

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06

Date: 5 August 2011

TRIAL CHAMBER I

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge Rene Blattmann

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
THE PROSECUTOR
V. THOMAS LUBANGA DYILO**

**URGENT
Confidential**

Report of the Registrar on the execution of decision ICC-01/04-01/06-2766-Conf

Source: Registrar

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

The Office of the Prosecutor

Mr. Luis Moreno Ocampo
Ms. Fatou Bensouda

Counsel for the Defence

Ms. Catherine Mabilie
Mr. Jean-Marie Biju Duval

Legal Representatives of Victims

Mr. Luc Walley
Mr. Franck Mulenda
Ms. Carine Bapita Buyangandu
Mr. Joseph Keta Orwinyo
Mr. Paul Kabongo Tshinbangu
Mr. Hervé Diakiese

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the
Defence**

States Representatives

Kingdom of the Netherlands
Democratic Republic of the Congo

Amicus Curiae

REGISTRY

Registrar

Ms. Silvana Arbia

Counsel Support Section

Deputy Registrar

Didier Preira

Victims and Witnesses Unit

Ms. Maria Luisa Martinod-Jacome

Detention Section

Mr. Anders Backman

**Victims Participation and Reparations
Section**

Other

Mr. Ghislain Mabanga Monga Mabanga

THE REGISTRAR of the International Criminal Court (the "Court");

NOTING the "Decision on the request by DRC-DOI-WWWW-0019 for special protective measures relating to his asylum application"¹ issued by Trial Chamber I on 4 July 2011;

NOTING rule 176(2) of the Rules of Procedure and Evidence and Regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that the Chamber instructed the Registry to liaise with the Dutch authorities "on the procedure that needs to be followed in order for the Host State to be able to discharge its obligations pursuant to this asylum request before defence Witness 19 is returned to the DRC (unless the request is granted);"

CONSIDERING that the Registry was instructed to file a report by 29 July 2011 and was subsequently granted an extension until 5 August 2011;

INFORMS the Chamber as follows:

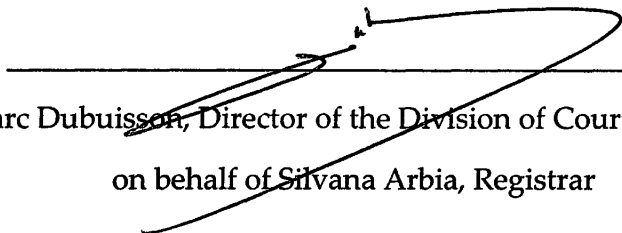
1. On 7 July 2011, the Registry sent a note verbale to the Dutch authorities informing them of the decision of the Chamber and requesting a reply by 29 July 2011.
2. On 2 August 2011, the Registry received a note verbale from the Host State.
3. The Registry takes note of the statement of the Netherlands that the assessment will take considerable time. The Dutch authorities were not able to

¹ ICC-01/04-01/06-2766-Conf

specify further the timeframe as it is difficult to assess the length of the judicial developments that may take place both before the Appeals Chamber and the relevant Dutch Court in case of appeal.

TRANSMITS in annexes:

- The note verbale sent to the Host State on 7 July 2011 (Annex 1);
- The note verbale sent by the Host State on 2 August 2011 (Annex 2).



Marc Dubuisson, Director of the Division of Court Services
on behalf of Silvana Arbia, Registrar

Dated this 5 August 2011

At The Hague in the Netherlands