



Original: **English**

No.: ICC-01/04-01/06
Date: **11 September 2017**

**THREE JUDGES OF THE APPEALS CHAMBER APPOINTED FOR THE REVIEW
CONCERNING REDUCTION OF SENTENCE**

Before: Judge Silvia Fernández de Gurmendi, Presiding Judge
Judge Howard Morrison
Judge Piotr Hofmánski

SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO

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

**Public
With one public Annex**

**Transmission of the Observations of the authorities of the Democratic Republic of
Congo on the Criteria set out in rule 223 of the Rules
of Procedure and Evidence**

Source: Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor
Ms Helen Brady

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju-Duval

**Legal Representatives of the Victims
V01**

Mr Franck Mulenda
Mr Luc Walley

Legal Representatives of the Applicants

**Legal Representatives of the Victims
V02**

Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo
Mr Paul Kabongo Tshibangu

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States' Representatives

Trust Fund for Victims

REGISTRY

Registrar

Mr Herman von Hebel

Detention Section

Victims and Witnesses Unit

Other

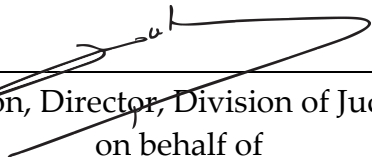
The Presidency

I - Introduction

1. Following the “Order modifying the “Scheduling Order for the second review concerning reduction of sentence of Mr Thomas Lubanga Dyilo”,¹ the Registry transmits the correspondence received from the authorities of the Democratic Republic of Congo (“DRC”) dated 8 September 2017.

II- Submissions

2. On 8 September 2017, the Registry received by way of an email sent at 16:40 copy of a correspondence, dated of the same day, from the Minister of Justice of the DRC to the *Procureur General de la République*, informing of the negative opinion of the Congolese Government on a reduction of the sentence of M. Thomas Lubanga Dyilo. The Registry transmits this correspondence in annex.
3. In the said correspondence, it is mentioned that a letter from the Minister of Justice to the Registry is annexed. The Registry, which has not received this letter, is in contact with Congolese authorities to obtain it; it will be forwarded to the Panel of judges upon reception.



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

Dated this 11 September 2017

At The Hague, The Netherlands

¹ Panel, Order modifying the “Scheduling Order for the second review concerning reduction of sentence of Mr Thomas Lubanga Dyilo”, 5 September 2017, ICC-01/04-01/06-3355