

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: French

No.: ICC-01/04-01/06
Date: 21 October 2016

TRIAL CHAMBER II

Before: Judge Marc Perrin de Brichambaut, Presiding Judge
Judge Olga Herrera Carbuca
Judge Peter Kovács

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR v. THOMAS LUBANGA DYILO***

Public Document

With confidential Annex 1 and public Annex 2

**Transmission of the observations of the Government of the Democratic Republic
of the Congo in response to Order ICC-01/04-01/06-3217**

Source: Registrar

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

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Registrar

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Counsel Support Section

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**Victims Participation and Reparations
Section**

Ms Isabelle Guibal

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I. Introduction

1. This report is submitted further to the “Order pursuant to rule 103 of the Rules of Procedure and Evidence” (“the Order”) of 15 July 2016, by which the Chamber had invited the States concerned, as well as interested organisations, to file observations by 30 September 2016, in accordance with paragraph 8 of the Order.¹

II. Classification

2. Annex 1 to the present report is classified as confidential, in accordance with regulation 23 *bis*(1) of the Regulations of the Court, given that it is diplomatic correspondence between the Court and a State. Annex 2 to the present report is classified as public at the request of the Congolese authorities.

III. Legal basis

3. This report is submitted under rules 13(1) and 103(1) of the Rules of Procedure and Evidence.

IV. Submissions

4. Pursuant to the Chamber’s Order, the Registry invited the Democratic Republic of the Congo to submit observations “on current or past collective projects for former child soldiers in the East of the Democratic Republic of the Congo, whether carried out by public or private actors”, as well as “proposals for future collective projects to support the setting up of a range of collective reparation projects for the former child soldier victims of Mr Lubanga”.²

¹ Trial Chamber II, “Order pursuant to rule 103 of the Rules of Procedure and Evidence”, 15 July 2016, ICC-01/04-01/06-3217-tENG.

² ICC-01/04-01/06-3217-tENG, para. 8.

5. On 29 September 2016, the Congolese authorities requested an extension of the deadline to submit their observations.
6. On 4 October 2016, the Registry registered the request by the Congolese authorities in Annex 8 to the “*Rapport du Greffier sur l’exécution de la Décision ICC-01/04-01/06-3217*”.³
7. On 18 October 2016, the Registry received a note verbale transmitting the observations of the Congolese authorities of 11 October 2016. This note verbale is appended as Annex 1. The observations of the Congolese authorities are provided in Annex 2.

[signed]

Marc Dubuisson, Director, Division of Judicial Services
on behalf of
Herman von Hebel, Registrar

Dated this 21 October 2016

At The Hague, Netherlands

³ Registrar, “*Rapport du Greffier sur l’exécution de la Décision ICC-01/04-01/06-3217*”, 4 October 2016, ICC-01/04-01/06-3240.