

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-02/06
Date: 26 September 2019

APPEALS CHAMBER

Before: Judge Howard Morrison, Presiding Judge
Judge Chile Eboe-Osuji
Judge Piotr Hofmański
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public

**Joint Response of the Common Legal Representatives for Victims to the Defence
“Urgent request for reconsideration of the ‘Decision on Mr Ntaganda’s Request
for an extension of the page and time limit for the filing of the appeal brief and
related matters’”**

Source: Office of Public Counsel for Victims

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

The Office of the Prosecutor

Ms Fatou Bensouda
Ms Nicole Samson
Ms Helen Brady

Counsel for the Defence

Mr Stéphane Bourgon
Mr Christopher Gosnell
Ms Kate Gibson

Legal Representatives of the Victims

Ms Sarah Pellet
Ms Anna Bonini

Legal Representatives of the Applicants

Mr Dmytro Suprun
Ms Anne Grabowski

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 Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. The Common Legal Representative of the Former Child Soldiers and the Common Legal Representative of the Victims of the Attacks (jointly the “Legal Representatives”), hereby submit their joint response to the “Urgent request for reconsideration of the ‘Decision on Mr Ntaganda’s Request for an extension of the page and time limit for the filing of the appeal brief and related matters’” (the “Reconsideration Request”).¹

2. The Defence seeks reconsideration of the Appeal Chamber’s “Decision on Mr Ntaganda’s request for an extension of the page and time limit for the filing of the appeal brief and related matters” (the “Decision”).² The Reconsideration Request does not meet the requirements for reconsideration and must therefore be dismissed. Moreover, the arguments put forward in the Reconsideration Request are unpersuasive and consist, to a large extent, of a mere repetition of arguments already advanced by the Defence and considered by the Chamber in reaching the Decision.

II. PROCEDURAL BACKGROUND

3. On 8 July 2019, Trial Chamber VI issued its Judgment pursuant to Article 74 of the Statute (the “Judgment”).³

4. On 17 July 2019, the Defence requested an extension of time of 60 days for the filing of its notice of appeal.⁴

5. On 18 July 2019, the Prosecution filed its response, indicating that it did not oppose the request, subject to being granted a similar extension. It also contended

¹ See the “Urgent request for reconsideration of the ‘Decision on Mr Ntaganda’s Request for an extension of the page and time limit for the filing of the appeal brief and related matters’”, [No. ICC-01/04-02/06-2417 A](#), 23 September 2019 (the “Reconsideration Request”).

² See the “Decision on Mr Ntaganda’s request for an extension of the page and time limit for the filing of the appeal brief and related matters” (Appeals Chamber), [No. ICC-01/04-02/06-2415 A](#), 20 September 2019 (the “Decision”).

³ See the “Judgment” (Trial Chamber VI), [No. ICC-01/04-02/06-2359](#), 8 July 2019 (the “Judgment”).

⁴ See the “Request for extension of time to file notice of appeal”, [No. ICC-01/04-02/06-2361 A](#), 17 July 2019, paras. 2 and 24.

that it would not be opposed to a likely further request for an extension of time in relation to the appeal brief.⁵

6. On 19 July 2019, the Appeals Chamber (the “Chamber”) partially granted the Defence request by extending the deadline for the filing of the parties’ notices of appeal by 30 days.⁶ It rejected the remainder of the requests.⁷

7. On 9 September 2019, the parties filed their respective notices of appeal.⁸ The Prosecution notified its intention to raise two grounds of appeal comprising one legal and one factual error.⁹ The Defence submitted notice of 15 grounds of appeal, involving legal, factual, and procedural challenges to the entire Judgment.¹⁰

8. On 11 September 2019, the Defence filed a “Request for extension of page limit and time to file appeal brief” requesting an extension of the deadline to file its appeal brief to 14 January 2020, as well as an increase of 100 pages of the page limit for said document.¹¹

9. On 12 September 2019, the Legal Representatives opposed the extension of both page and time limit sought by the Defence in its request as being excessive, disproportionate and unjustified.¹²

10. On 13 September 2019, the Chamber issued an order instructing *inter alia* Mr Ntaganda to specify the sections of the Judgment of which he required

⁵ See the “Prosecution’s response to request for extension of time to file notice of appeal”, [No. ICC-01/04-02/06-2362 A](#), 18 July 2019, paras. 1 and 4.

