

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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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

Submissions of the OPCV on its role in the proceedings

The Office of the Prosecutor

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a/0001/06 to a/0003/06 and a/0105/06**

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I. Background

1. The Office of Public Counsel for Victims (the “OPCV” or the “Office”) is currently providing assistance to legal representatives in all situations and cases pending before the Court. The Office also provides legal assistance and legal representation to victims in the Uganda situation and in the DRC situation.¹

2. The OPCV has participated in the status conferences held to date in the proceedings related to the case *The Prosecutor v. Thomas Lubanga Dyilo*, providing assistance to the legal representatives and oral or written submissions at the request of the Trial Chamber on issues relating to the participation of victims in the proceedings.

3. On 18 October 2007, the OPCV filed a request to access documents in the case record.²

¹ See the “Decision on the Requests of the Legal Representative of Applicants on application process for victims’ participation and legal representation”, No. ICC-01/04-374, 17 August 2007. The said decision directed the Registrar to automatically appoint the Office of Public Counsel for Victims as legal representative for unrepresented applicants in the situation in the Democratic Republic of the Congo. See also the *Décision sur les demandes de participation à la procédure déposées dans le cadre de l’enquête en République démocratique du Congo* par a/0004/06 à a/0009/06, a/0016/06 à a/0063/06, a/0071/06 à a/0080/06 et a/0105/06 à a/0105/06 à a/0110/06, a/0188/06, a/0128/06 à a/0162/06, a/0199/06, a/0203/06, a/0209/06, a/0214/06, a/0220/06 à a/0222/06, a/0224/06, a/0227/06 à a/0230/06, a/0234/06 à a/0236/06, a/0240/06, a/0225/06, a/0226/06, a/0231/06 à a/0233/06, a/0237/06 à a/0239/06 à a/0241/06 à a/0250/06, 24 December 2007, No. ICC-01/04-423.

See also the “Decision on legal representation, appointment of counsel for the defence, protective measures and time-limit for submission of observations on applications for participation a/0010/06, a/0064/06 to a/0070/06, a/0081/06 to a/0104/06 and a/0111/06 to a/0127/06”, 1st February 2007, No. ICC-02/04-01/05-134. See also the “Decision on victims’ applications for participation a/0010/06, a/0064/06 to a/0070/06, a/0081/06 to a/0104/06 and a/0111/06 to a/0127/06”, No. ICC-02/04-101, 10 August 2007. See also the “Decision on legal representation of Victims a/0101/06 and a/0119/06”, 28 August 2007, No. ICC-02/04-105.

² See the “Request of the OPCV to access documents in the situation record related to applicants a/0004/06 to a/0008/06, a/0019/06, a/0020/06, a/0022/06 to a/0024/06, a/0026/06, a/0027/06, a/0029/06, a/0030/06, a/0033/06, a/0035/06, a/0036/06, a/0039/06 to a/0041/06, a/0043/06, a/0046/06 to a/0052/06, a/0072/06 to a/0080/06 and a/0110/06”, No. ICC-01/04-01/06-987, 18 October 2007

4. On 14 November 2007, Trial Chamber I issued an "Order scheduling a hearing"³ for 29 November 2007 to discuss, *inter alia*, the request of the Office to access documents in the case record⁴ and protective measures for victims' applicants.⁵ At the hearing held on 4 December 2007, the Trial Chamber expressed the view that the issue should be discussed in a further status conference in which the role of the OPCV should also be addressed.⁶

5. On 13 December 2007, Trial Chamber I issued the "Order setting out the schedule for submissions and hearing on further subjects which require determination prior to trial",⁷ convening a status conference to discuss, *inter alia*, the role and mandate of the Office. The Order also instructed the participants to file their written submissions by 7 January 2008 at the latest.

6. The Principal Counsel of the Office therefore submits the following observations on the role of the Office in the proceedings related to the case *The Prosecutor v. Thomas Lubanga Dyilo*.

II. The creation of the Office of Public Counsel for Victims

7. Regulation 81 of the Regulations of the Court read jointly with regulation 80 of the Regulation of the Court provides for the establishment of the Office of Public Counsel for Victims to assist victims⁸, either directly by providing legal assistance

³ See the "Order Scheduling a hearing" (TC I), No. ICC-01/04-01/06-1027, 14 November 2007.

