



Original: **French**

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

Date: **4 September 2006**

PRE-TRIAL CHAMBER I

Before: Judge **Sylvia Steiner, Single Judge**

Registrar: Mr **Bruno Cathala**

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

Public Document

**Decision on the application for participation of victims a/0001/06 to a/0003/06 in the
status conference of 5 September 2006**

The Office of the Prosecutor

Mr Luis Moreno Ocampo

Ms Fatou Bensouda

Mr Ekkehard Withopf

**Counsel for Victims a/0001/06 to
a/0003/06**

Mr Luc Walley

Mr Franck Mulenda

Counsel for the Defence

Mr Jean Flamme

Ms Véronique Pandanzayla

I, **Sylvia Steiner**, judge at the International Criminal Court (“the Court”);

NOTING the “Observations relative to the proceedings and manner of participation of victims”¹ submitted by the legal representatives of a/0001/06 to a/0003/06 on 8 August 2006, in which the victims apply to participate *inter alia* in the status conferences of 5 and 19 September 2006;

NOTING the “Decision authorising the Prosecutor and the Defence to respond to the observations of the legal representatives regarding the manner in which victims a/0001/06 a/0002/06, a/0002/06 and a/0003/06 are to participate in the hearing to confirm the charges”² issued on 10 August 2006 by Judge Sylvia Steiner acting as single judge for Pre-Trial Chamber I (“the Chamber”);

NOTING the “Prosecutor’s Response to *Observations concernant les modalités de la participation des victimes*”³ (“the Prosecutor’s Response”) filed by the Prosecution on 11 August 2006, in which it respectfully requests that the single judge deny the application by the legal representatives of the witnesses for authorisation to participate in the status conferences;

NOTING the “Decision on the request for participation of victims a/0001/06 to a/0003/06 in the status conference of 24 August 2006 issued on 17 August 2006 by Judge Claude Jorda, acting as single judge;

NOTING article 68 of the Statute;

¹ ICC-01/04-01/06-316-Conf.

² ICC-01/04-01/06-319.

³ ICC-01/04-01/06-322-Conf.

CONSIDERING that the manner of participation of the victims in the case remains to be determined, that the Defence has until Tuesday 5 September 2006 to submit its observations on the said manner of participation, and that the issues to be discussed during the status conference of 5 September 2006 are limited to the system for disclosure already used by the Prosecution and the Defence and for filing evidence on which the Prosecution and Defence intend to rely at the confirmation hearing with the Registry;

FOR THESE REASONS,

DECIDE not to authorise victims a/0001/06 to a/0003/06 to participate in the status conference scheduled for 5 September 2006.

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

[signed]

Judge Sylvia Steiner

Single Judge

Dated this Monday 4 September 2006

At The Hague

The Netherlands