⁶ See the “Decision on Mr Bosco Ntaganda’s and the Prosecutor’s requests for time extension for the notice of appeal and appeal brief”, [No. ICC-01/04-02/06-2364 A](#), 19 July 2019, p. 3.

⁷ *Ibid.*

⁸ See the “Prosecution notice of appeal”, [No. ICC-01/04-02/06-2395 A](#), 9 September 2019, and “Mr Ntaganda’s Notice of Appeal against the Judgment pursuant to Article 74 of the Statute, ICC-01/04-02/06-2359”, [No. ICC-01/04-02/06-2396 A](#), 9 September 2019.

⁹ See the “Prosecution notice of appeal”, *supra* note 8, para. 3.

¹⁰ See “Mr Ntaganda’s Notice of Appeal against the Judgment pursuant to Article 74 of the Statute, ICC-01/04-02/06-2359”, *supra* note 8, paras. 7-9.

¹¹ See the “Request for extension of page limit and time to file appeal brief”, [No. ICC-01/04-02/06-2398 A](#), 11 September 2019.

¹² See the “Joint Response of the Common Legal Representatives for Victims to the Defence ‘Request for extension of page limit and time to file appeal brief’”, [No. ICC-01/04-02/06-2400 A](#), 12 September 2019, paras. 10 and 23.

translation.¹³ Accordingly, on 16 September 2019, the Defence filed its “Request for translation of parts of the Judgment”.¹⁴

11. On 17 September 2019, the Defence filed a “Request for leave to reply to Joint Response of the Common Legal Representatives for Victims to the Defence ‘Request for extension of page limit and time to file appeal brief’, ICC-01/04-02/06-2400”.¹⁵

12. On 17 September 2019, the Prosecution filed its “[R]esponse to Mr Ntaganda ‘Request for extension of page limit and time to file appeal brief’ (ICC-01/04-02/06-2398)”, not opposing extensions of 50 pages and 60 days, provided corresponding extensions are granted to the Prosecution and the Legal Representatives.¹⁶

13. On 17 September 2017, the Legal Representatives filed their Joint Response to the Defence “Request for leave to reply to the Joint Response of the Common Legal Representatives”, opposing said request in full since the Defence failed to demonstrate that the matters it wished to address could not have been reasonably anticipated within the meaning of regulation 24(5) of the Regulations.¹⁷

14. On 20 September 2019, the Defence filed a “Request for leave to reply to Prosecution response to Mr. Ntaganda’s ‘Request for extension of page limit and time to file appeal brief’ (ICC-01/04-02/06-2398)”.¹⁸

¹³ See the “Order in relation to Mr Bosco Ntaganda’s request for page and time extension for the appeal brief” (Appeals Chamber), [No. ICC-01/04-02/06-2401 A](#), 13 September 2019.

¹⁴ See the “Request for translation of parts of the Judgment”, [No. ICC-01/04-02/06-2364 A](#), 16 September 2019.

¹⁵ See the “Request for leave to reply to Joint Response of the Common Legal Representatives for Victims to the Defence ‘Request for extension of page limit and time to file appeal brief’, ICC-01/04-02/06-2400”, [No. ICC-01/04-02/06-2406 A](#), 17 September 2019.

¹⁶ See the “Prosecution response to Mr Ntaganda ‘Request for extension of page limit and time to file appeal brief’ (ICC-01/04-02/06-2398)”, [No. ICC-01/04-02/06-2408 A](#), 17 September 2019, paras. 5 and 6.

¹⁷ See the “Joint Response of the Common Legal Representatives for Victims to the Defence Request for leave to reply to the Joint Response of the Common Legal Representatives”, [No. ICC-01/04-02/06-2409 A](#), 17 September 2019.

¹⁸ See the “Request for leave to reply to Prosecution response to Mr. Ntaganda’s ‘Request for extension of page limit and time to file appeal brief’ (ICC-01/04-02/06-2398)”, [No. ICC-01/04-02/06-2412 A](#), 20 September 2019.

