

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/04-01/06 OA 18

Date: 21 September 2010

THE APPEALS CHAMBER

Before:

**Judge Sang-Hyun Song, Presiding Judge
Judge Erkki Kourula
Judge Anita Ušacka
Judge Daniel David Ntanda Nsereko
Judge Sanji Mmasenono Monageng**

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR v. THOMAS LUBANGA DYILO

Public document

Order in relation to confidential filings

shs

Order to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor
Mr Fabricio Guariglia

Counsel for the Defence

Ms Catherine Mabile
Mr Jean-Marie Biju-Duval

Legal Representatives of Victims

Mr Paul Kabongo Tshibangu
Ms Carine Bapita Buyangandu
Mr Luc J. M. Walley

REGISTRY

Registrar

Ms Silvana Arbia

Shs

The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against the decision of Trial Chamber I entitled “Decision on the Prosecution’s Urgent Request for Variation of the Time-Limit to Disclose the Identity of Intermediary 143 or Alternatively to Stay Proceedings Pending Further Consultations with VWU” of 8 July 2010 (ICC-01/04-01/06-2517),

Having regard to regulation 23 *bis* of the Regulations of the Court,

And in order for the Appeals Chamber to determine what information, if any, in the filings referred to below should be kept confidential,

Unanimously,

Issues the following

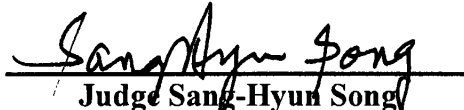
ORDER

1. Mr Lubanga Dyilo is ordered to indicate, by 16h00 on Thursday, 23 September 2010, the factual and legal basis for filing as confidential the “Réponse de la Défense au ‘Prosecution’s Document in Support of Appeal against Trial Chamber I’s decision of 8 July 2010 to stay the proceedings for abuse of process’, daté du 30 juillet 2010” (ICC-01/04-01/06-2550-Conf).
2. The Registrar is ordered to indicate, by 16h00 on Thursday, 23 September 2010, the factual and legal basis for filing as confidential the “Registry’s additional information relevant to the ‘Prosecution’s Document in Support of Appeal against Trial Chamber I’s decision of 8 July 2010 to stay the proceedings for abuse of process’” (ICC-01/04-01/06-2551-Conf).
3. Victims a/0001/06, a/0002/06, a/0003/06, a/00049/06, a/0149/07, a/0155/07, a/0156/07, a/0162/07, a/0007/07, a/0149/08, a/0405/08, a/0406/08, a/0407/08, a/0409/08, a/0523/08, a/0053/09, a/0249/09, a/0292/09 and a/0398/09 are ordered to indicate, by 16h00 on Thursday, 23 September 2010, the factual and legal basis for filing as confidential the “Observations pour les victimes a/0001/06, a/0002/06, a/0003/06, a/00049/06, a/0149/07, a/0155/07, a/0156/07, a/0162/07, a/0007/07, a/0149/08, a/0405/08, a/0406/08, a/0407/08, a/0409/08, a/0523/08,

Shs

a0053/09, a/0249/09, a/0292/09 et a/0398/09 sur l'appel contre la décision du 8 juillet de la Chambre de Première Instance I de suspendre la procédure" (ICC-01/04-01/06-2559-Conf).

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


Judge Sang-Hyun Song
Presiding Judge

Dated this 21st day of September 2010

At The Hague, The Netherlands