

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 16 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 7 November 2006**

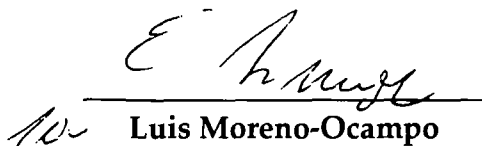
The Office of the Prosecutor
Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Ekkehard Withopf, Senior Trial Lawyer

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 the items that on 7 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".³ The Prosecution disclosed these items, including, *inter alia*, (i) excerpts, subtitled excerpts, stills and transcript of video materials previously disclosed; and (ii) a photograph, included in a previously disclosed document. Since the Prosecution collected these items in electronic format, it is not in a position to submit their originals.


Luis Moreno-Ocampo
Prosecutor

Dated this 16th 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.