



Original : English

No.: ICC-01/04
Date: 26 February 2008

PRE-TRIAL CHAMBER I

Before: Judge Akua Kuenyehia, Presiding Judge
Judge Anita Ušacka
Judge Sylvia Steiner

Registrar: Mr Bruno Cathala

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public Document

Decision on the "Demande de prorogation de délai suite à l'enregistrement tardif des 'Observations des représentants légaux de VPRS 1 à 6 et de a/0071/06 sur la "Notification by the board of Directors of the trust Fund for victims" ""

The Office of the Prosecutor
Mr Luis Moreno Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

Office of Public Counsel for Defence
Mr Xavier-Jean Keïta, Principal Counsel

Legal Representatives for the Victims
Mr Emmanuel Daoud
Mr Luc Walley
Mr Frank Mulenda
Ms Carine Bapita Buyangandu
Mr Michel Shebele
Mr Patrick Baudoin
Mr Michael Verhaeghe
Mr Sylvestre Bisimwa
Mr Joseph Keta

Office of Public Counsel for Victims
Ms Paolina Massidda, Principal Counsel

The Trust Fund for Victims
André Laperrière, Executive Director

PRE-TRIAL CHAMBER I of the International Criminal Court (“the Chamber” and “the Court”, respectively);

NOTING the “Notification of the Board of Directors of the Trust Fund for Victims in accordance with Regulation 50 of the Regulations of the Trust Fund for Victims with Confidential Annex”¹ (“the Notification”) filed on 24 January 2008 in the record of the Situation of the Democratic Republic of Congo by the Board of Directors (“the Board”) of the Trust Fund for Victims (“the Trust Fund”);

NOTING the “Decision on the time limit for the filing of observations on the Notification by the Board of Directors of the Trust Fund for Victims”² issued by the Chamber on 5 February 2008 (“the Decision of 5 February 2008”);

NOTING the “Additional information on the Notification by the Board of Directors of the Trust Fund for Victims and annex”³ (“the Additional Information”) filed by the Board as confidential, and notified to the Prosecution and the Office of Public Counsel for the Defence (“the OPCD”);

NOTING the “Observations des représentants légaux de VPRS 1 à 6 et de a/0071/06 sur la ‘Notification by the board of Directors of the trust Fund for victims’”⁴ filed by the Legal Representatives on the 21 February 2008;

¹ ICC-01/04-439.

² ICC-01/04-441.

³ ICC-01/04-445-Conf + Conf-Anx.

⁴ ICC-01/04-463.

NOTING the “Demande de prorogation de délai suite à l’enregistrement tardif des ‘Observations des représentants légaux de VPRS 1 à 6 et de a/0071/06 sur la “Notification by the board of Directors of the trust Fund for victims” ’”⁵ (“the Request”) in which the Legal Representatives request an extension of the time limit for filing observations on the Notification;

NOTING article 79 of the Rome Statute (“the Statute”), rule 98 of the Rules of Procedure and Evidence (“the Rules”), regulations 33 and 35 of the Regulations of the Court (“the Regulations”) and regulation 50 of the Regulations of the Trust Fund (“the Regulations of the Trust Fund”);

CONSIDERING that pursuant to regulation 33 of the Regulations, the Legal Representatives made every effort to file their observations with Court Management Services prior to 4:00 p.m. on 20 February 2008, pursuant to the Chamber’s Decision of 5 February 2008;

CONSIDERING that pursuant to Regulation 35(2), a request from a participant seeking an extension after the lapse of a time limit may only be granted if the participant can demonstrate that he or she was unable to file the application within the time limit for reasons outside his or her control;

CONSIDERING that in annex 1 to the Request, the Legal Representatives demonstrate that although the document was e-mailed ten minutes prior to the 4:00


⁵ ICC-01/04-470.

p.m. deadline, for reasons outside their control, it was not received by the Court Management Services until after 4:00 p.m.;


FOR THESE REASONS

DECIDES to grant the Request of the Legal Representatives.

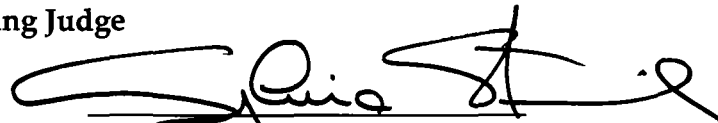
Done in both English and French, the English version being authoritative.



Judge Akua Kuenyehia
Presiding Judge



Judge Anita Ušacka



Judge Sylvia Steiner

Dated this Tuesday 26 February 2008

At The Hague, The Netherlands