

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

**No. ICC-01/04-01/06 OA 18**

**Date: 21 September 2010**

**THE APPEALS CHAMBER**

**Before:**

**Judge Sang-Hyun Song, Presiding Judge  
Judge Erkki Kourula  
Judge Anita Ušacka  
Judge Daniel David Ntanda Nsereko  
Judge Sanji Mmasenono Monageng**

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

**IN THE CASE OF THE PROSECUTOR v. THOMAS LUBANGA DYILO**

**Public document**

**Order in relation to confidential filings**

*shs*

**Order 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 Paul Kabongo Tshibangu  
Ms Carine Bapita Buyangandu  
Mr Luc J. M. Walley

**REGISTRY**

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**Registrar**

Ms Silvana Arbia

*Shs*

The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against the decision of Trial Chamber I entitled “Decision on the Prosecution’s Urgent Request for Variation of the Time-Limit to Disclose the Identity of Intermediary 143 or Alternatively to Stay Proceedings Pending Further Consultations with VWU” of 8 July 2010 (ICC-01/04-01/06-2517),

Having regard to regulation 23 *bis* of the Regulations of the Court,

And in order for the Appeals Chamber to determine what information, if any, in the filings referred to below should be kept confidential,

Unanimously,

*Issues* the following


## ORDER

1. Mr Lubanga Dyilo is ordered to indicate, by 16h00 on Thursday, 23 September 2010, the factual and legal basis for filing as confidential the “Réponse de la Défense au ‘Prosecution’s Document in Support of Appeal against Trial Chamber I’s decision of 8 July 2010 to stay the proceedings for abuse of process’, daté du 30 juillet 2010” (ICC-01/04-01/06-2550-Conf).
2. The Registrar is ordered to indicate, by 16h00 on Thursday, 23 September 2010, the factual and legal basis for filing as confidential the “Registry’s additional information relevant to the ‘Prosecution’s Document in Support of Appeal against Trial Chamber I’s decision of 8 July 2010 to stay the proceedings for abuse of process’” (ICC-01/04-01/06-2551-Conf).
3. Victims a/0001/06, a/0002/06, a/0003/06, a/00049/06, a/0149/07, a/0155/07, a/0156/07, a/0162/07, a/0007/07, a/0149/08, a/0405/08, a/0406/08, a/0407/08, a/0409/08, a/0523/08, a/0053/09, a/0249/09, a/0292/09 and a/0398/09 are ordered to indicate, by 16h00 on Thursday, 23 September 2010, the factual and legal basis for filing as confidential the “Observations pour les victimes a/0001/06, a/0002/06, a/0003/06, a/00049/06, a/0149/07, a/0155/07, a/0156/07, a/0162/07, a/0007/07, a/0149/08, a/0405/08, a/0406/08, a/0407/08, a/0409/08, a/0523/08,

*Shs*

a0053/09, a/0249/09, a/0292/09 et a/0398/09 sur l'appel contre la décision du 8 juillet de la Chambre de Première Instance I de suspendre la procédure" (ICC-01/04-01/06-2559-Conf).

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

  
Judge Sang-Hyun Song  
Presiding Judge

Dated this 21st day of September 2010

At The Hague, The Netherlands