

ANNEX 2

CONFIDENTIAL

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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

Date: 28 March 2012

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

Application for leave to intervene as Amicus Curiae in the case of *The Prosecutor v. Thomas Lubanga Dyilo*, pursuant to Rule 103 of the Rules of Procedure and Evidence

Source: *Justice-Plus, Terre des Enfants, Centre Pélican–Training For Peace and Justice/Journalistes en Action pour la Paix, Fédération des Jeunes pour la Paix Mondial, Avocats Sans Frontières*

1. Pursuant to rule 103 of the Rules of Procedure and Evidence of the International Criminal Court:

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. In the *Scheduling order concerning timetable for sentencing and reparations* dated 14 March 2012, Trial Chamber I invited any interested party to submit written authorisation to participate in the proceedings in order to file observations on the principles to be applied by the Chamber with regard to reparations.¹ In response to this, for the purpose of contributing to the proper administration of justice, the non-governmental organisations *Justice-Plus*, *Terre des Enfants*, *Centre Pélican–Training For Peace and Justice/Journalistes en Action pour la Paix*, *Fédération des Jeunes pour la Paix Mondiale* and *Avocats Sans Frontières* hereby file an application to intervene as amicus curiae and submit their written observations.

I. Introduction

3. On 14 March 2012, Trial Chamber I, acting pursuant to article 74 of the Rome Statute, issued its judgment as to whether the Prosecutor had proved the guilt of the Accused.² The Chamber noted that the evidence had established beyond a reasonable doubt that children under the age of 15 were conscripted and enlisted into the UPC/FPLC forces between 1 September 2002 and 13 August 2003.

¹ Trial Chamber I, situation in the Democratic Republic of the Congo in the case of *The Prosecutor v. Thomas Lubanga Dyilo, Scheduling order concerning timetable for sentencing and reparations*, ICC-01/04-01/06, 14 March 2012, para. 10.

² Trial Chamber I, situation in the Democratic Republic of Congo in the case of *The Prosecutor v. Thomas Lubanga Dyilo, Judgment Pursuant to Article 74 of the Statute*, ICC-01/04-01/06, 14 March 2012.

4. In the Chamber's estimation, the evidence demonstrated that Thomas Lubanga Dyilo was simultaneously the Commander-in-Chief of the UPC/FPLC army and its political leader. The Chamber also determined that in this capacity the Accused and his co-perpetrators agreed to, and participated in, a common plan to build an army for the purpose of establishing and maintaining political and military control over Ituri. This plan resulted in the conscription, enlistment and use of children under the age of 15 to participate actively in hostilities. The Chamber found that Thomas Lubanga's contribution was essential to a common plan that resulted in the conscription and enlistment of girls and boys below the age of 15 into the UPC/FPLC and their use to participate actively in hostilities. It has further been proved beyond reasonable doubt that Mr Thomas Lubanga Dyilo personally used children below the age of 15 amongst his bodyguards and he regularly saw guards of other UPC/FPLC members of staff who were below the age of 15.

5. The evidence demonstrates that the children endured a harsh training regime and they were subjected to a variety of severe punishments. The evidence also establishes that children, mainly girls, were used by UPC/FPLC commanders to carry out domestic work. Girls were additionally subjected to sexual violence and rape. Sexual violence does not form part of the charges against the Accused, and the Chamber has not made any findings of fact on the issue, particularly as to whether responsibility is to be attributed to the Accused. The Chamber nevertheless stated that this might be taken into account for the purposes of sentencing and reparations.

6. At the request of the Accused and in accordance with article 76(2) of the Statute, the Chamber ruled in an oral Decision on 25 November 2008 that there would be a separate sentencing hearing if the Accused were convicted.