15. On 20 September 2019, the Chamber issued its “Decision on Mr Ntaganda’s request for an extension of the page and time limit for the filing of the appeal brief and related matters”, granting the Defence request in part and rejecting the Defence requests to reply. The Chamber decided that the Defence shall file its appeal brief in relation to the first two grounds of appeal identified in its notice by 7 October and on the remaining grounds by 14 January 2020 and extended the page limit by 50 pages to be distributed between the two briefs. It also specified that “[a] *decision regulating the timing and manner of victims’ participation in the appeals proceedings will be issued in due course*”.¹⁹

16. On 23 September 2019, the Defence filed its Reconsideration Request, asking the Chamber to reconsider its Decision and (i) order Mr. Ntaganda to file his appeal brief in relation to the first ground of appeal only, on 11 November 2019, with all of the remaining grounds to be briefed by 14 January 2020; and (ii) grant a further extension of 50 pages, for a total of 200 pages, for the entire appeal brief.²⁰

17. On 24 September 2019, the Prosecution filed its response to the Reconsideration Request opposing said request on the basis that the Defence did not show a clear error of reasoning by the Chamber or that reconsideration is necessary to prevent an injustice²¹

18. On 25 September 2019, the Chamber issued an “Order in relation to Mr Bosco Ntaganda’s request for reconsideration” setting the deadline for the victims to respond to the Reconsideration Request to the following day.²²

¹⁹ See the Decision, *supra* note 2.

²⁰ See the Reconsideration Request, *supra* note 1, para. 3.

²¹ See the “Prosecution response to Mr Ntaganda’s “Urgent request for reconsideration of the ‘Decision on Mr Ntaganda’s request for an extension of the page and time limit for the filing of the appeal brief and related matters” (ICC-01/04-02/06-2417)”, [No. ICC-01/04-02/06-2418 A](#), 24 September 2019.

²² See the “Order in relation to Mr Bosco Ntaganda’s request for reconsideration” (Appeals Chamber), [No. ICC-01/04-02/06-2420 A A2](#), 25 September 2019.

III. SUBMISSIONS

1. Legal Background

19. The Chamber has not, to date, addressed the issue of whether, and under what circumstances, it may reconsider its prior decisions.²³ Other Chambers of the Court have adopted diverging approaches on the issue.

20. The Legal Representatives recall that some Chambers have rejected all requests seeking reconsideration of previous decisions, concluding that there is no legal basis for such requests in the Court's statutory framework.²⁴ In particular, it was held that "[t]he instruments governing the Court's procedure make no provision for such a broad remedy as an unqualified 'motion for reconsideration'. Review of decisions by the Court is only allowed under specific circumstances, explicitly provided in the Statute and the Rules".²⁵ This position is based on the need to maintain "legal certainty and finality in judicial decisions [which] serve important purposes in achieving the orderly administration of justice".²⁶

21. Other Chambers have accepted the possibility of reconsidering earlier decisions, but only as an exceptional remedy to be granted in extraordinary circumstances. Trial Chamber I held that "*it is well established that a court can depart*

²³ See the "Decision on Ruto's Request for Reconsideration of the Decision on Suspensive Effect", [No. ICC-01/09-01/11-993-Red OA5](#), 27 September 2013, para. 8, and the "Decision on the Defence Request for Reconsideration", [No. ICC-01/04-01/10-505 OA4](#), 23 March 2012, para. 10.

²⁴ See e.g. the "Decision on the Prosecutor's Position on the Decision of Pre-Trial Chamber II to Redact Factual Descriptions of Crimes from Warrants of Arrest, Motion for Reconsideration and Motion for Clarification" (Pre-Trial Chamber II), [No. ICC-02/04-01/05-60](#), 28 October 2005, para. 18; the "Decision on the Defence for Mathieu Ngudjolo Chui's Request concerning translation of documents", (Pre-Trial Chamber I), [No. ICC-01/04-01/07-477](#), 15 May 2008, p. 5; the "Decision on the Prosecution motion for reconsideration" (Pre-Trial Chamber I), [No. ICC-01/04-01/06-123](#), 23 May 2006, p. 3; the "Decision on the Application by the Government of Kenya Challenging the Admissibility of the Case Pursuant to Article 19(2)(b) of the Statute" (Pre-Trial Chamber II), [No. ICC-01/09-02/11-96](#), 30 May 2011, para. 38; and the "Decision on the Prosecution's Application for Extension of Time Limit for Disclosure" (Pre-Trial Chamber II), [No. ICC-01/09-01/11-82](#), 10 May 2011, para. 11.

