

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 29 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 17 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
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 and of 24 May 2006,² the Prosecution herewith submits a document that on 17 November 2006 has been re-disclosed to the Defence pursuant to Article 61(3)(b) of the Rome Statute. In addition, the Prosecution submits a CD containing the electronic version of the disclosed document.

2. The document re-disclosed by the Prosecution is detailed in the annexed "List of disclosed materials".³ In this particular instance, following the Single Judge's Decision of 17 November 2006⁴, the Prosecution has re-disclosed the document as the redactions contained in the re-disclosed document reflect the lifting of the redactions as decided upon by the Decision. Since the document includes redactions as previously authorised by the Single Judge, the Prosecution herewith submits the paper-copy thereof.


 **Luis Moreno-Ocampo**
Prosecutor

Dated this 29st 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.

³ Attached hereto as Confidential Annex. Note that the date of the Confidential Annex is 17 November 2006, not 7 November 2006 as indicated therein.

⁴ Decision on Defence Requests for Disclosure of Materials, 17 November 2006.