#), para. 7.

⁸ [Request](#), p. 4.

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

A handwritten signature in black ink, appearing to read 'P. Hofmański', is written over a solid black horizontal line.

Judge Piotr Hofmański

Presiding Judge

Dated this 10th day of October 2018

At The Hague, The Netherlands