

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/04-01/06 OA 9 and OA 10

Date: 20 March 2008

**THE APPEALS CHAMBER**

**Before:** Judge Navanethem Pillay, Presiding Judge  
Judge Philippe Kirsch  
Judge Georghios M. Pikis  
Judge Sang-Hyun Song  
Judge Erkki Kourula

**Registrar:** Mr Bruno Cathala

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

**Public Document**

**Order of the Appeals Chamber on the date of filing of applications for participation by victims and on the time of the filing of the responses thereto by the Prosecutor and the Defence**

**The Office of the Prosecutor**

Mr Luis Moreno-Ocampo, Prosecutor  
Ms Fatou Bensouda, Deputy Prosecutor  
Mr Fabricio Guariglia, Senior Appeals  
Counsel  
Mr Ekkehard Withopf

**Counsel for the Defence**

Ms Catherine Mabilie  
Mr Jean-Marie Biju-Duval

**The Office of Public Counsel for Victims**

Ms Paolina Massidda

**The Legal Representatives of Victims**

Ms Carine Bapita Buyangandu  
Mr Franck Mulenda  
Mr Luc Walley

The Appeals Chamber of the International Criminal Court,

In the appeals of the Prosecutor and the Defence against the decision of the Trial Chamber entitled “Decision on Victims’ Participation” of 18 January 2008 (ICC-01/04-01/06-1119),

Having before it

The “Demande des victimes a/0001/06, a/0002/06, a/0003/06 à participer à la procédure relative aux appels du Procureur et de la défense contre la décision du 18 janvier 2008 de la Chambre de Première Instance I sur la participation des victimes” dated 11 March 2008 (ICC-01/04-01/06-1222), and

The “Request of the OPCV Acting as Legal Representative of the Applicants in the *Lubanga* Case for Participation in the Interlocutory Appeals Against Trial Chamber I’s Decision dated 18 January 2008” of 18 March 2008 (ICC-01/04-01/06-1228),

*Issues*, Judge Song dissenting, pursuant to the provisions of article 68 (3) of the Statute and rule 89 (1) of the Rules of Procedure and Evidence the following

## ORDER

1. Applications for participation in this appeal by victims may be filed by 31 March 2008.

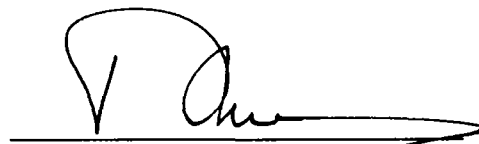
Such applications shall include a statement in relation to whether and how the personal interests of the victims concerned are affected by this appeal, indicating why it is appropriate for the Appeals Chamber to permit their views and concerns to be presented at this stage of the proceedings and why the presentation of such views and concerns would not be prejudicial to or inconsistent with the rights of the Defence.

2. The Prosecutor and the Defence may file by 7 April 2008, a consolidated response to applications for participation received to date and those received by 31 March 2008, which may include submissions with regard to the right

of victims to participate in this appeal, and the modalities for such participation.

Reasons for the order (of the majority and the dissent of Judge Song) will be given in the decision of the Appeals Chamber on the participation of victims.

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

A handwritten signature in black ink, consisting of a large, stylized 'P' followed by a cursive 'Kirsch' and a long horizontal flourish extending to the right.

**Judge Philippe Kirsch**  
**For the**  
**Presiding Judge**

Dated this 20th day of March 2008

At The Hague, The Netherlands