7. In the *Scheduling order concerning timetable for sentencing and reparations* of 14 March 2012, Trial Chamber I invited "other individuals or interested parties, including those who have been notified of the reparation proceedings pursuant to Rule 96 of the Rules," to apply in writing for leave to participate, by 4 p.m. on 28 March 2012, if

they wished to file submissions on the principles to be applied by the Chamber with regard to reparations and the procedure to be followed by the Chamber.³

II. The applicants

8. *Justice-Plus* is a non-governmental organisation established in November 1996 in Bunia, Ituri. It is a Pax Christi International affiliate and is currently a member of the *Réseau des Associations de Droits de l'Homme de l'Ituri* [Network of Ituri Human Rights Associations]. Since its foundation it has been active in the promotion of human rights and the development of a culture of peace through the fight against impunity for international crimes, tolerance, and non-violence. Since 2005 it has implemented projects focusing on community awareness of the Disarmament and Community Reintegration Plan, prevention and management of risk related to identity-based conflict, and strengthening peaceful cohabitation between civilians and soldiers in Ituri, as well as an awareness-raising project designed to reduce the incidence, raise the profile and ensure prosecution of sexual violence.

9. *Terre des Enfants* has been active in Bunia since April 2000. *Terre des Enfants's* activities began as a response to the needs of the thousands of unaccompanied children fleeing the war raging north of the city of Bunia. Since then, it has been working to prevent the marginalisation of the most vulnerable children and to end violence against women and children. It has demobilised more than 5,600 “children formerly associated with armed forces and groups” (ex-CAAFAGs) since 2004 through its dedicated programmes, enabling thousands of vulnerable children to be reintegrated into five displaced communities and returned to Irumu and Djugu. Since 2002 *Terre des Enfants* has guided and assisted victims through identification, documentation, tracing and reunification (IDTR) procedures.

³ Trial Chamber I, situation in the Democratic Republic of the Congo in the case of *The Prosecutor v. Thomas Lubanga Dyilo, Scheduling order concerning timetable for sentencing and reparations*, ICC-01/04-01/06, 14 March 2012, para. 10.

10. **Pélican–Training For Peace and Justice**/*Journalistes en Action pour la Paix* was established in Bunia in 1994 and has evolved in the specific context of interethnic armed conflict in the eastern part of the Democratic Republic of the Congo. *Centre Pélican* seeks to promote grassroots participation in political and economic decision-making processes in the Congo as a means to rebuild the country in peace, unity and democracy, and justice. It does so through information and outreach campaigns on national and international issues related to the promotion of human rights in the peace, democracy, unity and justice process carried out in partnership with the International Criminal Court’s information and outreach section. It also monitors trials for international crimes committed in the Democratic Republic of the Congo.

11. The Ituri branch of the *Fédération des Jeunes pour la Paix Mondiale*, in Bunia, was formed in 1994. In partnership with the *Réseau des Associations de Défense de Droit de l’Homme en Ituri* [Ituri Network of Human Rights Associations] and the United Nations Joint Human Rights Office in Bunia, the *Fédération des Jeunes pour la Paix Mondiale* is engaged in lobbying government and judicial authorities in the area of human rights violations. It offers assistance to victims seeking to obtain justice, in particular providing victims of sexual violence with legal assistance and psychological care. It also visits prisons to identify cases of fundamental human rights violations.

12. *Avocats Sans Frontières* is an international non-governmental organisation established in 1992. It has had a permanent mission in the Democratic Republic of the Congo for over 10 years. Through its programmes, *Avocats Sans Frontières* has assisted over 500 victims of international crimes in the Democratic Republic of the Congo and provided legal assistance for approximately sixty victims of international crimes authorised to participate in ICC proceedings. Through its integrated anti-impunity project, *Avocats Sans Frontières* has been active in capacity building and the provision of technical assistance for various actors in the justice sector since 2005.

Avocats Sans Frontières also monitors trials for international crimes in national courts within the Democratic Republic of the Congo.

