

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 6 November 2006

PRE-TRIAL CHAMBER I

Before: Judge Claude Jorda, 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

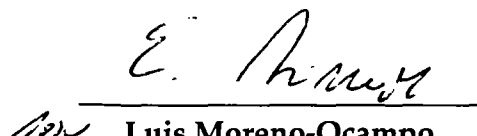
**Communication of Original Evidentiary Materials following Disclosure to the
Defence of Incriminating Evidence pursuant to Article 61(3)(b) of the Rome
Statute on 1 November 2006**

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

**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 and of 24 May 2006,² the Prosecution herewith submits the items that on 1 November 2006 have been disclosed to the Defence pursuant to Article 61(3)(b) of the Rome Statute. In addition, the Prosecution submits a CD containing the electronic versions of the disclosed items.
2. The items disclosed by the Prosecution are detailed in the annexed "List of disclosed materials" (Confidential Annex 1). The Prosecution provided these items to the Defence as a professional courtesy as they are transcripts or translations of the transcripts of video materials previously disclosed to the Defence on the respective dates as specified in the Confidential Annex 1. Since the Prosecution collected these items in electronic format, it is not in a position to submit their originals.
3. In addition to the items disclosed pursuant to Article 61(3)(b) of the Rome Statute as set out in the Confidential Annex I, the Prosecution has also disclosed to the Defence one video as detailed in the second "List of disclosed materials" (Confidential Annex 2) as it being related to the statement of a witness.


Luis Moreno-Ocampo
Prosecutor

Dated this 6th day of November 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.