



Original: **French**

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

Date: **8 May 2018**

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***

Public Document

Order Instructing the Defence Team for Germain Katanga to File Observations on the Application of the Office of Public Counsel for Victims of 19 April 2018, and for the Office of Public Counsel for Victims to File a Public Redacted Version of its Application

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

Legal Representatives of Victims

Counsel for Germain Katanga

Mr David Hooper

Ms Caroline Buisman

Office of Public Counsel for Victims

Ms Paolina Massidda

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Section

Detention Section

**Victims Participation and Reparations
Section**

Other

TRIAL CHAMBER II (“Chamber”) of the International Criminal Court, acting pursuant to article 75 of the Rome Statute (“Statute”), issues the following order.

1. On 24 March 2017, the Chamber issued its “Order for Reparations pursuant to article 75 of the Rome Statute” according 297 applicants victim status for the purposes of reparations and awarding both individual and targeted collective reparations (“Order for Reparations”).¹
2. On 8 March 2018, the Appeals Chamber delivered its judgment on the appeals² against the Order for Reparations³ (“Judgment on Reparations”).
3. On 19 February 2018, the Office of Public Counsel for Victims (“OPCV”) filed an application requesting that family members of two deceased victims be authorized to resume the actions initiated by the victims (“Application”).⁴ In the same document, the OPCV also requested the amendment of part of the Order for Reparations (“request for the amendment of part of the Order for Reparations”).⁵
4. In the light of the foregoing, the Chamber finds that the Defence team for Germain Katanga (“Defence”) should be instructed to file observations on the request for the amendment of part of the Order for Reparations by 18 May 2018.
5. The Chamber also notes that the OPCV stated that a public redacted version of the Application would be filed “[TRANSLATION] as soon as possible”⁶ and accordingly instructs the OPCV to file a public redacted version of its Application within three days of notification of this Order.

¹ “Order for Reparations pursuant to Article 75 of the Statute”, 24 March 2017, ICC-01/04-01/07-3728, with one public annex and one confidential annex *ex parte* Legal Representative of Victims, Office of Public Counsel for Victims and Defence team for Germain Katanga, p. 118.

² “Defence Notice of Appeal against the *Ordonnance de réparation en vertu de l’article 75 du Statut*”, 26 April 2017, ICC-01/04-01/07-3738, “Notice of Appeal against the Reparations Order and its Annex II issued in accordance with article 75 of the Statute on 24 March 2017”, 26 April 2017, ICC-01/04-01/07-3739, “Notice of Appeal against the ‘*Ordonnance de réparation en vertu de l’article 75 du Statut*’ and its Annex II”, 25 April 2017, ICC-01/04-01/07-3737-tENG.

³ Confidential “Judgment on the appeals against the order of Trial Chamber II of 24 March 2017 entitled ‘Order for Reparations pursuant to Article 75 of the Statute’”, 8 March 2018, ICC-01/04-01/07-3778-Conf. On 9 March 2018, a public redacted version of the judgment was issued.

⁴ ICC-01/04-01/07-3789-Conf-Exp, paras. 9-19.

⁵ Application, paras. 30-55.

⁶ Application, para. 7.

FOR THESE REASONS, the Chamber:

INSTRUCTS the Defence to file observations by 18 May 2018 as mentioned in paragraph 4 of this Order, and

INSTRUCTS the OPCV to file a public redacted version of its Application as mentioned in paragraph 5 of this Order, within three days of notification of this Order.

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 8 May 2018

At The Hague, Netherlands