⁴ *Ibid.*, pp. 3-4.

⁵ *Ibid.*, pp. 6-7.

⁶ See the Transcription of the hearing of 4 December 2007, No. ICC-01/04-01/06-T-62-ENG, p. 11, lines 10-15 (realtime).

⁷ See the "Order setting out the schedule for submissions and hearing on further subjects which require determination prior to trial", No. ICC-01/04-01/06-1083, 13 December 2007.

⁸ The term "victims" is used by the Office as comprising applicants and victims participating in the proceedings.

and legal representation in the proceedings or indirectly, by providing assistance to their legal representatives.

8. During the Preparatory Works for the Regulations of the Court, the creation of a “Public counsel’s office”, following the model of the Public Defender Office established at the Special Court of Sierra Leone, was debated⁹.

9. The original proposal provided for the creation of one office to fulfil tasks in support of both suspects/accused and victims. It provided for a broad mandate consisting in protecting the rights of the defence, the rights of persons entitled to legal assistance under the Rome Statute and the Rules of Procedure and Evidence (the “Rules”) and assistance to the Registrar in discharging his or her responsibilities relating to the rights of the defence, as laid down in rule 20 of the Rules, as well as his or her obligations regarding victims in accordance with rule 16 of the Rules¹⁰.

10. However, as the discussions progressed, the Judges considered that, in order to avoid any conflict of interest, the creation of two distinct offices was needed. Furthermore, since the Rome Statute and the Rules do not entail an obligation upon the Registrar to provide legal assistance paid by the Court to victims - contrary to what is provided for the suspects and accused, the Judges expressed the view for the staffing of the Office of Public Counsel for Victims to be different from the Office of

⁹ For an history of the creation of the Offices of Public Counsel, see the Regulations of the Court, Draft of 8 March 2004, Chapter 1-9, (confidential); as well as the documents related to the Working Groups of the Plenary held between 8 and 26 March 2004, in particular the Working Groups held on 8, 9, 11 and 16 March 2004 (confidential). See also the Regulations of the Court, Second Reading, Chapter 5, 22 March 2004 (confidential); the Regulations of the Court, Third Reading, Chapter 5, 25 March 2004 (confidential); the Regulations of the Court, 26 March 2004, Final document, Chapters 1 to 9 (confidential); and the Regulations of the Court, May Plenary 2004, Second Reading, 25 May 2004 (confidential). The documents are available to the Judges and the OTP.

¹⁰ See Draft Regulation 76 of the Regulations of the Court, Draft of 8 March 2004, Chapter 1-9, (confidential), distributed at the beginning of the Plenary held between 8 and 26 March 2004. The document is available to the Judges and the OTP.

Public Counsel for the Defence, in order for the OPCV to be able to represent group(s) of victims in the proceedings before the Court.

11. Once the agreement on the creation of both Offices of Public Counsel was reached, the same provisions were drafted for the Office of Public Counsel for the Defence and for the Office of Public Counsel for Victims. The mandate of the Offices of Public Counsel was clarified, incorporating certain flexibility to cover hypothesis not foreseeable at the time of the adoption of the Regulations of the Court.

III. The role of the Office of Public Counsel for Victims pursuant to regulation 81(4) of the Regulations of the Court

12. Pursuant to regulation 81(4) of the Regulations of the Court, “[t]he Office of Public Counsel for victims shall provide support and assistance to the legal representatives for victims and to victims, including, where appropriate (a) legal research and advice ; and (b) appearing before a Chamber in respect of specific issues.”

13. The Office does not address the issue of the assistance provided to the legal representatives which is regulated through confidential *ad hoc* agreements entered into by the OPCV and the legal representatives concerned. Instead, the Office addresses the general issue of the assistance it may provide to victims in the course of the proceedings before the Court, in accordance with regulation 81(4) of the Regulations of the Court.

14. The Office submits that regulation 81(4) of the Regulations of the Court is drafted in general terms in order to provide some flexibility in relation to the extent of the assistance the Office may provide to victims. In particular, the use of the word “including” clearly indicates that the list contained in letters (a) and (b) of the

regulation is not exhaustive. Indeed, other hypothesis not covered could be necessary for making victims' rights effective under the Rome Statute and the Rules.

