

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06 A 4, A 5, A 6

Date: 7 February 2013

THE APPEALS CHAMBER

Before: Judge Erkki Kourula, Presiding Judge
Judge Sang-Hyun Song
Judge Sanji Mmasenono Monageng
Judge Anita Ušacka
Judge Ekaterina Trendafilova

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public Document

Request for guidance regarding applicants for participation in the appeal phase

Source: Registry

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

The Office of the Prosecutor
Ms Fatou Bensouda, Prosecutor
Mr Fabricio Guariglia

Counsel for the Defence
Ms Catherine Mabilie
Mr Jean-Marie Biju Duval

**Legal Representatives of the Victims
V01**
Mr Luc Walley
Mr Franck Mulenda

Legal Representatives of the Applicants
Mr Joseph Keta Orwinyo

**Legal Representatives of the Victims
V02**
Ms Carine Bapita Buyangandu
Mr Paul Kabongo Tshibangu
Mr Joseph Keta Orwinyo

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar
Ms Silvana Arbia

Counsel Support Section

Deputy Registrar
Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**
Ms Fiona McKay

Other

The Registrar of the International Criminal Court (the “Court”);

NOTING the Decision on the participation of victims in the appeals against Trial Chamber I's conviction and sentencing decisions (the “Appeal Decision”), issued on 13 December 2012;¹

NOTING articles 68 (1) and (3) of the Rome Statute, rule 89 (1) of the Rules of Procedure and Evidence, regulations 24 *bis* (1) and 86 of the Regulations of the Court;

CONSIDERING that the Registry has received during the trial phase of the case “*The Prosecutor v. Thomas Lubanga Dyilo*” (the “Lubanga case”) additional applications for participation in the proceedings, as well as supplementary information relating to previously received applications;

CONSIDERING that the Registry has assessed that of these, 29 applications for participation in the proceedings appear to be complete and linked to the Lubanga case² and three applications for participation in the proceedings³ previously rejected by Trial Chamber I⁴ appear to be completed by the supplementary information received, making a total of 32 applications;

¹ ICC-01/04-01/06-2951.

² Applicants a/0198/09, a/2899/11, a/2901/11, a/2917/11 are unrepresented and a/0032/10, a/0034/10, a/0036/10, a/0737/10, a/2015/11 to a/2020/11, a/2916/11, a/2918/11 to a/2931/11 are represented by Me Joseph Keta.

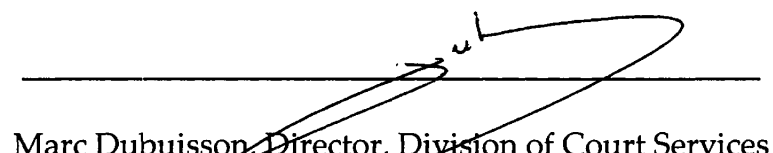
³ Applicants a/0241/06, a/0062/07 and a/0189/07, represented by Me Joseph Keta, were rejected by decision of the Trial Chamber (ICC-01/04-01/06-1556).

⁴ See ICC-01/04-01/06-1556.

CONSIDERING that these 32 applications mention either the wish to participate at any stage of the proceedings or specifically the wish to participate in the appeals proceedings;

CONSIDERING that none of the 32 applications were transmitted by the Registry before the end of the trial phase;

RESPECTFULLY REQUESTS the guidance of the Appeals Chamber on whether the Registry should transmit the 32 applications with a report thereon to the Appeals Chamber, the parties and the participants.



Marc Dubuisson, Director, Division of Court Services
per delegation of the Registrar

Dated this 7 February 2013

At The Hague, The Netherlands