

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 23 October 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 THE CONGO
IN THE CASE OF
THE PROSECUTOR *v.* THOMAS LUBANGA DYILO**

Public

Prosecution's public filing of the "Prosecution's submissions of the role of victims in the proceedings leading up to, and during, the trial"

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Ekkehard Withopf, Senior Trial Lawyer

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju-Duval
Mr Marc Desalliers

Counsel for the Victims

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu

Background

1. On 5 September 2007, the Trial Chamber issued its “Order setting out schedule for submissions and hearings regarding subjects that require early determination”, by which the parties were given until 19 October 2007 to file their submissions on “the role of victims in the proceedings leading up to, and during, the trial”.¹
2. On 19 October 2007, the Prosecution confidentially filed the “Prosecution’s submissions on the role of victims in the proceedings leading up to, and during, the trial” (the 19 October 2007 Submission).²

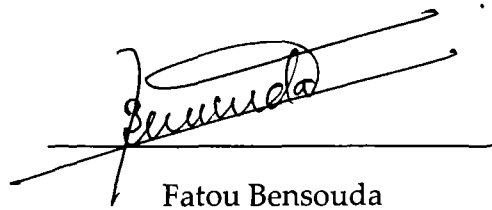
Prosecution’s Submission

3. The Prosecution decided to file the 19 October 2007 Submission on a confidential basis on the erroneous belief that reference was made in footnote 19 to information provided during a closed session of the Confirmation Hearing. The Prosecution meanwhile realized that the content of the footnote refers to a public hearing.
4. The Prosecution therefore re-submits the 19 October 2007 Submission, entitled “Prosecution’s submissions of the role of victims in the proceedings

¹ “Order setting out schedule for submissions and hearings regarding the subjects that require early determination”, public, 5 September 2007, ICC-01/04-01/06-947, para. 3, item E: “The role of victims in the proceedings leading up to, and during, the trial. What should be the modalities of victims’ participation in the proceedings leading up to, and during, the trial”.

² “Prosecution’s submissions on the role of victims in the proceedings leading up to, and during, the trial, confidential”, 19 October 2007, ICC-01/04-01/06-993-Conf.

leading up to, and during, the trial” and registered as ICC-01/04-01/06-993-Conf, as a public annex to this filing.³

A handwritten signature in black ink, appearing to read 'Fatou Bensouda', is written over a horizontal line. The signature is stylized with a large, looped 'F' and a cursive 'Bensouda'.

Fatou Bensouda

Deputy Prosecutor (Prosecutions)

Dated this 23rd day of October 2007

At The Hague, The Netherlands

³ The re-submitted filing is annexed as public Annex I.