15. Although the practice of the Court needs to further develop, it seems possible to already underline some tasks the Office may fulfil under regulation 81(4) of the Regulations of the Court.

16. In interpreting regulation 81 of the Regulations of the Court, the Single Judge of Pre-Trial Chamber II, in its Decision dated of 1st February 2007, entrusted the Office with the task to provide support and assistance to the 49 victims requesting to participate in the situation in Uganda and in the case of *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo, Raska Lukwiya and Dominic Ongwen* when “*necessary and appropriate at this stage of the proceedings.*”¹¹ The Single Judge reiterated his reasoning in his decision dated 10 August 2007.¹²

17. In the same decision the Single Judge recognised that “*the mandate vested in the OPCV by the Regulations [of the Court] also encompasses forms and methods of assistance to victims which fall short of legal representation*” and, therefore, it deemed it appropriate for victims to benefit from any form of support and assistance which may be offered by the OPCV.¹³

18. The decision of the Single Judge entails a margin of appreciation for the Office in evaluating when its intervention may be necessary and/or appropriate at the stage

¹¹ See the “Decision on legal representation, appointment of counsel for the defence, protective measures and time-limit for submission of observations on applications for participation a/0010/06, a/0064/06 to a/0070/06, a/0081/06 to a/0104/06 and a/0111/06 to a/0127/06”, 1st February 2007, No. ICC-02/04-01/05-134 par. 13, as well as the operative part of the said Decision.

¹² See the “Decision on victims' applications for participation a/0010/06, a/0064/06 to a/0070/06, a/0081/06 to a/0104/06 and a/0111/06 to a/0127/06”, No. ICC-02/04-101, 10 August 2007, p. 62.

¹³ See ICC-02/04-01/05-134, *supra* note 11, par. 13.

of the procedure which precedes the decision on the status of the victims in order to provide them with support and assistance.

19. The Single Judge even went further in its decision dated 10 August 2007, when, in assessing the role victims may play at the investigation stage and having explained that they may play a role in the framework of article 53 of the Rome Statute, he considered that “[t]he above list of victims’ rights and prerogatives in the context of a situation could remain little more than a theoretical exercise, if not coupled with mechanisms to make victims aware of their existence and of the actual possibility of exercising them. The evaluation of such a possibility is of a strictly legal nature and falls therefore squarely within the mandate of a victim’s legal representative. However, in the present scenario, in which a number of applicant victims are not yet assisted by a legal representative, the Single Judge is of the view that it is the task of the OPCV, as the office entrusted with providing applicant victims with any support and assistance which may be appropriate at this stage”¹⁴ and requested the Office to “inform victims having communicated with the Court of their rights and prerogatives” in relation to article 53 of the Rome Statute.¹⁵

20. In relation to the possibility for the Office to appear before the Chamber in respect of specific issues, the Office argued in a previous submission¹⁶ that the provision does not specify if such possibility is triggered by a request of a Chamber in this sense or by the Office itself in requesting leave to appear before the Chamber in respect of specific issues.

21. The Office reiterates that both possibilities should be opened and that such mechanism could be used when the Chamber considers that a general issue

¹⁴ See ICC-02/04-101, *supra* note 12, par. 164.

¹⁵ *Ibid.*, p. 62.

¹⁶ See the “OPCV’s request to submit observations or otherwise be heard on point E of the order of 14 November 2007 and on the issue of the dual status of Witnesses/Victims”, 21st November 2007, No. ICC 01-04/01-06-1038, par. 12.

involving victims' rights needs to be explored independently from the particular interest legal representatives of victims participating in the proceedings may have.

22. However, the *chapeau* of regulation 81(4) of the Regulations of the Court clearly provides for an obligation binding upon the Office to provide, where appropriate, support and assistance to victims, *inter alia*, in appearing before the Chamber in respect of specific issues.

23. The Office, therefore, considers it is entitled to request the Chamber leave to appear before the honourable bench in respect of specific issues which have an impact on the personal interests of the victims it assists or represents, particularly when the issues may affect the expeditious conduct of the proceedings or when the legal and/or practical implications of the issues require that a standard approach be found.

