

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 27 September 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 Document with Confidential Annex

**Submission of the Rule 77 Pre-Inspection Note following the Provision of
Materials falling under Rule 77 of the Rules of Procedure and Evidence to the
Defence on 25 September 2006**

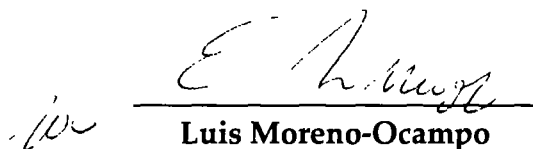
The Office of the Prosecutor
Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Ekkehard Withopf, Senior Trial Lawyer

Counsel for the Defence
Mr Jean Flamme
Ms Véronique Pandanzyla
**Office of Public Counsel
for the Defence**
Ms Melinda Taylor

1. In compliance with the Decisions of the Single Judge of the Pre-Trial Chamber of 15 May 2006¹, 24 May 2006², 20 September 2006³ and the Single Judge's oral Decision of 23 June 2006⁴ and the Prosecution herewith submits the "Pre-Inspection Note"⁵ in respect of the provision of materials that fall under Rule 77 to the Defence on 25 September 2006.

2. The Prosecution identified six documents that fall under Rule 77.⁶ The Prosecution provided the Defence with a CD containing the electronic versions of these six documents.

3. The document under number 6 of the attached "Pre-Inspection Note" is a new document with redactions as authorized by the Single Judge.⁷ The documents under numbers 1 to 5 have been previously submitted under Article 54(3)(e) restrictions. The providers, whilst meanwhile having lifted the restrictions, have requested the redactions as made in the documents.


Luis Moreno-Ocampo
Prosecutor

Dated this 27th day of September 2006
 At The Hague, The Netherlands

¹ Decision on the Final System of Disclosure and the Establishment of a Timetable, 15 May 2006.

² Decision on the Postponement of the Confirmation Hearing and the Adjustment of the Timetable Set in the Decision on the Final System of Disclosure, 24 May 2006.

³ Second Decision on the Prosecution Requests and Amended Requests for Redactions under Rule 81, 20 September 2006 ("Second Decision").

⁴ See Transcript of 23 June 2006 Status Conference (English), pp. 49-50.

⁵ Attached hereto as Confidential Annex.

⁶ The Prosecution refers to its oral submissions at the occasion of the status conference of 14 July 2006. See (English) transcript, at page 46.

⁷ Second Decision.