



Original: **French**

No.: ICC-01/04-01/06
Date: **28 September 2016**

TRIAL CHAMBER II

Before: Judge Marc Perrin de Brichambaut, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Péter Kovács

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

**URGENT
Public Document**

**Order setting the deadline for any response to the Request by the Defence team
for Thomas Lubanga Dyilo of 20 September 2016**

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

Office of the Prosecutor

Counsel for Thomas Lubanga Dyilo

Ms Catherine Mabilie

Mr Jean-Marie Biju-Duval

Legal Representatives of V1 Victims

Mr Luc Walley

Mr Franck Mulenda

Legal Representatives of V2 Victims

Ms Carine Bapita Buyangandu

Mr Paul Kabongo Tshibangu

Mr Joseph Keta Orwinyo

Office of Public Counsel for Victims

Ms Paolina Massidda

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Trust Fund for Victims

TRIAL CHAMBER II (“the Chamber”) of the International Criminal Court, acting pursuant to regulation 34 of the Regulations of the Court (“the Regulations”), issues the following order.

1. On 20 September 2016, the Defence Team for Thomas Lubanga Dyilo (“Mr Lubanga”) submitted a request, marked as confidential, *ex parte*, available only to the Defence and the Registry, for the Chamber to order Mr Lubanga to appear by means of video-link technology at the hearings scheduled for 11, 13 and 14 October 2016¹ (“the Request”).

2. On 27 September 2016, in compliance with the Chamber’s order,² the Defence filed a public redacted version of the Request.³

3. As the hearings have been scheduled for 11, 13 and 14 October 2016, and with a view to ensuring the smooth conduct of proceedings, pursuant to regulation 34 of the Regulations the Chamber considers that a relatively short time limit should be fixed – namely before 3 October 2016 – for any response to the Request to be submitted.

¹ “*Requête de la Défense de Monsieur Thomas Lubanga aux fins de comparution de Monsieur Lubanga par video-link lors des audiences des 11, 13 et 14 octobre 2016*”, dated 20 September 2016 and registered on 21 September 2016, ICC-01/04-01/06-3225-Conf-Exp; “Order pursuant to rule 103 of the Rules of Procedure and Evidence”, 15 July 2016, ICC-01/04-01/06-3217, para. 11.

² “Order relating to the request of the Defence team for Thomas Lubanga Dyilo of 20 September 2016”, ICC-01/04-01/06-3230-Conf-Exp-tENG, p. 4.

³ “*Version publique expurgée de la ‘Requête de la Défense de Monsieur Thomas Lubanga aux fins de comparution de Monsieur Lubanga par video-link lors des audiences des 11, 13 et 14 octobre 2016’, déposée le 20 septembre 2016 (ICC-01/04-01/06-3225-Conf-Exp)*”, 27 September 2016, ICC-01/04-01/06-3225-Red.

FOR THESE REASONS, the Chamber

SETS 3 October 2016 as the deadline for any response to the Request.

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

[signed]

**Judge Marc Perrin de Brichambaut
Presiding Judge**

[signed]

Judge Olga Herrera Carbuccia

[signed]

Judge Péter Kovács

Dated this 28 September 2016
At The Hague, Netherlands