



Original: **English**

No.: ICC-01/04-01/06
Date: **02 September 2015**

**THREE JUDGES OF THE APPEALS CHAMBER APPOINTED FOR THE REVIEW
CONCERNING REDUCTION OF SENTENCE**

Before: Judge Silvia Fernández de Gurmendi, Presiding Judge
Judge - Howard Morrison
Judge Piotr Hofmáński

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

**Public Document
with two public annexes**

**Registry's transmission of the letter from the Democratic Republic of the Congo
dated 24 August 2015**

Source: Registrar

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

The Office of the Prosecutor

Ms Fatou Bensouda

Counsel for the Defence

Ms Catherine Mabilie

Mr Jean-Marie Biju-Duval

Ms Caroline Buteau

Legal Representatives of the Victims

Legal Representatives of the Applicants

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

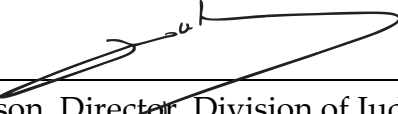
NOTING the public redacted version of the "*Observations on the criteria set out in rule 223 (a) to (e) of the Rules of Procedure and Evidence*" submitted by the Registry on 3 July 2015;¹

NOTING the instruction of the Judges of the Appeals Chamber appointed for the review concerning reduction of sentence (the "Appointed Judges") to the Registry to inquire with the Democratic Republic of the Congo ("DRC") whether its observations on the criteria of rule 223 of the Rules of Procedure and Evidence (ICC-01/04-01/06-3144-Conf-Anx4) can be made public, redacted if necessary;²

NOTING rule 176(2) of the Rules of Procedure and Evidence (the "RPE");

TRANSMITS to the Appointed Judges 1) the Registry's note verbale³ to the DRC transmitting the above-mentioned enquiry of the Appointed Judges and 2) the letter of the DRC⁴ replying that the DRC authorities do not see any inconvenience to make public its observations on the criteria of rule 223 of the RPE in the present case;

RESPECTFULLY SUBMITTED,



 Marc Dubuisson, Director, Division of Judicial Services
per delegation of Herman von Hebel, Registrar

Dated this 02 September 2015

At The Hague, The Netherlands

¹ ICC-01/04-01/06-3144-Red.

² Email sent by the Legal Officer to the Registry on 20 August 2015 at 10h49, on behalf of the Presiding Judge appointed for the review concerning reduction of sentence.

³ Annex 1 attached hereto.

⁴ Annex 2 attached hereto.