



Original: **French**

No.: ICC-01/04-01/07  
Date: 8 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. GERMAIN KATANGA***

**URGENT**

**Public Document**

**Decision Granting the Request by the Legal Representative of Victims for  
a Page Limit Extension**

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

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**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 37(2) of the Regulations of the Court (“Regulations”), decides as follows.

1. On 24 March 2017, the Chamber issued an Order for Reparations against Germain Katanga (“Mr Katanga”), in which, among other things, it 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 whom the Chamber has identified, and to submit it to the Chamber by 27 June 2017.<sup>1</sup> The Chamber also directed the parties to file observations on the Draft Plan by 28 July 2017.<sup>2</sup>
2. On 25 July 2017, after having been granted two extensions of time,<sup>3</sup> the TFV filed its Draft Plan.<sup>4</sup>
3. On 29 August 2017, the Chamber granted an extension of time for the parties to file their observations on the Draft Plan to 11 September 2017.<sup>5</sup>
4. On 8 September 2017, the Legal Representative of Victims (“Legal Representative”) filed a request under regulation 37(2) of the Regulations, requesting

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<sup>1</sup> “Order for Reparations pursuant to Article 75 of the Statute”, 24 March 2017, ICC-01/04-01/07-3728-tENG (“Order for Reparations”), paras. 307 and 309, pp. 118-119, with one public annex and one confidential annex *ex parte*, Common Legal Representative of Victims, Office of Public Counsel for Victims and Defence team for Germain Katanga.

<sup>2</sup> Order for Reparations, p. 119.

<sup>3</sup> “Decision granting the Trust Fund for Victims an extension of time for submission of the Draft Implementation Plan”, 22 June 2017, ICC-01/04-01/07-3744-tENG, and “*Décision accordant l’accès au Fonds au profit des victimes au document ICC-01/04-01/07-3728-Conf-Exp-AnxII ainsi qu’une prorogation de délai afin de déposer le projet de plan de mise en œuvre des réparations*”, 11 July 2017, ICC-01/04-01/07-3749.

<sup>4</sup> “Draft implementation plan relevant to Trial Chamber II’s order for reparations of 24 March 2017 (ICC-01/04-01/07-3728)”, 25 July 2017, ICC-01/04-01/07-3751-Conf, with one confidential annex, one public annex, one confidential *ex parte* annex available only to the Registry, one confidential *ex parte* annex available only to the Principal Counsel of the OPCV, and one confidential *ex parte* annex available only to the Legal Representative of Victims. A redacted version was filed on 25 July 2017.

<sup>5</sup> “*Décision accordant une prorogation de délai afin de déposer des observations sur le projet de plan de mise en œuvre du 25 juillet 2017*”, 29 August 2017, ICC-01/04-01/07-3759.

an extension of the page limit to file his observations on the Draft Plan<sup>6</sup> (“Request”). In the Request, he submitted that he had attempted to comply with the 20-page limit, but in his view further paring down would affect the quality of his observations.<sup>7</sup> He added that his observations were in response to the Draft Plan, which comprised several voluminous documents.<sup>8</sup> He therefore requested authorization to file a 40-page document to be able to present observations “[TRANSLATION] that are truly of use to the Chamber and the TFV”.<sup>9</sup>

5. The Chamber considers that the reasons put forth by the Legal Representative justify extending the page limit. It therefore authorizes the Legal Representative to file a document of up to 40 pages.

6. The Chamber considers it appropriate to also authorize the Office of Public Counsel for Victims (“OPCV”) and Mr Katanga’s Defence team (“Defence”) to file a document of up to 40 pages each.

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<sup>6</sup> “Requête du Représentant légal des victimes aux fins d’augmentation du nombre de pages autorisé pour ses observations au projet de plan de mise en œuvre du Fonds au profit des victimes (ICC-01/04-01/07-3751-Red)”, 7 September 2017 and registered on 8 September 2017, ICC-01/04-01/07-3760.

<sup>7</sup> Request, paras. 7-8.

<sup>8</sup> Request, para. 9.

<sup>9</sup> Request, paras. 6 and 8.

**FOR THESE REASONS, the Chamber**

**GRANTS** the Request, and

**AUTHORIZES** the Legal Representative, the OPCV and the Defence to respectively submit their observations on the Draft Plan in a document of up to 40 pages.

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

[signed]

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**Judge Marc Perrin de Brichambaut**  
**Presiding Judge**

[signed]

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**Judge Olga Herrera Carbuccion**

[signed]

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**Judge Péter Kovács**

Dated this 8 September 2017

At The Hague, Netherlands