



Original: **French**

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

Date: **28 April 2017**

TRIAL CHAMBER II

Before: Judge Marc Perrin de Brichambaut, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Péter Kovács

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

Public

**Order fixing the schedule for the submission of observations on the Application
by the Defence team for Thomas Lubanga Dyilo of 14 April 2017**

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

Office of the Prosecutor

Counsel for Thomas Lubanga Dyilo

Ms Catherine Mabilie

Mr Jean-Marie Biju-Duval

Legal Representatives of V01 Victims

Mr Luc Walleyen

Mr Franck Mulenda

Legal Representatives of V02 Victims

Ms Carine Bapita Buyangandu

Mr Paul Kabongo Tshibangu

Mr Joseph Keta Orwinyo

Office of Public Counsel for Victims

Ms Paolina Massidda

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

TRIAL CHAMBER II (“the Chamber”) of the International Criminal Court, acting pursuant to regulation 34 of the Regulations of the Court, issues the following order.¹

1. On 22 February 2017, the Chamber issued an order fixing a schedule and the modalities for transmission to the Defence team for Thomas Lubanga Dyilo (“the Defence”) of the files of victims potentially eligible for reparations in the instant case² (the “Order of 22 February 2017”).

2. On 14 April 2017, the Defence filed an application seeking that it be provided with a new version of some of the files of victims potentially eligible for reparations in the instant case, which had been transmitted to it on 22 March³ and 5 April 2017⁴, and that it be granted additional time in which to submit its observations on the files in question, arguing that the redactions made to some of those files were not in accordance with the modalities established by the Chamber in the Order of 22 February 2017⁵ (“the Application”).

3. To ensure the smooth progress of the proceedings, the Chamber considers it necessary to fix a schedule for the Victims Participation and Reparations Section (the “VPRS”), the Legal Representatives of V01 and V02 Victims and the Office of Public Counsel for Victims (the “OPCV”) for the submission of observations on the Application.

¹ Judge Herrera Carbuca confirms her opinion of 15 July 2016 (ICC-01/04-01/06-3217-Anx) and of 25 October 2016 (ICC-01/04-01/06-3252-Anx).

² “Ordonnance relative à la transmission des dossiers de victimes potentiellement éligibles aux réparations à l’équipe de défense de Thomas Lubanga Dyilo”, 22 February 2017, ICC-01/04-01/06-3275.

³ “Second Transmission to the Defence of Redacted Applications for Reparations pursuant to Trial Chamber II Order ICC-01/04-01/06-3275 of 22 February 2017”, 22 March 2017, ICC-01/04-01/06-3281 and 23 confidential annexes.

⁴ “Third Transmission to the Defence of Redacted Applications for Reparations pursuant to Trial Chamber II Order ICC-01/04-01/06-3275 of 22 February 2017”, 5 April 2017, ICC-01/04-01/06-3288 and 95 confidential annexes.

⁵ “Requête de la Défense de M. Lubanga aux fins de nouvelles communications des dossiers de réparation, datée le 14 avril 2017 et enregistrée le 24 avril 2017”, ICC-01/04-01/06-3294.

FOR THESE REASONS, the Chamber

INSTRUCTS the VPRS to file observations on the Application by 2 May 2017; and
INSTRUCTS the Legal Representatives of V01 and V02 victims and the OPCV to file,
by 5 May 2017, observations on the Application and on any observations filed by the
VPRS on 2 May 2017.

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

[signed]

Judge Marc Perrin de Brichambaut
Presiding Judge

[signed]

Judge Olga Herrera Carbuccion

[signed]

Judge Péter Kovács

Dated this 28 April 2017

At The Hague, Netherlands