

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original :English

No.: ICC-01/04 OA5
Date: 29 February 2008

THE APPEALS CHAMBER

Before: Judge Navanethem Pillay, Presiding Judge
Judge Philippe Kirsch
Judge Georgios M. Pikis
Judge Sang-Hyun Song
Judge Erkki Kourula

Registrar: Mr Bruno Cathala

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public Document

Order of the Appeals Chamber on the date of filing of applications for participation and on the time of the filing of the responses thereto by the OPCD and the Prosecutor

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Fabricio Guariglia, Senior Appeals Counsel
Mr Ekkehard Withopf

The Legal Representatives of Victims

Mr Emmanuel Daoud
Mr Patrick Baudoin
Ms Carine Bapita Buyangandu
Mr Joseph Keta
Mr Michel Shebele
Mr Michael Verhaeghe
Mr Sylvestre Bisimwa
Mr Luc Walley
Mr Franck Mulenda

The Office of Public Counsel for the Defence

Mr Xavier-Jean Keïta

The Office of Public Counsel for Victims

Ms Paolina Massidda

The Appeals Chamber of the International Criminal Court,

In the appeal of the Office of Public Counsel for the Defence entitled “OPCD Appeal Brief on the ‘Décision sur les demandes des participation à la procédure déposées dans la 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 /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/226/06, a/0231/06 à a/0233/06, a/0237/06 à a/0239/06 et a/0241/06 à a/0250/06’” of 18 February 2008 (ICC-01/04-455),

Having before it

The “Requête du BCPV en tant que représentant légal des victimes autorisées a participer a la procédure dans le cadre de la situation en République démocratique du Congo aux fins de participation aux appels interlocutoires déposes par l’Accusation et le BCPD á l’encontre de la décision du 24 décembre 2007” of 28 February 2008 (ICC-01/04-475), and

The “Requête du BCPV en tant que représentant légal des demandeurs dans le cadre de la situation en République démocratique du Congo aux fins de participation aux appels interlocutoires déposes par l’Accusation et le BCPD á l’encontre de la décision du 24 décembre 2007” dated 28 February 2008 (ICC-01/04-477),

Issues, Judge Song dissenting, pursuant to the provisions of article 68(3) of the Statute and rule 89(1) of the Rules of Procedure and Evidence the following

ORDER

1. Applications for participation in this appeal may be filed by 10 March 2008.

Such applications shall include a statement in relation to whether and how the personal interests of the victims concerned are affected by this appeal, indicating why it is appropriate for the Appeals Chamber to permit their

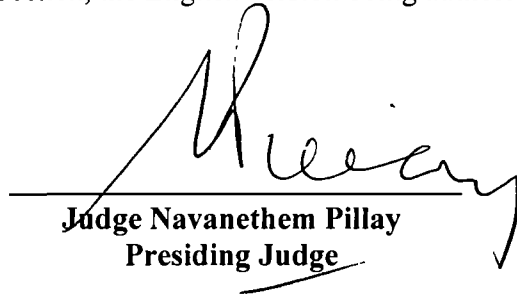


views and concerns to be presented at this stage of the proceedings and why the presentation of such views and concerns would not be prejudicial to or inconsistent with the rights of the Defence.

2. The Office of Public Counsel for the Defence and the Prosecutor may file by 20 March 2008 a consolidated response to all applications received to date and those received by 10 March 2008, which may include submissions with regard to the right of victims to participate in this appeal, and the modalities for such participation.

Reasons for the order (of the majority and the dissent of Judge Song) will be given in the decision of the Appeals Chamber on the participation of victims.

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



Judge Navanethem Pillay
Presiding Judge

Dated this 29th day of February 2008

At The Hague, The Netherlands