

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 8 June 2015

TRIAL CHAMBER II

Before: Judge Marc Perrin de Brichambaut, Presiding Judge
Judge Olga Herrera-Carbuccia, Judge
Judge Péter Kovács, Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO

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

**Public Redacted Version
of**

**Request for an extension of the deadline to submit observations pursuant to
Article 75 of the Statute submitted on 17 April 2015**

Source: The United Nations

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Éric MacDonald

Counsel for the Defence

Mr David Hooper

Legal Representatives of the Victims

Mr Fidel Nsita Luvengika

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Other

Mr Pieter de Ban

(Trust Fund for Victims)

I. INTRODUCTION

The United Nations respectfully requests Trial Chamber II (the “Chamber”) to extend the time limit to file the United Nations’ submission on reparations in the case of *The Prosecutor v Germain Katanga* (ICC Case No. 01/04-01/07) pursuant to Regulation 35 of the Regulations of the Court. For the reasons set out below, the United Nations seeks an extension of the deadline set out in the Chamber’s Order of 1 April 2015, so that it may file its submission on Thursday, 14 May 2015 and that its application be considered *ex parte* by the Chamber and kept strictly confidential.

II. BACKGROUND

1. On 21 January 2015, the Chamber issued an Order for interested States or other interested persons to apply for leave to file submissions to the Chamber regarding reparations in the Katanga case pursuant to Article 75 of the Statute. The deadline contained in this Order was subsequently modified by a separate decision of the Chamber on 2 February 2015.
2. On 13 February 2015, the United Nations applied for leave to file a submission to the Chamber pursuant to the above-referenced Orders. The United Nations’ application was granted by the Chamber via an Order of 1 April 2015. The deadline established in the Chamber’s Order of 1 April 2015 for the filing of the United Nations’ submission is currently 30 April 2015.

III. SUBMISSION

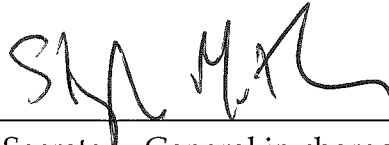
3. As part of the United Nations’ request for leave to file a submission to the Chamber, it noted several entities, including the Office of the Special Representative to the Secretary-General on Sexual Violence in Conflict (“Office of the Special Representative”), wished to make a joint submission regarding reparations in the Katanga case.

4. The Special Representative is conducting a previously scheduled mission to Syria, Iraq, Lebanon Jordan and Turkey that departs on 16 April and concludes on 29 April 2015. Given security considerations and communications difficulties, it may prove difficult, if not impossible for the Special Representative to review the United Nations submission pursuant to Article 75 prior to the Court's deadline.
5. The Special Representative reviews and approves all major official communications or documents submitted externally by her office. Furthermore, the provision of reparations to victims is an important strategic objective of the Office of the Special Representative as demonstrated by the Joint Communiqué signed between the | United Nations and the Democratic Republic of the Congo (the "DRC") of 30 March 2013 to combat sexual violence in conflict. This document pledges, among other things, the assistance of the Office of the Special Representative in ensuring the DRC provides reparations for victims of sexual and gender-based violence.
6. A modest extension is therefore requested in order to accommodate the Special Representative's mission.
7. The United Nations also respectfully requests that this present submission be kept confidential and considered ex parte by the Chamber given the need for the mission's security. Although the fact of the mission is publicly known, the Special Representative and her staff are scheduled to travel into areas such as **[Redacted]** during their mission. The United Nations wishes to ensure the security of its staff so far as possible for those travelling in the region.

IV. CONCLUSION

8. For the foregoing reasons, the United Nations respectfully requests an extension of the deadline for filing its submission pursuant to Article 75 of the Statute in this case to no later than Thursday, 14 May 2015. It also requests that the Chamber consider this application ex parte and to keep this application ex parte confidential for the reasons set out above.

9. The United Nations respectfully requests its authorization be sought prior to any reclassification of the present filing.
10. The United Nations and the Office of the Special Representative understands the importance of a timely submission to the Chamber, especially given the needs of the victims in this case. Please, therefore, be assured of our highest consideration in filing this request.



Stephen Mathias, Assistant Secretary-General in charge of the Office of Legal Affairs
on behalf of

The Special Representative of the Secretary-General on Sexual Violence in Conflict;
the Under-Secretary-General for Peacekeeping Operations;
the High Commissioner for Human Rights; and
the Executive Director of UN Women.

Dated this 8th day of June 2015

At New York, United States of America