24. Accordingly, the Office has already filed requests for leave to appear in the situation in Uganda¹⁷ and in the case *The Prosecutor v. Thomas Lubanga Dyilo*¹⁸.

25. In examining the limited practice of the Court on the issue, the Office notes that Trial Chamber I has already granted one request of the Office, enabling the Principal Counsel to be heard on the issues of the protection of the applicants and of the dual status of witnesses/victims discussed during the hearing held on 4

¹⁷ See the "OPCV's Request to appear before the Single Judge or to otherwise be heard on the protective measures for Applicant a/0010/06, a/0064/06 to a/0070/06, a/0081/06 to a/0104/06 and a/0111/06 to a/0127/06 in the Uganda situation and in the case *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo, Raska Lukwiya and Dominic Ongwen* and to file a response to the Prosecution's Application to vary protective measures", No. ICC-02/04-90, 29 March 2007.

¹⁸ See the "OPCV's request to submit observations or otherwise be heard on point E of the order of 14 November 2007 and on the issue of the dual status of witnesses/Victims, No. ICC-01/04-01/06-1038, 21 November 2007.

December 2007.¹⁹ The Trial Chamber justified such ruling arguing, *inter alia*, that “at this stage of the case, the Chamber may be assisted by the views of the Office of Public Counsel for Victims on these issues of principle.”²⁰

26. Therefore, the Office considers that there exists several ways to trigger regulation 81(4) of the Regulations of the Court in the part which provides for the possibility of appearing before the Chamber:

- the Chamber requests the Office to appear before it in respect of (a) specific issue(s);
- the legal representatives of victims request the Office to appear before the Chamber in respect of (a) specific issue(s);
- the Office requests leave to appear before the Chamber in respect of (a) specific issue(s).

27. In relation to the possibility for the Office to request leave to appear before the Chamber in respect of (a) specific issue(s), the question may arise as to whether the Office should be entitled to file such a request only when it is providing legal assistance or legal representation to victims by virtue of a previous decision of the Chamber or of the Registrar; or also when it is providing legal assistance and legal representation at the request of the victims directly.

28. On the issue, the Office considers that the *chapeau* of the regulation is drafted in such a way that it can be interpreted as covering both possibilities. Furthermore, nothing in the Rome Statute or in the Rules prevents victims to ask directly the Office for assistance in matters related to their participation in the proceedings or to reparations.

¹⁹ See the “Order on the Office of Public Counsel for Victims’ request filed on 21 November 2007”, No. ICC-01/04-01/06-1046, 27 November 2007.

²⁰ *Ibid.*, par. 5.

29. Moreover, the Office argues that regulation 81(4) of the Regulations of the Court confers on it a specific mandate regarding the protection of victims' rights and in the framework of this mandate, it could play an important role in protecting the general interest of victims in being requested or requesting to appear before the Chamber in respect of specific issues which may have a general impact on victims' rights – in the sense of affecting the position of current and future victims as a whole in the proceedings before the Court.²¹

IV. The role of the Office of Public Counsel for Victims as legal representative of victims

30. Rule 90(1) of the Rules provides that victims are free to choose their legal representative.

31. Pursuant to regulation 80(4) of the Regulations of the Court:

“1. A Chamber, following consultation with the Registrar, may appoint a legal representative of victims where the interests of justice so require. 2. The Chamber may appoint counsel from the Office of Public Counsel for victims.”

32. As a general remark, the Office notes that when appointed legal representative, its mandate does not differ from the one of external legal representatives. Therefore, in fulfilling their mandate, members of the Office shall enjoy the same rights and prerogatives as external legal representatives and they shall be bound by the same obligations.

²¹ See in this sense, the “OPCV’s analysis of the notion of “victims” and of “victims who appear before the Court” with Annexes, 7 December 2007, No. ICC 01-04/01-06-1063.

33. The Office examines the different cases in which it may be appointed as legal representative and it, then, turns to specific issues concerning the legal representation.

34. Since rule 90-1 of the Rules provides for the right of victims to choose their legal representative, victims can indicate in their respective application forms their wish to be represented by the Office. When such indication is made, the Office considers it should be promptly informed by the Victims Participation and Reparations Section (the "VPRS"), in order for the Office to be able to evaluate any potential conflict of interests and/or the availability or lack of resources.

