

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06
Date: 12 December 2011

TRIAL CHAMBER I

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge René Blattmann

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

Public

**Order refusing the application to submit additional observations and a response
to the Registry's observations**

Decision/Order/Judgment to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Mr Luis Moreno Ocampo
Ms Fatou Bensouda

Counsel for the Defence

Ms Catherine Mabile
Mr Jean-Marie Biju Duval

Legal Representatives of the Victims

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo
Mr Paul Kabongo Tshibangu

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

Ms Paolina Massidda

The Office of Public Counsel for the Defence

States Representatives

Kingdom of the Netherlands
Democratic Republic of the Congo

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Ms Maria Luisa Martinod-Jacome

Detention Section

Mr Patrick Craig

Victims Participation and Reparations Section

Other

Mr Ghislain Mabanga Monga Mabanga
Mr Philip-Jan Schüller
Mr Göran Sluiter

Trial Chamber I ("Trial Chamber" or "Chamber") of the International Criminal Court ("Court" or "ICC"), in the case of *The Prosecutor v. Thomas Lubanga Dyilo* ("*Lubanga case*"), delivers the following Order refusing the application to submit additional observations and a response to the Registry's observations:

1. On 31 October 2011, counsel representing defence Witness 19 in his asylum proceedings before the Dutch authorities requested leave to submit *amicus curiae* observations to the Chamber.¹
2. On 15 November 2011, the Chamber granted this request and set deadlines for the submission of observations by counsel, the parties and the Registry.² Counsel representing defence Witness 19 submitted their observations on 23 November 2011.³
3. On 6 December 2011, the Registrar submitted the Registry response pursuant to the Order authorising the submission of observations (ICC-01/04-01/06-2821) after having been granted an extension of the deadline.⁴
4. On 8 December 2011, counsel representing defence Witness 19 requested authorisation to submit additional observations and to reply to the Registry's own response to their observations.⁵

¹ Request for leave to submit Amicus Curiae Observations by mr. Schüller and mr. Sluiter, Counsel in Dutch asylum proceedings of witness 19, 31 October 2011, ICC-01/04-01/06-2816.

² Order authorising the submission of observations, 15 November 2011, ICC-01/04-01/06-2821. A corrigendum was issued on 18 November 2011, ICC-01/04-01/06-2821-Corr.

³ Amicus Curiae Observations by mr. Schüller and mr. Sluiter, Counsel in Dutch asylum proceedings of witness 19 (with annexes), 23 November 2011, ICC-01/04-01/06-2827.


⁴ Email communication to the Registry through a Legal Officer of the Trial Division on 30 November 2011.

5. The Chamber rejects this application as sufficient information has been provided to the Chamber to enable it to reach an informed decision.

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



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge René Blattmann

Dated this 12 December 2011

At The Hague, The Netherlands

⁵ Application from Amicus Curiae Philip-Jan Schüller and Göran Sluiter for Leave to Submit Additional Observations and to Respond to the Registry's Response of 6 December 2011, 8 December 2011, ICC-01/04-01/06-2831.