²⁵ See e.g. the "Decision on the Prosecutor's Position on the Decision of Pre-Trial Chamber II to Redact Factual Descriptions of Crimes from Warrants of Arrest, Motion for Reconsideration and Motion for Clarification" (Pre-Trial Chamber II), [No. ICC-02/04-01/05-60](#), 28 October 2005, para. 18; and the "Decision on the Prosecution motion for reconsideration" (Pre-Trial Chamber I), [No. ICC-01/04-01/06-123](#), 23 May 2006, p. 3.

²⁶ See the "Decision on 'Second Defence request for interim release'" (Pre-Trial Chamber I, Single Judge), [No. ICC-01/04-01/10-319](#), 28 July 2011, p. 6.

*from earlier decisions that would usually be binding if they are manifestly unsound and their consequences are manifestly unsatisfactory, because, for instance, a decision was made in ignorance of relevant information.”*²⁷ In the same decision, Trial Chamber I recognised the “limits of this approach – most particularly given the need to achieve certainty in the proceedings – and the strong presumption is that a Chamber is bound by its own decisions”²⁸ and concluded that it must be applied in restrictively. Other Trial Chambers have confirmed that “reconsideration is an ‘exceptional measure’ which should only be granted if a ‘clear error of reasoning has been demonstrated or if it is necessary to do so to prevent an injustice’”.²⁹

2. The Reconsideration Request fails to satisfy the requirements for reconsideration

22. The Legal Representatives submit that the Defence has failed to satisfy the requirements for reconsideration as established by the limited practice of the Court. Requests for consideration have only been granted in exceptional circumstances, where the party seeking reconsideration had demonstrated both that the relevant decision was “*manifestly unsound*” and that its consequences were “*manifestly unsatisfactory*”.³⁰

23. In particular, the practice of the Court shows that requests for reconsideration may be granted (i) in cases where the applicant was able to provide compelling new or previously unavailable information which significantly altered the basis on which

²⁷ See the “Decision on the defence request to reconsider the ‘Order on numbering of evidence’ of 12 May 2010” (Trial Chamber I), [No. ICC-01/04-01/06-2705](#), 30 March 2011, para. 18.

²⁸ *Ibid.*

²⁹ See e.g. the “Decision on Defence Request for Reconsideration of or Leave to Appeal ‘Decision on “Defence Request for Disclosure and Judicial Assistance”” (Trial Chamber VII), [No. ICC-01/05-01/13-1282](#), para. 8; the “Decision on the Sang Defence’s Request for Reconsideration of Page and Time Limits” (Trial Chamber V(a)), [No. ICC-01/09-01/11-1813](#), 10 February 2015, para. 19; the “Decision on Request for Reconsideration of the Order to disclose Requests for Assistance” (Trial Chamber IX, Single Judge), [No. ICC-02/04-01/15-468](#), 15 June 2016, para. 4; and the “Decision on the Defence request for reconsideration and clarification” (Trial Chamber VI), [No. ICC-01/04-02/06-483](#), 27 February 2015, para. 13.

³⁰ See the “Decision on the defence request to reconsider the ‘Order on numbering of evidence’ of 12 May 2010” (Trial Chamber I), *supra* note 27, para. 18.

the original decision was taken,³¹ or in order to accommodate new circumstances that have arisen and which have rendered the original decision unfair;³² or (ii) in order to correct material errors committed by the Chamber.³³

24. The Legal Representatives submit that the arguments put forward in the Reconsideration Request fail to establish any of these exceptional circumstances. The Defence merely disagrees with the conclusions reached by the Chamber in the Decision and with the deadlines and page-limits it set for the parties, which manifestly does not constitute ground for reconsideration.

a) There are no new circumstances or new information requiring reconsideration of the Decision

25. The Reconsideration Request largely consists of a repetition of arguments already raised by the Defence in its earlier requests for extension and considered by the Chamber in reaching the Decision. The Reconsideration Request only refers to two developments allegedly constituting “*information that was not available when filing the Defence Request for Extension*”.³⁴