35. The communication of such information would allow the Office to determine its availability to represent the persons concerned. Such availability could then be communicated to the relevant Chamber by the VPRS in its report in accordance with regulation 86 of the Regulations of the Court, together with all the information necessary for the Chamber to appoint counsel from the Office in accordance with regulation 80 of the Regulations of the Court.

36. When the application form simply contains the indication that the person would like the assistance of the Court to obtain legal representation, the Office submits that the VPRS should verify the availability of the Office in accordance with the modalities explained above. The VPRS should also explore the possibility for the Court to pay a legal representative chosen amongst counsel on the list. This preliminary evaluation should be included in the VPRS' report in accordance with regulation 86 of the Regulations of the Court, in order for the Chamber to reach a decision on representation, taking into consideration the full range of possibilities offered by the texts governing the Court.

37. The resources of the Office are not unlimited and neither the Chamber nor the Registrar will be in the position to know *a priori* the workload of the Office at a particular moment. Moreover, they will not be in a position to know about the specific constraints related to the support and assistance the Office is capable of granting to victims or to legal representatives. Therefore, the Office respectfully submits that a consultation with the Principal Counsel should be appropriate before the Chamber takes any decision or order involving the assistance the OPCV may provide to victims.

38. In relation to the specific issues related to the legal representation provided by the Office, the OPCV considers that, for reasons of efficiency, its members should be appointed for group(s) of victims. As a general rule, the creation of groups can only be determined on a case by case basis. However, it is clear that, apart from the criteria already listed in article 68 of the Rome Statute, other general criteria can be applied. In particular the interest of victims (creation of group by interests), the location (creation of group by location), the crime(s) which lead to the alleged prejudice (creation of group by crimes), and the intermediaries with particular reference to NGOs dealing with victims (creation of group by intermediaries or organisation).

39. The Office respectfully submits that when the Chamber intends to appoint the Office as legal representative, it may be useful that the Principal Counsel be consulted before the creation of any group for the purposes of legal representation, in order for her to verify the available resources within the OPCV and the possibility to grant such legal representation without conflict of interests arising.

40. However, the Office notes that in the case *The Prosecutor v. Thomas Lubanga Dyilo*, the issue of conflicting interests seems unlikely due to the limited ambit of the

charges. The Office would like to inform the Chamber that at present no conflict of interests arises in the context of the assistance provided by the OPCV to legal representatives and to victims in relation to the case.

41. In respect of the number of victims the Office will be able to represent, the OPCV estimates that for the purposes of participation in the proceedings, a group comprising a maximum fifty persons can be assisted provided no conflict of interests arises amongst them.

42. For the purposes of reparation proceedings, the Office is not in a position to provide the Chamber with an estimate of the number of victims it can possibly represent at this point in time. The OPCV will be able to provide such estimation once the Chamber has ruled on the status of the victims and after knowing the extent of the assistance needed from the Office as legal representative.

43. In respect of specific issues related to the legal representation, the Office addresses the extent of access to the case record needed in order to fulfil its mandate. In this respect, the Office underlines that its submissions should apply equally to all legal representatives in the proceedings before the Court.

44. The Office has previously submitted that in order to fulfill its mandate as legal representative and to be able to adequately protect the rights and interests of the victims it is representing, it is necessary for the Principal Counsel to access certain documents in the case record²². The Office is not seeking unconditional and unlimited access to the case record. The documents to which the Office seeks access are the ones which may have an impact on the personal interests of the victims it is representing. In particular, the documents concerned are the ones pertaining to the

²² See *supra* note 2.

protection and safety of the victims and/or other documents which otherwise impact on their personal interests.

45. The only way for the Office acting as legal representative to identify the documents which may have an impact on the personal interests of its clients is to access the index of the case record. The Office submits that the fact that the legal texts of the Court do not provide for such a possibility, does not mean that such access cannot be granted by an order of the Chamber, if it deems that such access is instrumental for enabling victims to activate their rights under the Rome Statute.

46. In this regards, the Office notes that such right could not be effectively activated if victims have no knowledge of the kind of documents contained in the case record. Such knowledge will allow them to request the relevant Chamber to access documents – and the Office incidentally notes that this mechanism will *de facto* limit the access of victims to documents pertaining to them.

