

**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**

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**Registrar**

Ms Silvana Arbia

*shs*

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

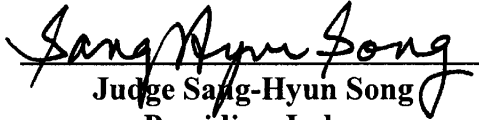
*shs*

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 20<sup>th</sup> day of October 2009

At The Hague, The Netherlands