III. Purpose of the intervention

13. Our submissions will focus on the points raised by Trial Chamber I in the 14 March 2012 *Scheduling order concerning timetable for sentencing and reparations*: “the principles to be applied by the Chamber with regard to reparations and b) the procedure to be followed by the Chamber”.⁴

14. As stated by the Registry in its second report on reparations, “In order to enable the Court to prioritize resources effectively and fairly, the Court and/or Trust Fund would require a significant amount of information on the victim class prior to a final decision on prioritization being taken or approved”,⁵ it would indeed appear that the Court needs to “consider factors pertaining both to the class of victims who may receive reparations and to the social context in which they live”.⁶ The intervention as *amicus curiae* being requested by *Justice-Plus*, *Terre des Enfants*, *Centre Pélican–Training For Peace and Justice/Journalistes en Action pour la Paix*, *Fédération des Jeunes pour la Paix Mondiale* and *Avocats Sans Frontières* is intended to provide the Court with some of the information and contextual analysis necessary for it to make a decision by conveying the views of victims from the affected communities, analysts and opinion leaders in Ituri.

15. In light of the need to take account of the expectations in regard to the International Criminal Court, not only by the direct victims, but also by indirect victims and the Ituri community as a whole, *Justice-Plus*, *Terre des Enfants*, *Centre*

⁴ Trial Chamber I, situation in the Democratic Republic of the Congo in the case of *The Prosecutor v. Thomas Lubanga Dyilo*, *Scheduling order concerning timetable for sentencing and reparations*, ICC-01/04-01/06, 14 March 2012, para. 8.

⁵ Trial Chamber I, situation in the Democratic Republic of the Congo in the case of *The Prosecutor v. Thomas Lubanga Dyilo*, *Second Report of the Registry on Reparations*, ICC-01/04-01/06, 1 September 2011, para. 48.

⁶ *Ibid.*, para. 38.

Pélican–Training For Peace and Justice/*Journalistes en Action pour la Paix*, *Fédération des Jeunes pour la Paix Mondiale* and *Avocats Sans Frontières* have adopted an integrated reparations approach. Reparations measures without long-term benefits for social cohesion would be counter-productive.

16. Rule 97 of the Rules of Procedure and Evidence reads as follows: “Taking into account the scope and extent of any damage, loss or injury, the Court may award reparations on an individualized basis or, where it deems it appropriate, on a collective basis or both.” From this perspective, the concepts of individual and collective reparations are neither mutually exclusive nor necessarily distinct. On the contrary, an inclusive approach would appear to be required by the particular circumstances of the case of *The Prosecutor v. Thomas Lubanga Dyilo*, in which the narrow scope of the charges significantly limited the class of victims able to benefit from individual reparations. The Chamber appears to have been taking this into account when it stated:

Because facts relating to sexual violence were not included in the Decision on the Confirmation of Charges, it would be impermissible for the Chamber to base its Decision pursuant to Article 74(2) on the evidence introduced during the trial that is relevant to this issue. [...] In due course, the Chamber will consider whether these matters ought to be taken into account for the purposes of sentencing and reparations.⁷

17. Moreover, the specific situation of the child soldiers, who were both victims and perpetrators of crimes, also militates in favour of an inclusive approach, such that any reparations awarded do not endanger the rehabilitation efforts already undertaken.

18. As indicated in rule 97 of the Rules of Procedure and Evidence, the criterion by which the Court should be guided in its determination is that of “the scope and extent of any damage, loss or injury”. The issues of identifying and evaluating the damage suffered and of the nature of reparations to be awarded would thus need to

⁷ Trial Chamber I, situation in the Democratic Republic of Congo in the case of *The Prosecutor v. Thomas Lubanga Dyilo*, *Judgment Pursuant to Article 74 of the Statute*, ICC-01/04-01/06, 14 March 2012, paras. 630-631.

be addressed together, insofar as the scope of the damage suffered, which makes an accurate assessment of individual damage difficult, is such as to necessitate collective reparations, whereas in the event of a decision to order collective reparations, assessment of individual damage would serve no purpose.

19. This concept of the “scope of damage” should be interpreted broadly to encompass all factors engendering instability in and exacerbating the vulnerability of communities. Consideration must also be given to the difficulties involved in rehabilitating children whose families are dead or have rejected them; child victims infected with, among other things, HIV/AIDS; and children with disabilities or those whose behaviour poses a danger to their communities. Accordingly, any reparations awarded to direct beneficiaries must also benefit the communities from which the children were recruited. Any reparations awarded must build grassroots structural capacity in communities, families and local actors in order to ensure that the benefits from the reparations are sustainable.

