

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06

Date: 24 April 2012

TRIAL CHAMBER I

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge René Blattmann

***SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF THE PROSECUTOR *v* .THOMAS LUBANGA DYILO***

**URGENT
Public**

Order fixing the date for the sentencing hearing

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

The Office of the Prosecutor

Mr Luis Moreno Ocampo
Ms Fatou Bensouda

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju Duval

Legal Representatives of the Victims

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo
Mr Paul Kabongo Tshibangu

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Trial Chamber I of the International Criminal Court (“Trial Chamber” or “Chamber”) in the case of *The Prosecutor v. Thomas Lubanga Dyilo* (“Lubanga case”), issues the following Order fixing the date for the sentencing hearing:

1. On 14 March 2012, the Chamber issued the Judgment pursuant to Article 74 of the Statute (“Judgment”).¹
2. On 28 March 2012, pursuant to the Chamber’s instructions,² the defence filed submissions on the portions of the Judgment it suggested should be translated in order to prepare its submissions on sentence for Mr Lubanga, and informed the Chamber that it would file observations on sentence two weeks after receiving the translation.³
3. On 30 March 2012 the Registry informed the Chamber that it would aim to complete a draft translation of the portions of the Judgment identified by the defence by 27 April 2012.⁴
4. On 18 April 2012, the Chamber received the written submissions of the Office of the Prosecutor (“prosecution”)⁵ and the legal representatives of victims⁶ on the procedures to be adopted for sentencing under Article 76 of the Rome Statute “Statute” and the principles to be applied by the Chamber when it is considering the appropriate sentence to be imposed.

¹ ICC-01/04-01/06-2842.

² Scheduling order concerning timetable for sentencing and reparations, 14 March 2012, ICC-01/04-01/06-2844.

³ Observations de la Défense conformément à l’ « *Ordonnance portant calendrier concernant la fixation de la peine et des réparations* » du 14 mars 2012, ICC-01/04-01/06-2849.

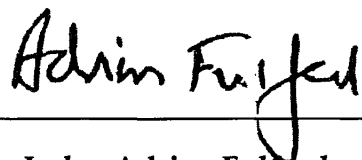
⁴ Email communication from the Court Interpretation and Translation Section to a Legal Office of the Trial Chamber on 30 March 2012 at 15:24.

⁵ Prosecution’s Submissions on the Procedure and Principles for Sentencing, ICC-01/04-01/06-2868.

⁶ Observations sur la fixation de la peine et les réparations de la part des victimes a/0001/06, a/0003/06, a/0007/06 a/00049/06, a/0149/07, a/0155/07, a/0156/07, a/0162/07, a/0149/08, a/0404/08, a/0405/08, a/0406/08, a/0407/08, a/0409/08, a/0523/08, a/0610/08, a/0611/08, a/0053/09, a/0249/09, a/0292/09, a/0398/09, et a/1622/10, ICC-01/04-01/06-2864; Observations du groupe de victimes V02 concernant la fixation de la peine et des réparations, ICC-01/04-01/06-2869.

5. The prosecution and the legal representatives of victims are instructed to file submissions by 16:00 on 14 May 2012 on the relevant evidence presented during trial that may be applicable to sentence along with their views as to the sentence to be imposed on the convicted person, taking into consideration, *inter alia*, any specific aggravating and mitigating factors. The filings of the prosecution and the two teams of legal representatives are not to exceed 20 pages each. With regard to the legal representatives, there is to be a single filing for each team.
6. The defence is instructed to file submissions on the sentence to be imposed on Mr Lubanga by 16:00 on 28 May 2012, taking into account the submissions of the prosecution and the legal representatives on the sentencing principles to be applied by the Chamber as well as the specific issues addressed in the submissions to be filed on 14 May 2012. In addition, the defence is to notify the Chamber as soon as practicable, and in any event no later than 28 May 2012, as to whether it will seek authorisation to present new evidence during the sentencing hearing.
7. The parties and participants are instructed to inform the Chamber in their written submissions the approximate time they will require during the sentencing hearing to make any oral submissions on the matter.
8. The public hearing on sentence will be held 10:00 on 13 June 2012. The order of the oral submissions on sentence will be: the prosecution, the participating victims, and finally the defence. The legal representatives for victims shall endeavour not to repeat submissions made by the prosecution or the other team of legal representatives.


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



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge René Blattmann

Dated this 24 April 2012

At The Hague, The Netherlands