

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06 OA 15 OA 16

Date: 6 October 2009

THE APPEALS CHAMBER

Before:

**Judge Sang-Hyun Song
Judge Erkki Kourula
Judge Anita Ušacka
Judge Daniel David Ntanda Nsereko
Judge Christine Van den Wyngaert**

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

THE PROSECUTOR v. THOMAS LUBANGA DYILO

Public document

Decision

on the Presiding Judge in the appeals against the “Decision giving notice to the parties and participants that the legal characterisation of the facts may be subject to change in accordance with Regulation 55(2) of the Regulations of the Court”

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, Deputy Prosecutor
Mr Fabricio Guariglia

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

REGISTRY

Registrar
Ms Silvana Arbia

A handwritten signature in black ink, appearing to be 'S. Arbia', with a horizontal line extending to the right from the end of the signature.

The Appeals Chamber of the International Criminal Court,

In the appeals of Mr. Thomas Lubanga Dyilo and of the Prosecutor pursuant to the decision of Trial Chamber I of 3 September 2009 entitled “Decision on the prosecution and the defence applications for leave to appeal the ‘Decision giving notice to the parties and participants that the legal characterisation of the facts may be subject to change in accordance with Regulation 55(2) of the Regulations of the Court’” (ICC-01/04-01/06-2107),

Pursuant to regulation 13 (1) of the Regulations of the Court,

Renders unanimously the following

DECISION

The Presiding Judge in the above-mentioned appeals is Judge Sang-Hyun Song.

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



Judge Daniel David Ntanda Nsereko
President of the Appeals Division

Dated this 6th day of October 2009

At The Hague, The Netherlands