III. Conclusion

20. In order to discuss further the views of the communities affected by the crimes committed by Thomas Lubanga Dyilo and for the purpose of contributing to the proper administration of justice, pursuant to rule 103 of the Rules of Procedure and Evidence, *Justice-plus*, *Terre des Enfants*, *Centre Pélican*—Training For Peace and Justice/*Journalistes en Action pour la Paix*, *Fédération des Jeunes pour la Paix Mondiale* and *Avocats Sans Frontières* respectfully request leave to file written observations on the legal and material issues relating to the appropriate mode of reparation and the evaluation and assessment of the damage suffered as a result of the crimes committed.

Mitterand Bosa ElemaDirector, *Justice Plus*

[signed]

David Alicama Wod'AbangaDirector, *Terre des Enfants*

[signed]

Etienne Nzadi MutatshiDirector, *Fédération des
Jeunes pour la Paix Mondiale*

[signed]

Gilbert Tandia BakonziDirector, *Centre Pélican*

[signed]

Francesca BoniottiDirector, *Avocats Sans
Frontières*

[signed]

DEMOCRATIC REPUBLIC OF THE CONGO

MINISTRY OF SOCIAL AFFAIRS
ORIENTALE PROVINCE
DISTRICT OF ITURI
DIVISION OF SOCIAL AFFAIRS

[Flag of the
Democratic Republic
of the Congo]

=CERTIFICATE OF REGISTRATION=

No. 05/INSP/ERV/AFF.SOC./ITURI/BIA/0006/2008

Pursuant to Order 80-212 of 27 August 1980 establishing the Ministry of Social Affairs, I, *Jean-Marie Kukia*-[illegible], Director of the Division of Social Affairs in the District of Ituri, located in Bunia, hereby certify that the objects of the non-governmental organisation or non-profit association *Fédération des Jeunes pour la Paix Mondiale*

Address: [illegible] no. 2, Quartier [illegible], Bunia, Ituri

are: *(1) To establish new values conducive to world peace; (2) to promote the integration of peoples through the establishment of a single human community; (3) to train and assist youth and to provide youth with guidance in the face of immorality, etc.*

It is registered and recognised by our Division pursuant to ministerial order no. DAS/CAB/C.E/014/89 of 11 October 1989 governing accreditation of entities engaged in social action and private centres providing social services and must abide by the stipulations of order no. CAB/MIN.AFF.SOC/060/95 of 7 June 1995 of the Ministry of Social Affairs establishing the requirements for accreditation of entities engaged in social action and private centres providing social services incorporated as “non-profit associations”.

This Certificate is hereby issued to the aforementioned NGO for all legal intents and purposes.

Done at Bunia, 05/02/2008

[stamp]

DIRECTOR OF THE OFFICE OF SOCIAL
AFFAIRS, DISTRICT OF ITURI
[signed: J.M. Kukia, District [illegible] Inspector]

DEMOCRATIC REPUBLIC OF THE CONGO
MINISTRY OF JUSTICE
 [flag]
SECRETARIAT GENERAL
 Second Division of Religious Affairs,
Associations and NGOs

Kinshasa, [date illegible]

No. JUST GS SG 201325 2006

Copy sent for information to:

- His Excellency the Minister of Justice
 - The Secretary-General of the Ministry of Justice
 - The Director-Head of Department of the Official Gazette
- (All) in KINSHASA/GOMBE
- Provincial Governors (all)
 - Heads of Provincial Divisions of Justice (all)

Re: Notification of Order

No. 476/CAB/MIN/J/2006
 of 7 October 2006
 F.92/9542

To Mr Dikuta Shita

President of the non-religious non-profit association
"FEDERATION DES JEUNES POUR LA PAIX MONDIALE"
("F.J.P.M./CARP/RDC")
11ème no. 443/Commune of Limete
Kinshasa/Limete

Dear Sir,

I hereby wish to notify to you the enclosed certified true photocopy of Ministerial Order No. 476/CAB.MIN./J/2006 of 7 October 2006 issued by the His Excellency the Minister of Justice granting the non-religious non-profit association known as ***"FEDERATION DES JEUNES POUR LA PAIX MONDIALE"*** (***"F.J.P.M./CARP/RDC"***) legal personality.

