

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/04-01/06 A 4 A 5 A 6

Date: 14 February 2013

THE APPEALS CHAMBER

Before:
Judge Erkki Kourula, Presiding Judge
Judge Sang-Hyun Song
Judge Sanji Mmasenono Monageng
Judge Anita Ušacka
Judge Ekaterina Trendafilova

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

Public document

Order

**on the filing of submissions on new applications to participate as victims in the
proceedings**

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

The Office of the Prosecutor
Ms Fatou Bensouda, Prosecutor
Mr Fabricio Guariglia

Counsel for the Defence
Ms Catherine Mabilie
Mr Jean-Marie Biju Duval

Legal Representatives of Victims V01
Mr Luc Walley
Mr Franck Mulenda

Legal Representatives of the Applicants
Mr Joseph Keta Orwinyo

Legal Representatives of Victims V02
Ms Carine Bapita Buyangandu
Mr Paul Kabongo Tshibangu
Mr Joseph Keta Orwinyo

The Office of Public Counsel for Victims
Ms Paolina Massidda

REGISTRY

Registrar
Ms Silvana Arbia



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The Appeals Chamber of the International Criminal Court,

In the appeal of Mr Thomas Lubanga Dyilo against the decision of Trial Chamber I entitled "Judgment pursuant to Article 74 of the Statute" of 14 March 2012 (ICC-01/04-01/06-2842), and

In the appeals of Mr Thomas Lubanga Dyilo and the Prosecutor against the decision of Trial Chamber I entitled "Decision on Sentence pursuant to Article 76 of the Statute" of 10 July 2012 (ICC-01/04-01/06-2901),

Having before it the "Request for guidance regarding applicants for participation in the appeal phase", filed by the Registrar on 7 February 2013 (ICC-01/04-01/06-2977), informing the Appeals Chamber that there are 29 applications for participation in the present proceedings that were not transmitted to the Trial Chamber before the end of the trial phase and 3 applications for participation that were previously rejected as incomplete by the Trial Chamber, which are now complete, that four of those applicants are not yet legally represented, whereas the other applicants are represented by Mr Joseph Keta Orwinyo, and requesting guidance as to whether those 32 applications and a report thereon should be transmitted to the Appeals Chamber,

Considering that it is expedient to examine *in limine* whether the Appeals Chamber should consider new applications for participation at this stage of the proceedings,

Issues the following


ORDER

- (1) The Office of Public Counsel for victims shall represent applicants a/0198/09, a/2899/11, a/2901/11 and a/2917/11.
- (2) Mr Thomas Lubanga Dyilo, the Prosecutor, Mr Joseph Keta Orwinyo and the Office of Public Counsel for victims, may by 16h00 on 25 February 2013, each file submissions on whether the Appeals Chamber should consider new victim applications given the current stage of the proceedings.

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



Judge Erkki Kourula
Presiding Judge

Dated this 14th day of February 2013

At The Hague, The Netherlands