

ANNEX III

PUBLIC

[REDACTED]

From: Trial Chamber IX Communications
Sent: 12 March 2021 12:10
To: [REDACTED]
Cc: [REDACTED] Trial Chamber IX
Subject: Communications
 RE: CLRv and LRV request on page limit for sentencing submissions

Dear Counsel,

The Chamber has considered the requests for extension of page limit received from the Prosecutor and the legal representatives of victims, and finds them justified in the circumstances of the present case. Accordingly, acting under Regulation 37(2) of the Regulations of the Court, the Chamber extends the page limit for the written submissions of the Prosecutor and for the joint submissions of the legal representatives of the victims participating in the proceedings, setting it at 50 pages, as requested.

In addition, noting the Defence's response to the request of the legal representatives of victims, the Chamber authorises the Defence to file written submissions up to 100 pages, if it wishes to.

Best regards,
 Trial Chamber IX

From: [REDACTED]
Sent: 09 March 2021 17:15
To: [REDACTED] Trial Chamber IX Communications [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
Cc: [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
Subject: RE: CLRv and LRV request on page limit for sentencing submissions

Dear Trial Chamber IX, Defence, CLRv, and LRVs,

The Prosecution apologises for any inconvenience caused by the email problems noted below, which now appear to have been fixed.

Regarding page limits for the sentencing briefs due on 1 April 2021, the Prosecution requests 50 pages for its brief, as in the *Ntaganda* case noted below.

The Prosecution does not oppose the filing of a 50-page joint brief by the CLRv and LRVs, as requested below.

Best regards,

[REDACTED]

From: [REDACTED]

Sent: 25 February 2021 23:43

To: Trial Chamber IX Communications [REDACTED]

Subject: Fw: CLRV and LRV request on page limit for sentencing submissions

Dear Trial Chamber IX *et al.*,

I received a failure to deliver message from the OTP UGA Team email address, so I am forwarding the Defence's response to some of the Prosecution Team members.

Very sorry for the double email.

Very best,

From: [REDACTED]

Sent: 25 February 2021 23:39

To: [REDACTED]; Trial Chamber IX Communications<>

Cc: [REDACTED]

Subject: Re: CLRV and LRV request on page limit for sentencing submissions

Dear Trial Chamber IX,

The Defence notes the request from the CLRV and LRVs ('Victim Representatives') about the brief on sentencing. The Defence did not raise this issue earlier as it awaited further instructions as outlined in Decision 1763 in paragraphs 6 and 8 after the Parties and Participants submitted requests on 26 February 2021.

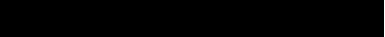
As the Victim Representatives have raised this issue, the Defence notes that the Victim Representatives appear to argue, from its citations to *Ntaganda*, that the Victim Representatives should receive double the amount of pages as they shall file a joint brief. With respect, this should not happen. If the Victim Representatives choose to file a joint brief, the brief should conform to the length of a single document submitted on one of the Victim Representatives. Teams like this general file a joint pleading because the arguments of the Teams are similar or overlapping. It should not be used to increase the amount of pages one may receive.

Furthermore, the Defence requests that the Parties be allotted twice the amount of pages as the Victim Representatives as these briefs go to sentencing, something which may touch and concern the victims, but is not the Victim Representatives duties to argue a sentence. This would follow *closely* the procedure used by the Chamber for the closing briefs. Should the Chamber be inclined to grant the Victim Representatives 50 pages, the Defence respectfully requests the Chamber allot 100 pages for the Parties.

Very best,

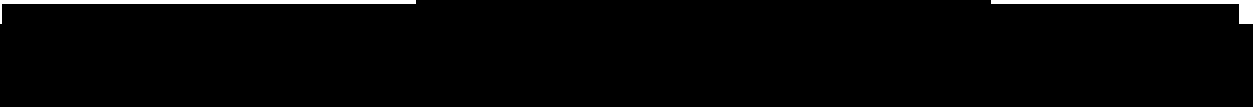

On behalf of Co-Counsels



From: Massidda, Paolina 

Sent: 25 February 2021 15:53

To: Trial Chamber IX Communications 

C 

Subject: CLRV and LRV request on page limit for sentencing submissions

Dear All,

Counsel representing the Victims in the case respectfully request the guidance of the Chamber in relation to the number of pages allowed for the submissions on sentencing.

In this regard, Counsel inform the Chamber that they intend to file a joint submission in the matter.

In light of the practice in the *Ntaganda* case according to which each team of legal representatives was afforded 25 pages (the Prosecution and the Defence being afforded 50 and 60 pages respectively) [See hearing held on 20 September 2-19, No. ICC-01/04-02/06-T-268-CONF-ENG ET, p. 53], Counsel respectfully request to be afforded 50 pages for their joint submissions on sentencing.

Kind regards,

Paolina Massidda Francisco Cox Joseph Manoba



Paolina Massidda

Conseil principal / Principal Counsel
Bureau du conseil public pour les victimes (BCPV)
Office of Public Counsel for Victims (OPCV)
International Criminal Court


www.icc-cpi.int



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