I would take this opportunity to inform you that this order will be published at no charge in the Official Gazette by the Ministry of Justice, but the cost of publication of the by-laws and statement is to be borne in full by your association.

Yours faithfully,

DIRECTOR OF THE DIVISION OF
 RELIGIOUS AFFAIRS AND ASSOCIATIONS

[stamp]

[signed]

Léonard Lukamenya Kwenda Malibilo

Palais de Justice, Place de l'Indépendance, Kinshasa Gombe

Democratic Republic of the Congo
 [emblem]
Ministry of Justice
The Minister

MINISTERIAL ORDER NO. 476 /CAB/MIN/J/2006 DATED
07 OCT 2006 GRANTING LEGAL PERSONALITY TO THE NON-RELIGIOUS
 NON-PROFIT ASSOCIATION KNOWN AS "*FEDERATION DES JEUNES POUR LA PAIX
 MONDIALE*", ("FJPM-CARP/RDC").

THE MINISTER OF JUSTICE,

Noting the Constitution of the Democratic Republic of the Congo, in particular articles 93, 221 and 222;

Noting Law No. 004/2001 of 20 July 2001 establishing general provisions governing non-profit associations and public service entities, in particular articles 3, 4, 5, 6, 7, 8 and 57;

Noting Decree No. 03/025 of 16 September 2003 to determine the organisation and functioning of the Government, in particular article 24;

Noting Decree No. 03/027 of 16 September 2003 establishing the functions assigned to ministries, in particular article 1(B)(6);

Noting Decree No. 05/001 of 3 January 2005 appointing the ministers and deputy ministers of the Transitional Government amended and supplemented by Decree No. 06/017 of 31 March 2006;

Noting the application for legal personality dated 4 July 2006 submitted by the non-religious non-profit association known as "*FEDERATION DES JEUNES POUR LA PAIX MONDIALE*" ("FJPM-CARP/RDC");

Noting the statement dated 10 September 2002 issued by the majority of the full members of the aforementioned non-profit association;

Noting Approval No. MJS/CAB/2100/TEI/0378/2006 issued on 21 April 2006 to the aforementioned non-profit association by the Minister of Youth and Sport;

ORDERS:

Article 1: Legal personality is granted to the non-religious non-profit Association known as "*FEDERATION DES JEUNES POUR LA PAIX MONDIALE*", ("FJPM-CARP/RDC"), whose registered office is in Kinshasa, at no. 443, 11ème Rue, Quartier Industriel, Limete Commune, the Democratic Republic of the Congo.

The objects of the Association are:

- To establish new values conducive to world peace
- To promote the integration of peoples through the establishment of a single human community transcending religious, racial, tribal, ethnic and ideological barriers.
- To train and assist youth in the areas of culture and the arts through conferences, training seminars, voluntary service, etc.
- To provide youth with guidance in the face of immorality, sexual promiscuity and other forms of deviancy.
- To prepare youth for true marriage in order to create stable, healthy families resonating with true, altruistic love.
- To protect the environment.

Article 2: The statement of 10 September 2002, by which a majority of the full members of the Association specified at article 1 appointed the persons below to the positions noted following their names, is hereby approved:

Mr Dikuta Shita: President
 Mr Matwanyi Nzamba: Vice-President
 Mr Olivier Buangi: General Secretary
 Mr Ngatu Nlandu: Coordinator
 Mr Jean Boleme: Education Officer
 Mr Kabengele Mbuyi: Finance Officer
 Mr Blaise Ilako: Sports Officer
 Mr Thonda Bisoso: Counsellor

Article 3: The Secretary-General of the Ministry of Justice is hereby instructed to implement this Order, which shall take effect from the date of signature.

