

ANNEX

1. On 10 July 2020, the Chamber issued the ‘Decision on Defence Request for an Extension of Time Limit to File a Request for Leave to Appeal’.¹
2. In the decision, the Chamber erroneously noted that the Defence’s request for an extension of time limit (‘Defence Request’)² had been filed after the lapse of the relevant time limit. On this basis, the Chamber stated that it considered it in the interests of justice to assess the merits of the Defence Request. This assessment is not affected by the aforementioned error. The beginning of the Chamber’s analysis is thus amended as follows.
3. Paragraphs 7 to 9 of the ‘Analysis’ section previously read, in relevant part:

7. At the outset, the Chamber notes that the Defence Request is to be understood as a request for an extension of time to file a request for leave to appeal the First Decision. It further notes that, in accordance with Rule 155(1) of the Rules of Procedure and Evidence and Regulation 33(1) of the Regulations, the deadline for filing a request for leave to appeal the First Decision was Friday, 3 July 2020. The Defence Request was thus filed after the lapse of the relevant time limit.

8. Pursuant to Regulation 35(2) of the Regulations, the Chamber may extend or reduce a time limit if good cause is shown. After the lapse of a time limit, an extension of time may only be granted if the participant seeking the extension can demonstrate that he or she was unable to file the application within the time limit for reasons outside his or her control. The Chamber notes that the Defence has not attempted to demonstrate that it was unable to file the request within the above-mentioned time limit for reasons outside of its control.

9. Nevertheless, the Chamber considers it in the interests of justice to assess the merits of the Defence Request. The Chamber notes the Defence’s argument that [...]

4. The beginning of the ‘Analysis’ section has been amended to read:

7. At the outset, the Chamber notes that the Defence Request is to be understood as a request for an extension of time to file a request for leave to appeal the First Decision.

8. Pursuant to Regulation 35(2) of the Regulations, the Chamber may extend or reduce a time limit if good cause is shown. The Chamber notes the Defence’s argument that [...]

¹ ICC-01/04-02/06-2552.

² Expedited request on behalf of Mr. Ntaganda seeking a limited extension of time to submit a request for clarification, reconsideration and/or leave to appeal the “First Decision on Reparations Process”, 6 July 2020, ICC-01/04-02/06-2550-Conf.