26. First, the Defence maintains that it was ordered on 20 September 2019 to file its sentencing brief by 30 September 2019 and its response to the Prosecution’s sentencing brief by 7 October 2019.³⁵ In truth, Trial Chamber VI had provided advance notice of the anticipated timeline of these filings by email already on 11 July 2019.³⁶ The Defence was fully aware of these upcoming deadlines, and indeed

³¹ See the “Decision on prosecution’s ‘Urgent request for reconsideration pursuant to Trial Chamber V’s ‘Decision on the second and third Prosecution requests for delayed disclosure of witness identities’”, [No. ICC-01/09-01/11-578-Red](#), 30 January 2013, para. 8.

³² See the Transcript of hearing held on 2 December 2010, [No. ICC-01/05-01/08-T-42-Red2-ENG WT](#), page 2, line 2 to page 4, line 13.

³³ See the “Decision on the defence request to reconsider the ‘Order on numbering of evidence’ of 12 May 2010”, *supra* note 27, para. 20.

³⁴ See the Reconsideration Request, *supra* note 1, para. 15.

³⁵ *Idem*, para. 16.

³⁶ Email sent from Trial Chamber VI Communications to the Parties and Participants, 11 July 2019, 16h41. The specific deadlines of 30 September and 8 (as opposed to 7) October were set by email on 12 September 2019 (Email sent from Trial Chamber VI Communications to the Parties and Participants, 12 September 2019, 10:33), the day after the Defence filed its request for extension before

referred to the “*imminent evidential hearings on sentencing [...] and the final substantive submissions on sentence that will be due around one week later*” as grounds in support of its original request for an extension of the deadline to file its notice of appeal.³⁷ Accordingly, the parallel sentencing proceedings and workload arising therefrom were already taken into account by the Chamber in setting the timeline of the present appeal.³⁸

27. Second, the Defence refers to the fact that it was ordered to submit its response to the Registry’s observations on reparation by 3 October 2019.³⁹ The Legal Representatives note that said response was originally due on 20 September 2019, and that the deadline was postponed upon the Defence’s eleventh-hour request.⁴⁰ The Defence’s commitments in the parallel reparation proceedings were already referred to in its earlier request for extension,⁴¹ and considered by the Chamber in reaching the Decision.⁴² The fact that, since then, the Defence requested – and was granted – additional time to complete a filing it was already due to submit does not add to its workload and does not justify a reconsideration of the timeline for the appeal.

b) The Chamber did not commit material errors in the Decision

28. The Defence fails to point out any material errors committed by the Chamber in its Decision.

the Chamber. Yet, the Defence did not deem it necessary to mention this development in its subsequent filings before the Chamber preceding the adoption of the Decision.

³⁷ See the “Request for extension of time to file notice of appeal”, *supra* note 4, para. 19.

³⁸ See the “Decision on Mr Bosco Ntaganda’s and the Prosecutor’s requests for time extension for the notice of appeal and appeal brief”, *supra* note 6; and the Decision, *supra* note 2.

³⁹ See the Reconsideration Request, *supra* note 1, para. 17.

⁴⁰ See the “Request for a variation of time limit to submit the Defence response to ‘Registry’s observations, pursuant to the Single Judge’s ‘Order for preliminary information on reparations’ of 25 July 2019, ICC-01/04-02/06-2366’”, [No. ICC-01/04-02/06-2411](#), 18 September 2019. In said request, the Defence expressly informs Trial Chamber VI that “[...] *despite its best efforts, the Defence was not in a position to prepare its response due to concurring deadlines related to the concurrent Appeal and Sentencing*” (para. 5, emphasis added). See also the email sent from Trial Chamber VI Communications to the Parties and Participants, 18 September 2019, 18:50, extending the deadline to 3 October 2019.

⁴¹ See the “Request for extension of page limit and time to file appeal brief”, *supra* note 11, paras. 19-22.

⁴² See the Decision, *supra* note 2, para. 12.

29. The Legal Representatives note the reference, within the Reconsideration Request, to the *“situation of inequality”* between the parties allegedly arising from the fact that the Defence has to *“brief two significant grounds of appeal within a 14-day period”* while the Prosecution *“would benefit from two full months to respond to the first two grounds”*.⁴³ The Legal Representatives posit that said argument is ill-founded and must be rejected.