Done at Kinshasa, 7 OCT 2006

[signed]
 President of the Bar Honorius Kisimba Ngoy

[stamp and signature of Léonard Lukamenya Kwenda Malibilo]
 [stamp]

DEMOCRATIC REPUBLIC OF THE CONGO
MINISTRY OF JUSTICE

[flag]

SECRETARIAT GENERAL

Second Division of Religious Affairs,
Associations and NGOs

For the FJPM/w CARP
Benoît Thonda
14/02/2006

Re: Application for legal personality
 Acknowledgement of receipt
ASBL "F.J.P.M."
 F.92/9542

Kinshasa,

12 JUL 2006

No. JUST.GS/SG/20/ 895/2006

Copy sent for information to:

- Head of the Urban Department of Justice and Keeper of the Seals in Kinshasa/Gombe
- Mayor of the Limete Commune, Kinshasa/Limete

To Mr Dikuta Shita

President of the non-profit association "FEDERATION DES JEUNES POUR LA PAIX MONDIALE" ("F.J.P.M.")
11^{ème} no. 443
Quartier Industriel,
Limete Commune,
Kinshasa/Limete

Dear Sir,

Thank you for your letter of 4 July 2006 to His Excellency the Minister of Justice, in which you applied for legal personality for the non-profit association "**FEDERATION DES JEUNES POUR LA PAIX MONDIALE**" ("F.J.P.M.").

The association's application (reference number F.92/9542) is currently being processed, and you will be informed of the outcome in due course.

Nevertheless, as it is not a religious association, pending the grant of legal personality by His Excellency the Minister of Justice, you may commence your activities in strict compliance with the law and respect for the peace and for public order.

Yours faithfully,

**DIRECTOR OF THE DIVISION OF
 RELIGIOUS AFFAIRS AND ASSOCIATIONS**

[stamp]

[signed]

Léonard Lukamenya Kwenda Malibilo

Palais de Justice, Place de l'Indépendance, Kinshasa Gombe

DEMOCRATIC REPUBLIC OF THE CONGO

MINISTRY OF SOCIAL AFFAIRS

=CERTIFICATE OF REGISTRATION=

No. 05/SERV/AFF.SOC./ITURI/BIA/[illegible]/200[?]

Pursuant to Order 80-212 of 27 August 1980 establishing the Ministry of Social Affairs, I, *Jean-Marie Kukia*-[illegible], Director of the Division of Social Affairs in the District of Ituri, located in Bunia, hereby certify that the objects of the non-governmental organisation or non-profit association

Association Terre des Enfants

Address: *Quartier*[illegible], *Bunia*

are: *Humanitarian association dedicated to helping poor children in general, and orphans in particular, in Metropolitan France, the overseas regions of France and French-speaking countries of Africa.*

It is registered and recognised by our Division pursuant to ministerial order no. DAS/CAB/C.E/014/89 of 11 October 1989 governing accreditation of entities engaged in social action and private centres providing social services and must abide by the stipulations of order no. CAB/MIN.AFF.SOC/060/95 of 7 June 1995 of the Ministry of Social Affairs establishing the requirements for accreditation of entities engaged in social action and private centres providing social services incorporated as “non-profit associations”.

This Certificate is hereby issued to the aforementioned NGO for all legal intents and purposes.

Done at Bunia, 27/12/200[?]

[stamp]

DIRECTOR OF THE OFFICE OF SOCIAL
AFFAIRS, DISTRICT OF ITURI

[signed: J.M. Kukia, District [illegible] Inspector]

DEMOCRATIC REPUBLIC OF THE CONGO
ORIENTALE PROVINCE
MINISTRY OF PLANNING
DISTRICT OF ITURI
TERRITORY OF ITURI
BUNIA

[flag of the
Democratic Republic
of the Congo]

NGO IDENTIFICATION CERTIFICATE

No. SERV/PL/TER/IR/EBHB/ 004 / 2011

Head of the Provincial Department for Planning, represented in the District by the Office of Planning

Noting Presidential Order No. 83-035 of 18 March 1983 establishing the Ministry of Planning;

Acting pursuant to the resolutions contained in the regulations of 15 November 1984 and 27 April 198[?] setting forth the objectives [illegible] of the Government in the areas of intervention of development NGOs in the Democratic Republic of the Congo;

