



Original: **French**

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

Date: **29 March 2017**

TRIAL CHAMBER II

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

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

Public Document

**Order Fixing the Schedule for the Defence Team of Thomas Lubanga Dyilo to File
Observations on the Requests of 20 and 21 March for an Extension of a Time Limit**

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

Office of the Prosecutor

Counsel for the Defence of Thomas

Lubanga Dyilo

Ms Catherine Mabilie

Mr Jean-Marie Biju-Duval

**Legal Representative of the V01 group
of victims**

Mr Luc Walleyen

Mr Franck Mulenda

**Legal Representative of the V02 group
of victims**

Ms Carine Bapita Buyangandu

Mr Paul Kabongo Tshibangu

Mr Joseph Keta Orwinyo

Office of Public Counsel for Victims

Ms Paolina Massidda

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 (“Chamber”) of the International Criminal Court, acting pursuant to article 75 of the Rome Statute, orders the following.¹

I. Procedural Background

1. On 9 February 2016, the Chamber issued an order² in which it, *inter alia*, directed the Trust Fund for Victims (“TFV”) “to begin the process of locating and identifying victims potentially eligible to benefit from the reparations [...]”.³ To this end, the Chamber requested the TFV to prepare a file for each potential victim in the case and to submit the files to it by 31 December 2016.⁴

2. On 21 October 2016, the Chamber authorized the Office of Public Counsel for Victims (“OPCV”) to continue the process of identifying victims potentially eligible for reparations, to prepare their files and to transmit them, as they became ready, through the Victims Participation and Reparations Section (“VPRS”) by 31 December 2016 (“Order of 21 October 2016”).⁵⁶

3. On 21 December 2016, following the requests of the Legal Representative of the V02 group of victims⁷ and of the OPCV,⁸ the Chamber extended the time limit specified in the Order of 21 October 2016 until 31 March 2017⁹ (“Order of 21 December 2016”).

4. On 20 March 2017, the OPCV requested that the time limit specified in the Order of 21 December 2016 for the submission of files of victims potentially eligible

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

² “Order instructing the Trust Fund for Victims to supplement the draft implementation plan”, 9 February 2016, ICC-01/04-01/06-3198-tENG (“Order of 9 February 2016”).

³ Order of 9 February 2016, para. 15.

⁴ *Ibid.*, paras. 17-18 and p. 12.

⁵ “Order relating to the request of the Office of Public Counsel for Victims of 16 September 2016”, 21 October 2016, ICC-01/04-01/06-3252-tENG (“Order of 21 October 2016”), and Dissenting Opinion of Judge Herrera Carbuccion, ICC-01/04-01/06-3252-Anx-tENG.

⁶ *Idem.*

⁷ “Demande de prorogation du délai initialement fixé au 31 décembre 2016 pour la transmission à la Chambre des dossiers des victimes”, 16 December 2016, ICC-01/04-01/06-3265.

⁸ “Demande de prorogation du délai aux fins de dépôt des demandes en réparation supplémentaires de bénéficiaires potentiels”, 20 December 2016, ICC-01/04-01/06-3266-Conf. A public redacted version was filed on the same day.

⁹ “Order to complete the process of identifying victims potentially eligible to benefit from reparations”, filed on 21 December 2016 and [French version] registered on 22 December 2016, ICC-01/04-01/06-3267-tENG.

for reparations in the present case to the VPRS be further extended until 30 June 2017 (“OPCV Request”).¹⁰

5. On 21 March 2017, the Registry also requested a 60-day extension of the time limit specified in the Order of 21 December 2016 to allow it time to process the files of victims potentially eligible for reparations that the OPCV and the TFV were due to submit (“Registry Request”).¹¹

6. Since the time limit for filing the files of victims potentially eligible for reparations in the present case expires on 31 March 2017 and, in the interest of the smooth conduct of the proceedings, the Chamber considers it appropriate to set a schedule for the Defence team of Mr Thomas Lubanga Dyilo (“Defence”) to file its observations on the OPCV and Registry Requests.

¹⁰ “Deuxième demande de prorogation du délai aux fins de dépôt des demandes en réparation supplémentaires de bénéficiaires potentiels”, 20 March 2017, ICC-01/04-01/06-3279-Conf. (A public redacted version was filed on the same day.)

¹¹ “Request for an Extension of Time Pursuant to Regulation 35 of the Regulations of the Court to Transmit Victims’ Dossiers and Registry’s Legal Assessment Report Thereon”, 21 March 2017, ICC-01/04-01/06-3280.

FOR THESE REASONS, the Chamber

INVITES the Defence to file its observations on the OPCV Request and the Registry Request by 14.00 on 30 March 2017.

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

[signed]

Judge Marc Perrin de Brichambaut
Presiding Judge

[signed]

Judge Olga Herrera-Carbuccia

[signed]

Judge Péter Kovács

Done this 29 March 2017

At The Hague, Netherlands