

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 24 April 2012

**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***

**URGENT  
Public**

**Order fixing the date for the sentencing hearing**

**Order 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**

**The Office of Public Counsel for the  
Defence**

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Ms Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Trial Chamber I of the International Criminal Court (“Trial Chamber” or “Chamber”) in the case of *The Prosecutor v. Thomas Lubanga Dyilo* (“Lubanga case”), issues the following Order fixing the date for the sentencing hearing:

1. On 14 March 2012, the Chamber issued the Judgment pursuant to Article 74 of the Statute (“Judgment”).<sup>1</sup>
2. On 28 March 2012, pursuant to the Chamber’s instructions,<sup>2</sup> the defence filed submissions on the portions of the Judgment it suggested should be translated in order to prepare its submissions on sentence for Mr Lubanga, and informed the Chamber that it would file observations on sentence two weeks after receiving the translation.<sup>3</sup>
3. On 30 March 2012 the Registry informed the Chamber that it would aim to complete a draft translation of the portions of the Judgment identified by the defence by 27 April 2012.<sup>4</sup>
4. On 18 April 2012, the Chamber received the written submissions of the Office of the Prosecutor (“prosecution”)<sup>5</sup> and the legal representatives of victims<sup>6</sup> on the procedures to be adopted for sentencing under Article 76 of the Rome Statute “Statute” and the principles to be applied by the Chamber when it is considering the appropriate sentence to be imposed.

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<sup>1</sup> ICC-01/04-01/06-2842.

<sup>2</sup> Scheduling order concerning timetable for sentencing and reparations, 14 March 2012, ICC-01/04-01/06-2844.

<sup>3</sup> Observations de la Défense conformément à l’ « *Ordonnance portant calendrier concernant la fixation de la peine et des réparations* » du 14 mars 2012, ICC-01/04-01/06-2849.

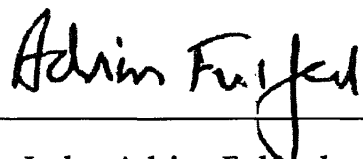
<sup>4</sup> Email communication from the Court Interpretation and Translation Section to a Legal Office of the Trial Chamber on 30 March 2012 at 15:24.

<sup>5</sup> Prosecution’s Submissions on the Procedure and Principles for Sentencing, ICC-01/04-01/06-2868.

<sup>6</sup> Observations sur la fixation de la peine et les réparations de la part des victimes a/0001/06, a/0003/06, a/0007/06 a/00049/06, a/0149/07, a/0155/07, a/0156/07, a/0162/07, a/0149/08, a/0404/08, a/0405/08, a/0406/08, a/0407/08, a/0409/08, a/0523/08, a/0610/08, a/0611/08, a/0053/09, a/0249/09, a/0292/09, a/0398/09, et a/1622/10, ICC-01/04-01/06-2864; Observations du groupe de victimes V02 concernant la fixation de la peine et des réparations, ICC-01/04-01/06-2869.

5. The prosecution and the legal representatives of victims are instructed to file submissions by 16:00 on 14 May 2012 on the relevant evidence presented during trial that may be applicable to sentence along with their views as to the sentence to be imposed on the convicted person, taking into consideration, *inter alia*, any specific aggravating and mitigating factors. The filings of the prosecution and the two teams of legal representatives are not to exceed 20 pages each. With regard to the legal representatives, there is to be a single filing for each team.
6. The defence is instructed to file submissions on the sentence to be imposed on Mr Lubanga by 16:00 on 28 May 2012, taking into account the submissions of the prosecution and the legal representatives on the sentencing principles to be applied by the Chamber as well as the specific issues addressed in the submissions to be filed on 14 May 2012. In addition, the defence is to notify the Chamber as soon as practicable, and in any event no later than 28 May 2012, as to whether it will seek authorisation to present new evidence during the sentencing hearing.
7. The parties and participants are instructed to inform the Chamber in their written submissions the approximate time they will require during the sentencing hearing to make any oral submissions on the matter.
8. The public hearing on sentence will be held 10:00 on 13 June 2012. The order of the oral submissions on sentence will be: the prosecution, the participating victims, and finally the defence. The legal representatives for victims shall endeavour not to repeat submissions made by the prosecution or the other team of legal representatives.

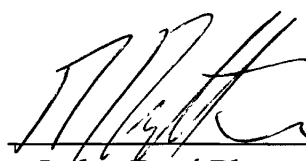
Done in both English and French, the English version being authoritative.



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge René Blattmann

Dated this 24 April 2012

At The Hague, The Netherlands