47. This mechanism which grants the control of the Chamber over the communication of documents contained in the case record is also in line with the Prosecution's argument according to the effect that access to documents can only be granted on a case by case basis²³. The Office, however, wonders how the issue may be dealt with on a case by case basis if the legal representative has no access to at least the index of the case record in order to be able to identify possible documents of interest for his or her clients.

²³ See the "Prosecution's response to the "Request of the OPCV to access documents in the case record related to applicants a/0004/06 to a/0008/06, a/0019/06, a/0020/06, a/0022/06 to a/0024/06, a/0026/06, a/0027/06, a/0029/06, a/0030/06, a/0033/06, a/0035/06, a/0036/06, a/0039/06 to a/0041/06, a/0043/06, a/0046/06 to a/0052/06, a/0072/06 to a/0080/06 and a/0110/06""", 8 November 2007, No. ICC 01-04/01-06-1017, par. 7.

48. In this respect, the Office would also like to note that, although it appreciates the willingness of the Prosecution to assist *"the OPCV in identifying documents filed by the Prosecution which are directly related to the mandate of the OPCV as legal representative of applicants"*²⁴, it is of the opinion that only the legal representative is in the position to evaluate which documents may impact on the interests of his or her clients. The Office submits that the interests of the victims and the interests of the Prosecution, although similar to a certain extent, are not identical and the involvement of the Chamber is necessary for the fairness of the procedure, as well as for the protection of the rights of all participants involved.

49. The Office notes that the request to access the index should not cause any problem with regard to the confidentiality of documents, since what is covered by the confidentiality is the content of the document itself and not the knowledge of the existence of that document. In this respect, the Office notes that titles of confidential and under seal documents can be traced through the reading of public documents included in the case record.

50. Finally, in relation to the request to access the confidential version of the Decision on the confirmation of the charges dated 29 January 2007, together with the confidential version of the annex attached thereon, the Office submits that part of the mandate of a legal representative is to provide advice to his or her clients on their applications for participation, as well as to evaluate that all information needed by the Chamber in order to be able to take its decision on participation is included in the application form. This task includes, in the Office's view, an evaluation of possible corroboration of the events described by the victims in their requests for participation at the trial stage. This evaluation is essential in order to provide victims with legal advice on their applications and to avoid that unsupported applications are sent to the Chambers. Furthermore, the Office submits that portions of the

²⁴ *Ibid.*

redacted parts of the Decision confirming the charges directly relate to six victims represented by the Office and therefore at least these parts of the Decision should be notified to the Principal Counsel.

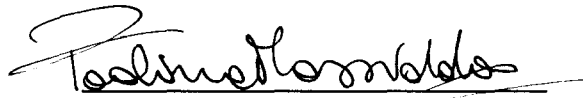
51. On the issue, the Office recalls the decision of the Single Judge of Pre-Trial II dated 7 February 2007²⁵ granting the Principal Counsel access to the under seal warrants of arrest in the case of Kony and the others. Such decision granted access to the under seal warrants of arrest on the basis that *“it appears indeed necessary for the OPCV to have access to the unredacted version of the Warrants, in particular with a view to it being apprised of the specific scope and factual features of the charges brought against the persons”*. The Decision confirming the charges contains redaction of factual features of the charges²⁶ like the names of camps used for the military training of the children; the names of persons providing such training and others which may be relevant for the assessment by the legal representative of the applications.

52. The Principal Counsel reserves her right to submit further oral observations on the role and mandate of the OPCV during the status conference to be held from 9 to 11 January 2008 after having evaluated the submissions filed by the parties and participants.

²⁵ See the “Decision on “Request to access documents and material”, and to hold a hearing in camera and ex parte (PTC II) No. ICC-02/04-01/05-152, 7 February 2007, p. 3.

²⁶ See the “Decision on the confirmation of charges (PTC I), No. ICC-01/04-01/06-803, 29 January 2007, see for instance paras. 386 ff.

The Principal Counsel respectfully requests Trial Chamber I to take into consideration these observations in any deliberation dealing with the fulfilment of the mandate of the OPCV in the case *The Prosecutor v. Thomas Lubanga Dyilo*.



Paolina Massidda
Principal Counsel
Office of Public Counsel for Victims

Dated this 7th day of January 2008

At The Hague

The Netherlands