

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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No.: ICC-01/04-02/06
Date: 5 December 2013

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Single Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR v. BOSCO NTAGANDA***

Public document

**Prosecution's request for an extension of the page limit
for the Document Containing the Charges**

Source: Office of the Prosecutor

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

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Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

The Office of Public Counsel for Victims

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REGISTRY

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**Victims Participation and Reparations Other
Section**

Introduction

1. The Prosecution requests an extension of the page limit applicable to the Document Containing the Charges (the “DCC”) to 60 pages, pursuant to regulation 37(2) of the Regulations of the Court (the “Regulations”).

Procedural Background

2. On 17 June 2013, the Single Judge ordered the Prosecution to file the DCC in the record of the case, together with the list of evidence, including a translation into Kinyarwanda, no later than 10 January 2014.¹

Prosecution’s Submissions

3. The Prosecutor requests an extension of the page limit of the DCC to 60 pages. Regulation 37(2) of the Regulations provides that a “Chamber may, at the request of a participant, extend the page limit in exceptional circumstances”.
4. Exceptional circumstances exist in the present case. The requested extension of the page limit is necessary to enable the Prosecution to describe, in appropriate detail, the relevant facts and circumstances and to provide the Defence with detailed notice of the charges. The case is complex: the Prosecution will present evidence on 10 counts of war crimes and on 5 counts of crimes against humanity committed by the UPC/FPLC in Ituri between July 2002 and December 2003. The Prosecution will further provide evidence of the existence of a common plan between Mr Ntaganda and others, resulting in the commission of the crimes in the context of a non-international armed conflict and of a widespread and systematic attack against civilians.

¹ ICC-01/04-02/06-73, p. 21.

5. Moreover, evidence will be provided on the existence of an organized structure of power and Mr Ntaganda's contribution to the charged crimes through the UPC/FPLC and as a superior in the UPC/FPLC (alternative modes of liability). The extension is therefore necessary to give the Suspect sufficient notice of the underlying allegations against him and to assist him in preparing adequately and effectively for the forthcoming confirmation of charges hearing.
6. Extensions of the page limit for the DCC have been granted in similar circumstances in other cases before this Court.³

Relief requested

7. For the reasons set out above, the Prosecution respectfully requests that the Single Judge grant an extension of the page limit for the DCC to 60 pages.



Fatou Bensouda,
Prosecutor

Dated this 5th day of December 2013
At The Hague, The Netherlands

³ See, for example: ICC-02/11-01/11-112, para. 4; ICC-01/04-01/10-248; ICC-02/05-03/09-76; ICC-01/09-01/11-154, para. 5.