



Original: English

**No. ICC-01/04-01/06 A7 A8
Date: 21 September 2018**

THE APPEALS CHAMBER

Before:

**Judge Piotr Hofmański, Presiding Judge
Judge Chile Eboe-Osuji
Judge Howard Morrison
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa**

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR v. THOMAS LUBANGA DYILO

Public

**Scheduling order for a hearing before the Appeals Chamber and invitation to
the Trust Fund for Victims to submit observations**

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

Legal Representatives of V01 Victims

Mr Luc Walley
Mr Franck Mulenda

Counsel for the Defence

Ms Catherine Mabile
Mr Jean-Marie Biju-Duval

Legal Representatives of V02 Victims

Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo

Trust Fund for Victims

Mr Pieter de Baan

Office of Public Counsel for Victims

Ms Paolina Massidda

REGISTRY

Registrar

Mr Peter Lewis

The Appeals Chamber of the International Criminal Court,

In the appeals of the legal representatives of the V01 group of victims and of Mr Thomas Lubanga Dyilo against the decision of Trial Chamber II entitled ‘Decision Setting the Size of the Reparations Award for which Thomas Lubanga Dyilo is Liable’ of 15 December 2017, of which a corrected version was filed on 21 December 2017 (ICC-01/04-01/06-3379-Red-Corr-tENG),

Issues the following

ORDER


1. A hearing before the Appeals Chamber will be held on 17 October 2018 in order to hear submissions and observations on the above-mentioned appeals.
2. Further directions on the schedule of the hearing and conduct of the proceedings will be issued in due course.
3. The Trust Fund for Victims may submit written observations on issues arising from the above-mentioned appeals, of no longer than 30 pages, by 16h00 on Thursday, 11 October 2018, and is invited to attend the above-mentioned hearing.
4. Mr Thomas Lubanga Dyilo, the legal representatives of the V01 and V02 groups of victims, as well as the Office of Public Counsel for Victims may respond to the observations of the Trust Fund for Victims at the above-mentioned hearing.

REASONS

1. Rule 103 of the Rules of Procedure and Evidence provides as follows:
 1. At any stage of the proceedings, a Chamber may, if it considers it desirable for the proper determination of the case, invite or grant leave to a State, organization or person to submit, in writing or orally, any observation on any issue that the Chamber deems appropriate.
 2. The Prosecutor and the defence shall have the opportunity to respond to the observations submitted under sub-rule 1.

3. A written observation submitted under sub-rule 1 shall be filed with the Registrar, who shall provide copies to the Prosecutor and the defence. The Chamber shall determine what time limits shall apply to the filing of such observations.
2. The Appeals Chamber recalls that its decision under rule 103 (1) of the Rules of Procedure and Evidence is discretionary.¹ It may permit the filing of observations either by inviting such submissions *proprio motu* or following a request for leave to address the Appeals Chamber.²
3. Having regard to the issues raised on appeal and the mandate of the Trust Fund for Victims, the Appeals Chamber finds it desirable for the proper determination of these appeals to invite the Trust Fund for Victims to submit observations. The Trust Fund for Victims may submit written observations on issues arising from the above-mentioned appeals, of no longer than 30 pages, by 16h00 on Thursday, 11 October 2018, and is invited to attend the above-mentioned hearing. Pursuant to rule 103 (2) of the Rules of Procedure and Evidence, Mr Thomas Lubanga Dyilo, the legal representatives of the V01 and V02 groups of victims, as well as the Office of Public Counsel for Victims may respond to the observations submitted by the Trust Fund for Victims at the hearing on 17 October 2018.

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



Judge Piotr Hofmański
Presiding Judge

Dated this 21st day of September 2018

At The Hague, The Netherlands

¹ See, for example, *Prosecutor v. Laurent Koudou Gbagbo*, 'Decision on the "Request for Leave to Submit *Amicus Curiae* Observations pursuant to Rule 103 of the Rules of Procedure and Evidence"', 1 October 2013, ICC-02/11-01/11-517 (OA 5), para. 9.

² *Prosecutor v. Jean-Pierre Bemba Gombo*, 'Decision on the application of 14 September 2009 for participation as an *amicus curiae*', 9 November 2009, ICC-01/05-01/08-602 (OA 2), para. 10.