

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 12 February 2007

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

Corrigendum to Decision on the Defence request for extension of time limit

The Office of the Prosecutor

Mr Luis Moreno Ocampo
Ms Fatou Bensouda
Mr Ekkehard Withopf

Counsel for the Defence

Mr Jean Flamme
Ms Véronique Pandanzyla
**The Office of Public Counsel for the
Defence**
Ms Melinda Taylor

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

NOTING the “Application for Leave to Appeal Pre-Trial Chamber I’s 29 January « Décision sur la confirmation des charges » ” (“the Prosecution Leave to Appeal Request”), filed by the Prosecution on 5 February 2007;¹

NOTING the “Request for Leave to Appeal the Pre-Trial Chamber’s « Décision sur la confirmation des charges» of 29 January 2007” (the “Defence Leave to Appeal Request”) filed by the Defence on 5 February 2007;²

NOTING the “Decision Ordering the Defence to File a Public Redacted Version of Its Application for leave to Appeal the Pre-Trial Chamber’s 29 January 2007 «Décision sur la confirmation des charges»”(the “ Pre-Trial Order”);³

NOTING the « Demande de modification des délais en vertu de la norme 35 du règlement de la Cour » (« Defence Request for Extension of Time Limits »), filed by the Defence on 8 February 2007⁴, by which the Defence requests that the deadline for the filing of a redacted version of its Defence Leave to Appeal Request, the deadline for its response to the Prosecution Leave to Appeal Request, and any other deadlines for the Defence are extended in at least 14 days, subject to further medical advice;

¹ ICC-01/04-01/06-806

² ICC 01/04-01/06-807-Conf

³ ICC-01/04-01/06-813

⁴ ICC-01/04-01/06-814-Conf

CONSIDERING that the compliance with the Pre Trial Order for the filing of a redacted version of its Defence Leave to Appeal Request is not a matter that requires the presence of the lead Counsel in the seat of the Court, since only a few redactions are needed in order to maintain consistency with the public redacted version of the “*Décision sur la confirmation des charges*”;

CONSIDERING that the Office of the Public Counsel for the Defence, in accordance with regulation 77(5) of the Regulations of the Court, is entitled to give assistance to the Defence Counsel and to proceed with the compliance of the Pre Trial Order without any prejudice to the rights of the Defence;

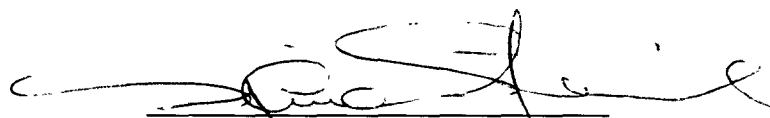
CONSIDERING, on the other hand, that the Defence response to the Prosecution Leave to Appeal Request may involve matters that are substantial for the safeguard of the interests and the rights of the Defence, and therefore the personal assistance of the Defence Counsel is recommended;

FOR THESE REASONS,

DECIDE to invite the Office of the Public Counsel for the Defence to proceed with the redactions in the Defence Leave to Appeal Request that are consistent with the public redacted version of the “*Décision sur la confirmation des charges*”, and to file the public redacted version of the Defence Leave to Appeal Request until Monday, 12 February, by 16:00;

DECIDE to grant the Defence an extension of time limit for the filing of its response to the Prosecution Leave to Appeal Request until the 22 February 2007 by 16:00.

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



Judge Sylvia Steiner
Single Judge

Dated this **Monday 12 February 2007**

At **The Hague**

The Netherlands