



COALITION FOR THE
INTERNATIONAL CRIMINAL COURT

LUBANGA
INFORMAL WEEKLY SUMMARY
07 - 11 JUNE 2010



Situation Case	Democratic Republic of Congo 01/04-01/06 The Prosecutor vs. Thomas Lubanga Dyilo	(UPC) and <i>the Forces patriotiques pour la libération du Congo</i> (FPLC); Alleged former Commander-in-Chief of the FPLC, since September 2002 and at least until the end of 2003; Alleged president of the UPC.
Hearing Chamber	Trial Proceedings Trial Chamber I: Presiding Judge Fulford, Judge Odio Benito and Judge Blattmann	
Parties	OTP: Ms. Bensouda, Mr. Sachdeva, Ms. Samson, Ms. Struyven and team; Defense: Ms. Mabilie, Mr. Desalliers, Mr. Biju-Duval and team	Alleged crimes: <u>Thomas Lubanga Dyilo</u> is allegedly responsible, as co-perpetrator, of war crimes
Participants	103 victims represented by Legal Representatives of Victims and OPCV	<ul style="list-style-type: none">• Enlisting and conscripting of children under the age of 15 years into the FPLC and using them to participate actively in hostilities in the context of an international armed conflict from early September 2002 to 2 June 2003 (punishable under article 8(2)(b)(xxvi) of the Rome Statute);• Enlisting and conscripting children under the age of 15 years into the FPLC and using them to participate actively in hostilities in the context of an armed conflict not of an international character from 2 June 2003 to 13 August 2003 (punishable under article 8(2)(e)(vii) of the Rome Statute).
Start of Trial	26 January 2009 Beginning of Defense case: 27.01.2010	

Thomas Lubanga Dyilo: born in 1960 in Djiba, Ituri district, Eastern Province; National of the DR C; Alleged founder of *Union des Patriotes Congolais*

Hearings:

- Only on 10 June 2010.

Topics this week included but were not limited to:

- Procedural issues in relation to OTP Witnesses:
 - Testimony via video-link;
 - Upcoming testimony of a current OTP Field Operations Liaison Coordinator;
 - Upcoming testimony of OTP intermediaries.

Procedural Issues

The Chamber discussed with the OTP and the Defense the process of examining the next OTP witnesses, in particular how the examination will be done and the order in which the witnesses will appear.

Mr. Sachdeva, OTP, informed the Court that a current OTP Field Operations Liaison Coordinator, based in the DRC, will testify on 14 June 2010 and answer questions regarding intermediary 321.

This is a very informal summary. Please note we were unable to verify the spelling of some of the persons and locations mentioned. Please do not forward without prior consent from CICC staff.

With regard to **Witness 143**, Mr. Biju-Duval, Defense, raised the issue that the witness' identity has still not been disclosed to the Defense.

Regarding **Witness 38**, who had testified previously, both the OTP and the Defense agreed to examine the witness via live video-link from the DRC. The witness will be examined on 17 or 18 June 2010. **Witnesses 551 and 555** will testify before the Court by the end of June.

The OTP and the Defense also agreed to examine only the written statement by **Witness 496** without requesting his presence in Court.

Intermediary 321 will arrive in The Hague on 20 June and start his testimony on 22 June. **Intermediary 316** will start his testimony on 28 June.

(The trial will resume on 14 June 2010)