

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06

Date: 9 March 2012

THE PRESIDENCY

Before:

Judge Sang-Hyun Song, President

Judge Fatoumata Dembele Diarra, First Vice-President

Judge Hans-Peter Kaul, Second Vice-President

Public

Order reclassifying documents related to the “Decision on the ‘Demande urgente en vertu de la Règle 21-3 du Règlement de procédure et de preuves’ and on the ‘Urgent Request for the Appointment of a Duty Counsel’ filed by Thomas Lubanga Dyilo before the Presidency on 7 May 2007 and 10 May 2007, respectively”

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

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

REGISTRY

Registrar
Ms Silvana Arbia

Deputy Registrar
Mr Didier Preira

The Presidency of the International Criminal Court;

In the applications of Mr Thomas Lubanga Dyilo (“applicant”) of 7 May 2007 and 10 May 2007 for judicial review of the decision of the Registrar appointing duty counsel to represent him pursuant to orders of the Appeals Chamber and Pre-Trial Chamber I (“Applications”);¹

Noting the Presidency’s “Decision ordering the Registrar to re-file, as a public document, the Presidency’s *Decision on the ‘Demande urgente en vertu de la Règle 21-3 du Règlement de procédure et de preuves’* and on the ‘Urgent Request for the Appointment of a Duty Counsel’ filed by Thomas Lubanga Dyilo before the Presidency on 7 May 2007 and 10 May 2007, respectively”² (“Decision”)³ which noted that there was nothing in the Decision that touched upon legal professional privilege and that nothing further in the Decision warranted the retention of the confidential *ex parte* classification;

Considering that in view of the publication of the Decision, there is no further reason to retain the confidential *ex parte* classification of the related documents specified below;

Hereby

Orders the Registrar to reclassify as public the following documents:

ICC-01/04-01/06-887-Conf-Exp;
 ICC-01/04-01/06-893-Conf-Exp;
 ICC-01/04-01/06-897-Conf-Exp;⁴ and
 ICC-01/04-01/06-907-Conf-Exp.⁵

¹ *Demande urgente en vertu de la Règle 21-3 du Règlement de procédure et de preuves*, ICC-01/04-01/06-887-Conf-Exp, 7 May 2007; *Urgent Request for the Appointment of a Duty Counsel*, ICC-01/04-01/06-893-Conf-Exp-tEN, 10 May 2007.

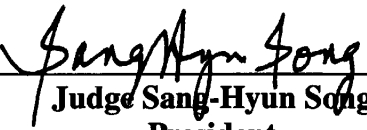
² ICC-01/04-01/06-935, 17 July 2007.

³ Decision on the ‘Demande urgente en vertu de la Règle 21-3 du Règlement de procédure et de preuves’ and on the ‘Urgent Request for the Appointment of a Duty Counsel’ filed by Thomas Lubanga Dyilo before the Presidency on 7 May 2007 and 10 May 2007, respectively, ICC-01/04-01/06-937, 29 June 2007.

⁴ Request for the Registrar’s observations on the “Demande urgente en vertu de la Règle 21-3 du Règlement de procédure et de preuves” and on the “Demande urgente pour la Désignation d’un Conseil de permanence” filed by Thomas Lubanga Dyilo before the Presidency on 7 May 2007 and 10 May 2007, respectively, 10 May 2007.

⁵ Observations of the Registrar in response to the Presidency’s Request concerning the ‘Demande urgente en vertu de la Règle 21-3 du Règlement de procédure et de preuves’ and the ‘Urgent Request for the Appointment

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



Judge Sang-Hyun Song
President

Dated this 9 March 2012

At The Hague, The Netherlands

of a Duty Counsel' filed by Thomas Lubanga Dyilo on 7 May 2007 and 10 May 2007, respectively, 16 May 2007.