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

Date: 25 July 2007

TRIAL CHAMBER I

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

Registrar: Mr Bruno Cathala

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

Public Document

**MOTION TO WITHDRAW REQUEST FOR LEAVE AND PROPOSED AMICUS
BRIEF ON BEHALF OF THE INTERNATIONAL CRIMINAL BAR**

The Office of the Prosecutor
Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Dep. Prosecutor
Mr Ekkehard Withopf, Sr. Trial Lawyer

Counsel for the Defence
Ms Catherine Mabilie

Counsel for the Victims
Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu

Counsel for the International Criminal
Bar
Ms. Virginia Lindsay

1. On 4 June 2007, the Executive Committee of the International Criminal Bar (ICB) filed with Pre-Trial Chamber I a motion, pursuant to Rule 103 of the Rules of Procedure and Evidence of the International Criminal Court, requesting leave to file a proposed Brief as Amicus Curiae to aid in the proper determination of a *pro se* request for review filed by Thomas Lubanga Dyilo on 25 May 2007 of a Registry Decision of 14 May 2007 denying his application for supplemental legal aid.¹
2. On 5 June 2007, the ICC Presidency transferred the ICB's Motion for Leave to Trial Chamber I for determination.²
3. At the time the ICB sought to play the role of amicus curiae, Thomas Lubanga Dyilo was unrepresented, and he was seeking review of a Registry Decision denying his request for additional funding.³ These circumstances have now changed: the Registry reconsidered their Decision denying Mr. Lubanga Dyilo's request for additional funding and granted the request in part,⁴ and Mr. Lubanga Dyilo is now represented by Counsel of his own choosing.⁵
4. As a result of these changed circumstances, the Executive Committee of the ICB no longer feels it is appropriate to seek the status of amicus curiae and asks that this Chamber accept the withdrawal of the 4 June 2007 'Motion And *Proposed* Amicus Brief In Relation To The *Pro Se* Request For Review Of The Registry Decision Of 14 May 2007 By Thomas Lubanga Dyilo On Behalf Of The International Criminal Bar Pursuant To Rule 103'.

Respectfully submitted,

V. C. Jindary

¹ ICC-01/04-01/06-918 (Motion for Leave with annex containing a proposed brief).

² ICC-01-04-01-06-920.

³ ICC-01/04-01/06-916.

⁴ ICC-01-04-01-06-927.

⁵ ICC-01-04-01-06-928; ICC-01-04-01-06-932.

Virginia C. Lindsay
Counsel on behalf of the Executive Committee of the
International Criminal Bar

Dated this 25 July 2007.

At Paris, France