

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

**No. ICC-01/04-01/06 OA 19**

**Date: 24 August 2011**

**THE APPEALS CHAMBER**

**Before:**

**Judge Sang-Hyun Song, Presiding Judge**

**Judge Erkki Kourula**

**Judge Anita Ušacka**

**Judge Daniel David Ntanda Nsereko**

**Judge Sanji Mmasenono Monageng**

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

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

**Confidential**

**Order**

**in relation to confidential filings**

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

**The Office of the Prosecutor**

Ms Fatou Bensouda, Deputy Prosecutor  
Mr Fabricio Guariglia

**Counsel for the Defence**

Ms Catherine Mabilie  
Mr Jean-Marie Biju-Duval

**States Representatives**

Ms Liesbeth Lijnzaad, the Kingdom of the  
Netherlands

**REGISTRY**

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**Registrar**

Ms Silvana Arbia

*shs*

The Appeals Chamber of the International Criminal Court,

Having before it the “Urgent Request for Directions” of 17 August 2011 (ICC-01/04-01/06-2788-Conf),

Pursuant to regulation 28 of the Regulations of the Court,

And in order for the Appeals Chamber to determine what information, if any, in the two filings referred to below should be kept confidential,

*Issues* the following

## ORDER

1. The Kingdom of the Netherlands is ordered to indicate by 25 August 2011 the factual and legal basis for filing as confidential the “Urgent Request for Directions” (ICC-01/04-01/06-2788-Conf) as required by regulation 23 *bis* (1) of the Regulations of the Court.
2. The Prosecutor is ordered to indicate by 25 August 2011 the factual and legal basis for filing as confidential the “Prosecutor’s Response to the Government of the Kingdom of the Netherlands ‘Urgent Request for Directions’” (ICC-01/04-01/06-2792-Conf) as required by regulation 23 *bis* (1) of the Regulations of the Court.

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

  
Judge Sang-Hyun Song  
Presiding Judge

Dated this 24th day of August 2011

At The Hague, The Netherlands