

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/04-01/06 A 4, A 5, A 6

Date: 7 January 2013

THE APPEALS CHAMBER

Before: Judge Erkki Kourula, Presiding Judge
Judge Sang-Hyun Song
Judge Sanji Mmasenono Monageng
Judge Anita Ušacka
Judge Ekaterina Trendafilova

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public Document

**With confidential Annex 1 EX PARTE only available to the Registry,
confidential Annexes 2 and 3 EX PARTE only available to the Registry and the
legal representatives concerned and confidential annexes 4 and 5**

**Transmission of the List of Victims in compliance with the Decision
ICC-01/04-01/06-2951**

Source: Registry

Decision/Order/Judgment to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor

Mr Fabricio Guariglia

Counsel for the Defence

Ms Catherine Mabilie

Mr Jean-Marie Biju Duval

**Legal Representatives of the Victims
V01**

Mr Luc Walleyen

Mr Franck Mulenda

Legal Representatives of the Applicants

**Legal Representatives of the Victims
V02**

Ms Carine Bapita Buyangandu

Mr Paul Kabongo Tshibangu

Mr Joseph Keta Orwinyo

**Unrepresented Applicants
(Participation/Reparation)**

Unrepresented Victims

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Counsel Support Section

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Ms Maria Luisa Martinod-Jacome

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Other

The Registrar of the International Criminal Court (the “Court”);

NOTING the Decision on the participation of victims in the appeals against Trial Chamber I's conviction and sentencing decisions (the “Appeal Decision”), issued on 13 December 2012, in which the Appeals Chamber ordered the Registrar to file by 16h00 on 7 January 2013 a list of those 120 victims who participated at trial and whose right to participate in the proceedings was not withdrawn (the “List of Victims”);¹

NOTING article 68 (1) and (3) of the Rome Statute, rules 16, 17 and 87 of the Rules of Procedure and Evidence, regulations 23 *bis*, 24 *bis* and 42 (1) of the Regulations of the Court and regulation 94 of the Regulations of the Registry;

CONSIDERING that the Registry has prepared the List of Victims (Annex 1) which contains all the information requested by the Appeals Chamber, and has split this list into two in order that teams V01 and V02 each have access only to the list that includes the group of victims they respectively represent (Annexes 2 and 3);

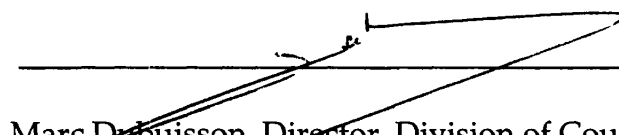
CONSIDERING that redactions were applied in Annexes 2 and 3, in order to allow Mr Lubanga and the Prosecutor to have access to such identifying information as may be divulged in accordance with the protective measures ordered by Pre-Trial Chamber I and Trial Chamber I (Annexes 4 and 5);²

¹ ICC-01/04-01/06-2951, page 3, points 1 and 2. The Appeals Chamber also indicated that the list shall indicate the number of each individual victim and such identifying information as may be divulged to Mr Lubanga and the Prosecutor in accordance with the protective measures ordered by Pre-Trial Chamber I and Trial Chamber I, the legal representative of each victim to which group the victim belongs (V01 or V02), as well as the date on which the victim was granted the right to participate in the proceedings (paragraph 4).

² The Victims Participation and Reparation Section prepared Annexes 4 and 5 taking into account information and advice provided on some redactions by the Victims and Witnesses Unit.

TRANSMITS:

- Annex 1 to the Appeals Chamber;
- Annex 2 to the Appeals Chamber and team V01;
- Annex 3 to the Appeals Chamber and team V02;
- Annex 4 and Annex 5 to the Appeals Chamber, both parties and all the participants.



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

Dated this 7 January 2013

At The Hague, The Netherlands