



**Original: English**

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

**Date: 13 August 2015**

**THREE JUDGES OF THE APPEALS CHAMBER APPOINTED FOR THE  
REVIEW CONCERNING REDUCTION OF SENTENCE**

**Before:** Judge Piotr Hofmański, Presiding Judge  
Judge Sanji Mmasenono Monageng  
Judge Christine Van den Wyngaert

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

**IN THE CASE OF THE PROSECUTOR v. GERMAIN KATANGA**

**Public document**

**Scheduling order for the review concerning reduction of sentence  
of Mr Germain Katanga**

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

**The Office of the Prosecutor**  
Ms Fatou Bensouda, Prosecutor  
Mr James Stewart

**Counsel for Mr Germain Katanga**  
Mr David Hooper  
Ms Caroline Buisman

**Legal Representatives of Victims**  
Mr Jean-Louis Gilissen  
Mr Fidel Nsita Luvengika

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## **REGISTRY**

**Registrar**  
Mr Herman von Hebel

**Other**  
The Presidency

The three judges of the Appeals Chamber of the International Criminal Court,

In the review by the Court concerning reduction of sentence of Mr Germain Katanga pursuant to article 110 of the Statute,

Considering that article 110 (3) of the Statute provides in relevant part that “[w]hen the person has served two thirds of the sentence, [...] the Court shall review the sentence to determine whether it should be reduced” and that this “review shall not be conducted before that time”,

Recalling that on 7 March 2014, Trial Chamber II sentenced Mr Germain Katanga to a term of twelve years’ imprisonment (ICC-01/04-01/07-3436), which Mr Katanga accepted and on 25 June 2014 chose not to appeal (ICC-01/04-01/07-3498),

Noting that Mr Germain Katanga will have served two thirds of the sentence imposed on 18 September 2015,

Noting the criteria for review concerning reduction of sentence set out in article 110 (4) of the Statute and rule 223 (a) to (e) of the Rules of Procedure and Evidence,

Noting the procedure for the review concerning reduction of sentence set out in rule 224 (1) of the Rules of Procedure and Evidence

*Issue* the following


## SCHEDULING ORDER

1. A hearing before the three judges for the purpose of the review concerning reduction of sentence of Mr Germain Katanga will be held in Courtroom I on Tuesday, 6 October 2015 at 9h30.
2. The Prosecutor and the Legal Representatives of Victims are invited to participate in the hearing.
3. The Registrar shall make the necessary arrangements, in co-operation with counsel for Mr Germain Katanga, to ensure his attendance at the hearing in person and to provide for any interpretation that may be required.

4. In order to ensure the efficient conduct of the hearing:
  - a. The Registrar shall file written observations on the criteria set out in rule 223 (a) to (e) of the Rules of Procedure and Evidence, by 16h00 on Friday, 4 September 2015. The Registrar shall consult as necessary with any states considered to have potentially relevant information in relation to these criteria; and
  - b. Mr Germain Katanga, the Prosecutor and the Legal Representatives of Victims shall file written submissions, of not more than 10 pages in accordance with regulation 36 of the Regulations of the Court, by 16h00 on Friday, 11 September 2015, addressing:
    1. The following criteria for review concerning reduction of sentence:
      - i. The early and continuing willingness of Mr Germain Katanga to cooperate with the Court in its investigations and prosecutions (article 110 (4) (a) of the Statute);
      - ii. The voluntary assistance of Mr Germain Katanga in enabling the enforcement of the judgments and orders of the Court in other cases, and in particular providing assistance in locating assets subject to orders of fine, forfeiture or reparation which may be used for the benefit of victims (article 110 (4) (b) of the Statute); or
      - iii. Other factors, as provided in rule 223 (a) to (e) of the Rules of Procedure and Evidence, establishing a clear and significant change of circumstances sufficient to justify the reduction of sentence (article 110 (4) (c) of the Statute);
    2. The observations of the Registrar, as appropriate.
5. A further order setting out the precise timetable for the hearing and its conduct will be communicated in due course.

6. The Registrar, Mr Germain Katanga, the Prosecutor and the Legal Representatives of Victims shall inform the three judges immediately if any difficulties are encountered that may affect the scheduled date of the hearing.

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



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**Judge Piotr Hofmański**  
**Presiding Judge**

Dated this 13th day of August 2015

At The Hague, The Netherlands