

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

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

Date: 23 March 2006

PRE-TRIAL CHAMBER I

Before: Judge Claude Jorda, Presiding Judge
Judge Akua Kuenyehia
Judge Sylvia Steiner

Registrar: Mr Bruno Cathala

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

Public Document

**DECISION TO CLASSIFY THE " REGISTRAR'S DECISION PURSUANT TO
REGULATION 196(1) OF THE REGULATIONS OF THE REGISTRY " AS A
PUBLIC DOCUMENT**

The Office of the Prosecutor :

Mr Luis Moreno Ocampo
Ms Fatou Bensouda
Mr Ekkehard Withopf
Ms Lyne Decarie

Counsel for the Defense :

Mr Jean Flamme

The Office of the Registrar :

Mr Marc Dubuisson

The Registrar of the International Criminal Court (the “Court”);

NOTING the “Registrar’s Decision Pursuant to Regulation 196(1) of the Regulations of the Registry” (the “Annexed Decision”) filed by the Registrar on 17 March 2006;

NOTING the “Order Scheduling the First Appearance of Mr. Thomas Lubanga Dyilo” filed by Pre-Trial Chamber I on 17 March 2006;

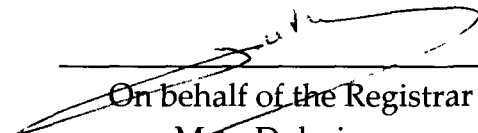
NOTING that a decision taken by the Registrar under Regulation 196, paragraph 1 of the Regulations of the Registry does not form part of the detention record stipulated in Regulation 92 of the Regulations of the Court as established by Regulation 189 of the Regulations of the Registry;

FURTHER NOTING that the confidentiality of the information pertaining to the detention record of Mr. Thomas Lubanga Dyilo will not be compromised by making the “Annexed Decision” a public document;

CONSIDERING that the confidentiality of the information pertaining to the medical record of Mr. Thomas Lubanga Dyilo stipulated in Regulation 156 of the Regulations of the Registry will not be compromised by classifying the “Annexed Decision” as a public document;

FOR THESE REASONS

DECIDES to classify the “Annexed Decision” as a public document.


On behalf of the Registrar
Marc Dubuisson
Head of the Division of Court Services

Dated this Thursday 23 March 2006

At The Hague

The Netherlands

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

Date: 17 March 2006

THE REGISTRAR

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

**Confidential
Ex-parte defense only**

**REGISTRAR'S DECISION PURSUANT TO REGULATION 196 (1) OF THE
REGULATIONS OF THE REGISTRY**

THE REGISTRAR,

NOTING the Rome Statute of the International Criminal Court as adopted by the United Nations Conference of Plenipotentiaries on the Establishment of an International Criminal Court on 17 July 1998, and in particular Article 43, paragraph 1;

NOTING the Regulations of the Court as adopted by the judges of the Court on 26 May 2004, and in particular Regulation 90, paragraphs 1 and 2 and Regulation 103, paragraph 1 of the Regulations of the Court;

NOTING the Regulations of the Registry as adopted by the Presidency on 6 March 2006; in particular Regulation 187, paragraph 1 of the Regulations of the Registry;

CONSIDERING that on 15 March 2006, the Chief Custody Officer requested the Registrar authorization to place a detained person in an observation cell;

CONSIDERING that pursuant to Regulation 196, paragraph 1 of the Regulations of the Registry, the Registrar may order that the cell of a detained person be monitored by video-surveillance in order to, *inter alia*, protect the health and safety of a detained person;

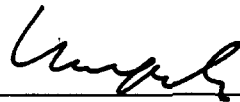
CONSIDERING that the arrival of Mr. Thomas Lubanga Dyilo in The Hague following a drastic change in his circumstances may be a disturbing and distressing event;

HEREBY ORDERS that the cell of Mr. Thomas Lubanga Dyilo be monitored by video-surveillance equipment upon admission to the ICC Detention Centre and for a period not exceeding 8 calendar days from the date of admission;

DIRECTS the Chief Custody Officer and the Medical Officer to make the necessary arrangements in order to assess the physical and mental health of Mr. Thomas Lubanga Dyilo upon admission and as required thereafter pursuant to Regulation 155, paragraph 4 of the Regulations of the Registry;

DIRECTS the Chief Custody Officer to ensure that Mr. Thomas Lubanga Dyilo is located in a cell from which all means of inflicting self-harm have been removed, pursuant to Regulation 155, paragraph 4 of the Regulations of the Registry and for a period not exceeding 8 calendar days from the date of admission;

DECIDES to review the present decision 8 calendar days from the date of admission of Mr. Thomas Lubanga Dyilo to the ICC Detention Centre.



Bruno Cathala
Registrar

Dated this Friday seventeenth of March 2006

At The Hague

The Netherlands