

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 13 March 2012

TRIAL CHAMBER I

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

**SITUATION IN THE DEMOCRATIC
REPUBLIC OF CONGO**

**IN THE CASE OF
*THE PROSECUTOR v. THOMAS LUBANGA DYILO***

Public Document

With Confidential annexes, *EX PARTE* only available to the Defence

**Fourth notification to the Defence of applications for reparations pursuant to
rule 94(2) of the Rules of Procedure and Evidence**

Source: Registry

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, Prosecutor
Mrs Fatou Bensouda, Deputy Prosecutor

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju Duval

Legal Representatives of the Victims

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo
Mr Paul Kabongo Tshibangu

Legal Representatives of the Applicants

Mr Joseph Keta Orwinyo

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Other

The Registrar of the International Criminal Court (the "Court");

NOTING the order of Trial Chamber I ("Chamber") filed on 27 January 2012, ordering that all the requests for reparations from participating victims along with any new requests for reparations be provided to the Defence pursuant to rule 94(2) of the Rules of Procedure and Evidence ("Order");¹

NOTING articles 68(1) and 75(3) of the Rome Statute, rule 94(2) of the Rules of Procedure and Evidence ("RPE") and regulations 23 *bis* and 88 of the Regulations of the Court;

CONSIDERING that the annexes are filed with the status "Confidential, *ex parte*" available only to the Defence to be consistent with previous filings² and in accordance with rule 94(2) of the RPE;

CONSIDERING that the Registry has identified 61 applications for reparations which have not yet been transmitted to the Defence;³

CONSIDERING that the Registry has redacted the applications for reparations in accordance with the instructions of the Chamber⁴ in relation to applications for participation and consistently with the redactions of the relevant applications for participation submitted by the victims and/or applicants concerned and already transmitted in a redacted version to the parties;⁵

¹ ICC-01/04-01/06-2838.

² ICC-01/04-01/06-1275-Conf-Exp; ICC-01/04-01/06-1501-Conf-Exp; ICC-01/04-01/06-1823-Conf-Exp; ICC-01/04-01/06-2000-Conf-Exp; ICC-01/04-01/06-2474-Conf-Exp and ICC-01/04-01/06-2695-Conf-Exp.

³ Applications a/0224/06, a/0226/06, a/0227/06, a/0230/06, a/0237/06, a/0239/06, a/0240/06, a/0241/06, a/0054/07, a/0055/07, a/0057/07 to a/0059/07, a/0168/07, a/0172/07, a/0173/07, a/0179/07, a/0183/07, a/0187/07, a/0189/07, a/0273/07, a/0282/07, a/0333/10 to a/0336/10, a/0737/10 to a/0740/10, a/1610/10, a/1611/10, a/1613/10, a/1615/10, a/1616/10, a/1618/10, a/1619/10, a/1621/10, a/2015/11 to a/2018/11, a/2019/11 to a/2021/11 and a/2916/11 to a/2931/11.

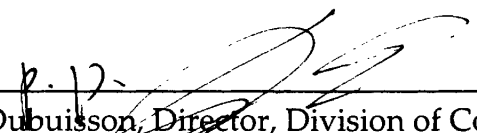
⁴ ICC-01/04-01/06-1308.

⁵ See ICC-01/04-01/06-1339-Conf and the relevant annexes for applications a/0237/06 (Anx70), a/0239/06 (Anx72), a/0240/06 (Anx73), a/0054/07 (Anx17), a/0055/07 (Anx18), a/0057/07 (Anx20), a/0058/07 (Anx21), a/0059/07 (Anx22), a/0168/07 (Anx35), a/0172/07 (Anx39), a/0173/07 (Anx40), a/0179/07 (Anx46), a/0183/07 (Anx50), a/0187/07 (Anx53), a/0273/07 (Anx93) and a/0282/07 (Anx102); see ICC-01/04-01/06-1339-Conf and ICC-01/04-01/06-2269-Conf and the relevant annexes for

CONSIDERING that the Registry has joined five applications for participation⁶ - not filed at this stage in accordance with the Order of the Chamber⁷ - to the applications for reparation when either: 1) in an application for reparation, the applicant has referred expressly to the answers he/she has given in an application for participation, and has not repeated the same information in the application for reparation; or 2) in an application for reparation, the applicant gave no answers to some questions already answered in the application for participation;

CONSIDERING that the transmission to the Defence of these five applications for participation joined to reparation applications is not to be considered as a transmission to the Chamber or the Defence of applications for participation;

TRANSMITS to the Defence the redacted versions of the 61 requests for reparations and the 5 requests for participation mentioned above.⁸



 Marc Dubuisson, Director, Division of Court Services
per delegation of the Registrar

Dated this 13 March 2012

At The Hague, The Netherlands

applications a/0226/06 (respectively Anx61 and Anx3) and a/0227/06 (respectively Anx62 and Anx4); see ICC-01/04-01/06-1339-Conf, ICC-01/04-01/06-2269-Conf and the relevant annexes for applications a/0224/06 (respectively Anx59 and Anx2) and a/0230/06 (respectively Anx65 and Anx5) and see ICC-01/04-01/06-2758-Conf-Anx1 disclosing names to the parties of applicants a/0224/06 and a/0230/06; see ICC-01/04-01/06-2737-Conf and the relevant annexes for applications a/1610/10 (Anx1-Red) and a/1619/10 (Anx2-Red); see ICC-01/04-01/06-2509-Conf and the relevant annexes for applications a/0333/10 (Anx10 and Anx10-Red), a/0334/10 (Anx11 and Anx11-Red), a/0336/10 (Anx13-Red), a/0739/10 (Anx14 and Anx14-Red) and a/0740/10 (Anx15-Red); see ICC-01/04-01/06-2695-Conf and the relevant annexes for applications a/0335/10 (Anx2-Red), a/1615/10 (Anx4-Red), a/1616/10 (Anx5-Red) and a/1621/10 (Anx7-Red); see ICC-01/04-01/06-2509-Conf and ICC-01/04-01/06-2616-Conf and the relevant annexes for application a/0738/10 (respectively Anx13 and Anx3-Red).

⁶ Applications a/0737/10, a/2015/11, a/2016/11, a/2018/11 and a/2021/11.

⁷ See footnote 1, para 5.

⁸ See footnote 6.