

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06 OA 9 and OA 10

Date: 20 March 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
IN THE CASE OF
THE PROSECUTOR v. THOMAS LUBANGA DYILO**

Public Document

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

The Office of the Prosecutor

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

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju-Duval

The Office of Public Counsel for Victims

Ms Paolina Massidda

The Legal Representatives of Victims

Ms Carine Bapita Buyangandu
Mr Franck Mulenda
Mr Luc Walley

The Appeals Chamber of the International Criminal Court,

In the appeals of the Prosecutor and the Defence against the decision of the Trial Chamber entitled “Decision on Victims’ Participation” of 18 January 2008 (ICC-01/04-01/06-1119),

Having before it

The “Demande des victimes a/0001/06, a/0002/06, a/0003/06 à participer à la procédure relative aux appels du Procureur et de la défense contre la décision du 18 janvier 2008 de la Chambre de Première Instance I sur la participation des victimes” dated 11 March 2008 (ICC-01/04-01/06-1222), and

The “Request of the OPCV Acting as Legal Representative of the Applicants in the *Lubanga* Case for Participation in the Interlocutory Appeals Against Trial Chamber I’s Decision dated 18 January 2008” of 18 March 2008 (ICC-01/04-01/06-1228),

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 by victims may be filed by 31 March 2008.

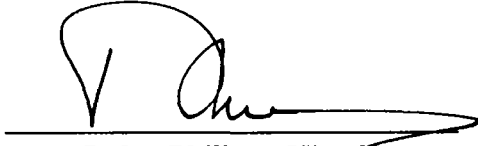
Such applications shall include a statement in relation to whether and how the personal interests of the victims concerned are affected by this appeal, indicating why it is appropriate for the Appeals Chamber to permit their views and concerns to be presented at this stage of the proceedings and why the presentation of such views and concerns would not be prejudicial to or inconsistent with the rights of the Defence.

2. The Prosecutor and the Defence may file by 7 April 2008, a consolidated response to applications for participation received to date and those received by 31 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 Philippe Kirsch
For the
Presiding Judge

Dated this 20th day of March 2008

At The Hague, The Netherlands