Acting pursuant to Order No. [illegible]/CAB/PROGOM/PO/2001 issued by the Governor of Orientale Province governing [illegible] of development NGOs in Orientale Province;

Noting Law No. 004/2001 of 20 July 2001 on the general provisions applicable to non-profit associations and charities;

Noting letter no. 309/MIN.PL/CAB/2004 of 11 March 2004 from the Minister of Planning governing the transmission of identification information pertaining to NGOs;

Acting pursuant to Inter-Ministerial Orders No. 025/CAB/MIN/PLAN/2005 and No. 039/CAB/MIN.FINANCES/2005 of 24 April 2005 regulating the levels of the fees, taxes and duties which the Ministry of Planning may impose;

Noting letter no. 828/CAB.MIN/PL/DPR/[illegible]/07 of 21 June 2007 from the Minister of Planning governing the registration of organisations;

Noting letter of appointment no. [illegible]/MAA/001/CAB.PROGOD/[illegible]/2008 of 18 January 2008 appointing a Head of the Office of Planning of the District of Ituri;

Following consideration of the application of the below-mentioned association approved in accordance with [illegible] the social and economic development of the country;

CERTIFY that the organisation *ASSOCIATION HUMANAIRE TERRE DES ENFANTS* abbreviated *T.D.E.*, with its registered office at *BUNIA*, is registered under no. SERV/PL/TER/IR/EBHB/ 004 /20 11 as a non-governmental organisation specialising in development (NGOD) operating in the District of Ituri in accordance with the aims and scope set forth in its by-laws.

This Certificate is hereby issued to the aforementioned NGOD for all legal intents and purposes. It shall be re-issued annually and may be cancelled before its anniversary should the organisation act outside the scope of its by-laws, not concretely implement its aims or breach national security.

Done at Irumu, on [date illegible]

DEPUTY HEAD OF THE PROVINCIAL DEPARTMENT OF PLANNING

[stamp and signature]

HEAD OF THE DIVISION OF PLANNING
Edouard BOMINGA HONGO BOPE

MINISTRY OF FINANCE
DIRECTORATE-GENERAL OF TAXES
DIVISION OF TAXATION AND DOCUMENTATION
B.P. 8613 Kinshasa 4

TAX EVALUATION FORM FOR
CORPORATE ENTITIES

Return to tax officer

NAME *TERRE DES ENFANTS*

Abbreviation: *T.D.E.*

Insignia:

LEGAL FORM Association: SPRL - SCARL - ASBL

Co-operative society: SNC - SCS - STATE-OWNED

MAIN PROFESSIONAL ACTIVITY: *CHILD PROTECTION*

Secondary professional activity: *VOCATIONAL TRAINING WORKSHOPS*

NATIONAL IDENTIFICATION NUMBER:

Any other numbers

CORPORATE REGISTRATION NUMBER

Date of registration:

FOR COMPANIES UNDER NATIONAL LAW

Registered office (street address): Street

No. Commune *Q/Bankoko, Bunia*

Tel. *0997717066 / 0812719540*

PO Box Post delivery area

Branch offices in the Congo

Abroad

FOR COMPANIES REGISTERED UNDER FOREIGN LAW

Nationality:

Foreign address of registered office:

Main branch in the Congo: Street no. Commune

Subsidiary branch in the Congo
.....

NUMBER OF PERMANENT STAFF - Congolese staff *23*

- ~~Foreign staff~~

VEHICLES registration number

PROPERTIES - Are you the owner? YES or ~~NO~~ (see overleaf)

- Are you a tenant? ~~YES~~ or NO (see overleaf)

CURRENT ACCOUNT NUMBER(S)

ACCOUNT NUMBER(S)

Method of payment:

I declare this information to be accurate

Provided by *DAVID ALICAMA*

Done at ~~Kinshasa~~ *Bunia*, on *6 June 2006*

[signed]

TAX OFFICER

[stamp and signature, signed: *Aimé Kalonda*]

(1) stamp and signature please

(2) One name only in each space [illegible signature]