

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 30 August 2006

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Single Judge

Registrar: Mr Bruno Cathala

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

Public

**Information on the 28 August 2006 Confidential – *Ex Parte* – Prosecution Only
“Prosecution’s Request for Authorisation of Redactions in Documents” and the 29
August 2006 Confidential – *Ex Parte* – Prosecution Only “Request for Authorisation
of Redactions in Documents Previously Disclosed to the Defence”**

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor

Mr Ekkehard Withopf, Senior Trial Lawyer

**Legal Representatives for the
Victims a/0001/06 to a/0003/06**

Mr Luc Walley

Mr Franck Mulenda

Counsel for the Defence

Mr Jean Flamme

**Office of Public Counsel
for the Defence**

Ms Melinda Taylor

Background

1. Following a series of filings as further detailed in the 25 August 2006 "Decision on the Prosecution practice to provide the Defence redacted versions of evidence and materials without authorisation by the Chamber"¹ (25 August 2006 Decision) of the Single Judge of the Pre-Trial Chamber (Single Judge), the Parties made final oral submissions during the Status Conference of 24 August 2006 (Status Conference).²
2. In its 25 August 2006 Decision, the Single Judge ordered the Prosecution to file "the originals of the forty-one redacted documents which the Prosecution has already disclosed to the Defence, with redactions not previously authorised by the Chamber".³

Prosecution's 28 August 2006 Request

3. On 28 August 2006, the Prosecution requested the Single Judge to authorise the redactions as suggested by the Prosecution in respect of fourteen documents.
4. These documents do not fall within the range of the forty-one documents previously disclosed to the Defence. They are documents the Prosecution initially intended to disclose to or to provide for pre-inspection by the Defence, in

¹ See Decision on the Prosecution practice to provide the Defence redacted versions of evidence and materials without authorisation by the Chamber, public, 25 August 2006, at pages 2 and 3.

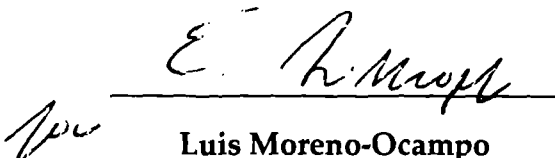
² See ICC-01/04-01/06-T-13-EN.

³ See 25 August 2005 Decision, at page 4.

redacted form, on Monday, 28 August 2006. In compliance with the 25 August 2006 Decision, which orders the Prosecution to cease disclosing redacted documents to the Defence,⁴ the Prosecution submitted the documents concerned first to the Single Judge for authorisation of the redactions.

Prosecution's 29 August 2006 Request

5. On 29 August 2006,⁵ the Prosecution requested the Single Judge to authorise the redactions as suggested by the Prosecution in respect of twenty-eight documents.
6. These twenty-eight documents form part of the forty-one documents referred to in the 25 August 2006 Decision. The Prosecution has informed the Single Judge that, for a variety of reasons, in respect of twelve documents the authorisation of the Single Judge became redundant. The Prosecution will disclose one additional document to the Defence in un-redacted form.


 Luis Moreno-Ocampo
 Prosecutor

Dated this 30th day of August 2006
 At The Hague, The Netherlands

⁴ See Decision, at page 4.

⁵ The Prosecution has completed and corrected the 29 August 2006 Submission in a further submission on 30 August 2006.