



Original: **French**

No.: ICC-01/04-01/07
Date: 27 November 2018

TRIAL CHAMBER II

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

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public Document

**Response to the “Request to reclassify documents and proposal of redactions to
apply to certain documents”**

Source: Office of Public Counsel for Victims

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

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Counsel Support Section

Victims and Witnesses Section

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

I. PROCEDURAL HISTORY

1. On 15 March 2017, Trial Chamber II (“Chamber”) made an order appointing the Office of Public Counsel for Victims (“Office”) to be the legal representative of 37 applicants for reparations whose previously appointed counsel (“Legal Representative”) had applied to withdraw from representation.¹

2. On 24 March 2017, the Chamber handed down its “Order for Reparations pursuant to Article 75 of the Statute”, granting the status of beneficiary of reparations to 297 applicants, including 14 victims represented by the Office, and ordering both individual and dedicated collective reparations.²

3. On 22 November 2018, the Trust Fund for Victims (“Trust Fund”) filed a request for reclassification together with proposals for the redaction of certain documents relating to the reparations proceedings (“Request for Reclassification”).³

II. OBSERVATIONS

4. To begin, the Legal Representative informs the Chamber that she was apprised by email on 22 November 2018 at 10.49 of the Trust Fund’s intention to file the Request for Reclassification. The Request was filed at 15.40 that day. In the circumstances, she was not able to reply to the email before the Request for Reclassification was formally registered.

¹ “Decision on the Application made by the Common Legal Representative of Victims on 2 March 2017” (Trial Chamber II), ICC-01/04-01/07-3727-tENG, 15 March 2017, para. 14.

² “Order for Reparations pursuant to Article 75 of the Statute” (Trial Chamber II), ICC-01/04-01/07-3728-tENG, 24 March 2017. See also Annex II to the Order for Reparations.

³ “Request to reclassify documents and proposal of redactions to apply to certain documents”, ICC-01/04-01/07-3816, 22 November 2018 (“Request for Reclassification”).

5. As to the substance of the Request for Reclassification, the Legal Representative agrees with the requested reclassification of the documents and with the Trust Fund's proposed redactions to the documents appended to the Request.

[signed]

Paolina Massidda
Principal Counsel

Dated this 27 November 2018

At The Hague, Netherlands