

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 20 October 2009

THE APPEALS CHAMBER

Before:

Judge Sang-Hyun Song, Presiding Judge

Judge Erkki Kourula

Judge Anita Ušacka

Judge Daniel David Ntanda Nsereko

Judge Christine Van den Wyngaert

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF

THE PROSECUTOR v. THOMAS LUBANGA DYILO

Public

Decision on the participation of victims in the appeals

shs

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 Mabilie
Mr Jean-Marie Biju-Duval

Legal Representatives of Victims

Mr Luc Walley
Ms Carine Bapita Buyangandu

The Office of Public Counsel for Victims

Ms Paolina Massidda

REGISTRY

Registrar

Ms Silvana Arbia

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The Appeals Chamber of the International Criminal Court,

In the appeals of Thomas Lubanga Dyilo and the Prosecutor 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” of Trial Chamber I, dated 14 July 2009 (ICC-01/04-01/06-2049),

Having before it the “Demande de participation des représentants légaux à la procédure d’appel de la ‘Décision informant les parties et les participants que la qualification juridique des faits peut être modifiée conformément à la norme 55-2 du Règlement de la Cour’” of 14 September 2009 (ICC-01/04-01/06-2121), the “Requête du BCPV en tant que représentant légal des victimes a/0047/06, a/0048/06, a/0050/06 et a/0052/06 aux fins de participation aux appels interlocutoires interjetés par l’Accusation et la Défense à l’encontre de la décision du 14 juillet 2009” of 15 September 2009 (ICC-01/04-01/06-2122), and the “Demande de participation du représentant légal des victimes a/0051/06, a/0078/06, a/0232/06 et a/0246/08 à la procédure d’appel interjetés par la Défense et l’Accusation à l’encontre de la ‘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’ rendue le 14 juillet 2009” of 18 September 2009 (ICC-01/04-01/06-2134),

After deliberation,

Renders the following

DECISION

- (i) Victims a/0001/06, a/0002/06, a/0003/06, a/0049/06, a/0007/08, a/0149/08, a/0155/07, a/0156/07, a/0404/08, a/0405/08, a/0406/08, a/0407/08, a/0409/08, a/0149/07, a/0162/07, a/0610/08, a/0611/08, a/0249/09, as well as a/0047/06, a/0048/06, a/0050/06, a/0052/06; and a/0051/06, a/0078/06, a/0232/06, a/0233/06 and a/0246/06 are granted the right to participate in the present appeals for the purpose of presenting their views and concerns respecting their personal interests

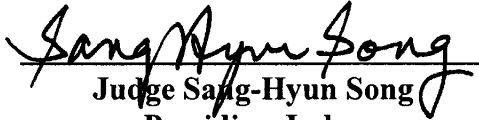
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in the issues raised on appeal. They may present their submissions by 4 p.m. on 23 October 2009.

- (ii) Mr Thomas Lubanga Dyilo and the Prosecutor may file their responses to the submissions presented by the aforesaid victims by 4 p.m. on 28 October 2009.

The reasons for this decision will be given shortly.

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


Judge Sang-Hyun Song
Presiding Judge

Dated this 20th day of October 2009

At The Hague, The Netherlands