



Original: **French**

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

Date: **14 February 2012**

**TRIAL CHAMBER II**

**Before: Judge Bruno Cotte, Presiding Judge  
Judge Fatoumata Dembele Diarra  
Judge Christine Van den Wyngaert**

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO  
IN THE CASE OF  
*THE PROSECUTOR v. GERMAIN KATANGA AND MATHIEU NGUDJOLO CHUI***

**Public document with confidential annex**

**Decision amending the arrangements for the filing of the written submissions**

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

**The Office of the Prosecutor**

Mr Luis Moreno Ocampo, Prosecutor  
Mr Éric MacDonald, Senior Trial Lawyer

**Counsel for Germain Katanga**

Mr David Hooper  
Mr Andreas O'Shea

**Counsel for Mathieu Ngudjolo Chui**

Mr Jean-Pierre Kilenda Kakengi Basila  
Mr Jean-Pierre Fofé Djofia Malewa

**Legal Representatives of Victims**

Mr Jean-Louis Gilissen  
Mr Fidel Nsita Luvengika

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparations**

**Office of Public Counsel for Victims**

**Office of Public Counsel for the  
Defence**

**States' Representatives**

**Amicus Curiae**

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**REGISTRY**

**Registrar**

Ms Silvana Arbia

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**STIC**

Ms Alexandra Tomić  
Ms Aida Camara

**TRIAL CHAMBER II** of the International Criminal Court (“the Chamber” and “the Court”, respectively), acting pursuant to article 64 of the Rome Statute and regulations 8, 37 and 54 of the Regulations of the Court, decides the following.

**NOTING** the order of 15 December 2011 setting out the arrangements for the submission of the written and oral closing statements;

**NOTING** the order of 31 January 2012 issuing instructions to promote the public availability of the proceedings;

**NOTING** the informal meeting of 9 February 2012 between representatives of all parties and participants and legal officers of the Chamber;

**NOTING** the decision annexed hereto issued, in view of the urgency, by e-mail of 10 February 2012;

**CONSIDERING** the interest expressed by the parties and participants at the meeting of 9 February 2012, and shared by the Chamber, in being able to take account, to the extent possible, of the findings of Trial Chamber I in *Lubanga* in their closing briefs;

**CONSIDERING**, however, that the date on which the *Lubanga* judgment is to be handed down is yet to be announced and that it would therefore be unreasonable to delay the filing of the written submissions of the Office of the Prosecutor and the Legal Representatives of Victims while that date remains uncertain;

**CONSIDERING** that in its decision of 10 February 2012 – ten days before the time limit for the filing of the written submissions of the Office of the Prosecutor and the Legal Representatives of Victims – the Chamber amended the rules governing the presentation of the footnotes in the parties’ closing briefs, and that such amendment may give rise to a delay in the preparation of those written submissions;

**DECIDES** to extend the time limit for the filing of the written submissions of the Office of the Prosecutor and the Legal Representatives of Victims to 24 February 2012 at 4 p.m., it being stated that the Registry shall provide an unrevised draft translation of the Prosecutor's closing brief not later than 16 March 2012;

**DECIDES**, consequently, to extend the time limit for the filing of the written submissions of the two Defence teams until 30 March 2012 at 4 p.m., it being stated that the Registry shall provide an unrevised draft translation of the closing brief of the Defence for Germain Katanga not later than 4 May 2012 and that this time limit is mandatory; the date for the presentation of the oral statements remains 15 May 2012;

**DECIDES** that, once the date on which the *Lubanga* judgment will be handed down is known, it will inform the parties and participants of the form in which they may make any observations to which the judgment may give rise.

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

\_\_\_\_\_[signed]\_\_\_\_

**Judge Bruno Cotte**  
**Presiding Judge**

\_\_\_\_\_[signed]\_\_\_\_

**Judge Fatoumata Dembele Diarra**

\_\_\_\_\_[signed]\_\_\_\_

**Judge Christine Van den Wyngaert**

Dated this 14 February 2012,

At The Hague, The Netherlands