

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **3 October 2012**

THE APPEALS CHAMBER

Before:

**Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Anita Ušacka
Judge Sanji Mmasenono Monageng**

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

Public

**Prosecution's Notice of Appeal against Trial Chamber I's "Decision on Sentence
pursuant to Article 76 of the Statute"**

Source: Office of the Prosecutor

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

The Office of the Prosecutor

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REGISTRY

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Ms Silvana Arbia

Background

1. On 14 March 2012, Trial Chamber I delivered its Article 74 Judgment.¹ Thomas Lubanga was found guilty, as a co-perpetrator, of the crimes of enlisting and conscripting children under the age of 15 years into the UPC/FPLC and using them to participate actively in hostilities.
2. On 10 July 2012, Trial Chamber I issued its decision on the sentence pursuant to Article 76 (“Sentencing Decision”). The Chamber imposed a sentence of 14 years imprisonment.²

Appeal pursuant to Articles 81(2) (a), 83(2) and (3)

3. The Prosecution is appealing the Sentencing Decision delivered on 10 July 2012 in the case of *The Prosecutor v Thomas Lubanga Dyilo*, pursuant to Articles 81(2) (a), 83(2) and (3).
4. For reasons that will be provided in its document in support of the appeal, the Prosecution will request that the Appeals Chamber reverse and revise upward Thomas Lubanga’s 14-year sentence.



Fatou Bensouda
Prosecutor

Dated this 3rd day of October 2012
At The Hague, The Netherlands

¹ ICC-01/04-01/06-2842.

² ICC-01/04-01/06-2901.