30. The timeline for appeal submissions, as set out in Rule 150 of the Rules of Procedure and Evidence and Regulations 57 and 58 of the Regulations of the Court,⁴⁴ as recently amended, provides for a period of 30 days from the notification of the relevant decision for the filing of a notice of appeal,⁴⁵ and a further 60-day period for the filing of the appeal brief.⁴⁶ Upon the Defence’s request, the Chamber already granted significant extensions to these time-limits, particularly a 30-day extension for the filing of both parties’ notices of appeal⁴⁷ and a further extension of approximately three months to the Defence only for the appeal brief in relation to the vast majority of its fifteen proposed grounds of appeal.⁴⁸ Meanwhile, the 60-day deadline for responses set out in Regulation 59(1) continues to apply to both parties.⁴⁹ In these circumstances, the situation of inequality created by the Decision – if any – is to the benefit of Mr Ntaganda.

31. The Legal Representatives also oppose the Defence’s claim that it is *“placed in a position of having to brief two significant grounds of appeal within a 14-day period”*.⁵⁰ As required by Regulation 58, the Defence was granted a period of 90 days since the notification of the Judgment to file its appeal brief in relation to the first two grounds. The Defence’s decisions to date as to the allocation of its resources within that

⁴³ See the Reconsideration Request, *supra* note 1, paras. 19-20.

⁴⁴ Where the term ‘Regulation’ is used in the present observations, it refers to the Regulations of the Court unless otherwise indicated.

⁴⁵ See Rule 150 of the Rules of Procedure and Evidence and Regulation 57.

⁴⁶ See Regulation 58.

⁴⁷ See the “Decision on Mr Bosco Ntaganda’s and the Prosecutor’s requests for time extension for the notice of appeal and appeal brief”, *supra* note 6.

⁴⁸ See the Decision, *supra* note 2, p. 4.

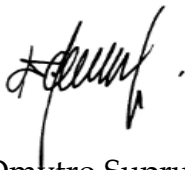
⁴⁹ *Ibid.*

⁵⁰ See the Reconsideration Request, *supra* note 1, para. 19.

timeframe do not constitute grounds for reconsideration of the Decision. Incidentally, the Legal Representatives note that, within said period, the Defence filed no less than six submissions of various nature seeking extensions of the timeline and page-limit for the appeal.⁵¹

32. To the extent the other points raised in the Reconsideration Request are simply a reiteration of arguments previously advanced by the Defence in its earlier requests for extension, the Legal Representatives stand by their position as articulated in their prior submissions.⁵² In particular, the Legal Representatives underline that *any* delay in the appeals proceedings negatively affects the victims' interest in the expeditious resolution of appeals and reparations proceedings.⁵³

FOR THE FOREGOING REASONS the Legal Representatives respectfully request the Chamber to dismiss the Reconsideration Request as unfounded.



Dmytro Suprun
Common Legal Representative of the
Victims of the Attacks



Sarah Pellet
Common Legal Representative of the
Child soldiers

Dated this 26th Day of September 2019

At The Hague, The Netherlands

⁵¹ See the "Request for extension of time to file notice of appeal", *supra* note 4; the "Request for extension of page limit and time to file appeal brief", *supra* note 11; the "Request for translation of parts of the Judgment", *supra* note 14; the "Request for leave to reply to Joint Response of the Common Legal Representatives for Victims to the Defence 'Request for extension of page limit and time to file appeal brief', ICC-01/04-02/06-2400", *supra* note 15; and the "Request for leave to reply to Prosecution response to Mr. Ntaganda's 'Request for extension of page limit and time to file appeal brief' (ICC-01/04-02/06-2398)", *supra* note 18; and the Reconsideration Request, *supra* note 1.

⁵² See the "Joint Response of the Common Legal Representatives for Victims to the Defence 'Request for extension of page limit and time to file appeal brief'", *supra* note 12; and the "Joint Response of the Common Legal Representatives for Victims to the Defence Request for leave to reply to the Joint Response of the Common Legal Representatives", *supra* note 17.

⁵³ See the "Joint Response of the Common Legal Representatives for Victims to the Defence 'Request for extension of page limit and time to file appeal brief'", *supra* note 12, para. 11.