

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 16 October 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 Annexes

**Communication of Original Evidentiary Materials following Disclosure to the
Defence of Incriminating Evidence pursuant to Article 61(3)(b) of the Rome
Statute on 13 October 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 then Single Judge of the Pre-Trial Chamber of 15 May 2006¹, 24 May 2006² and 11 October 2006³, the Prosecution herewith submits a document that on 11 October 2006 has 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 version of the document.

2. The document disclosed by the Prosecution is detailed in the annexed "List of disclosed materials".⁴ This document had already been disclosed to the Defence on 11 October 2006.⁵ The version disclosed in the present instance contains fewer redactions than the one disclosed on 11 October 2006, subsequent to the Prosecutions further contact with the information provider. Since the document includes redactions - either approved by the Single Judge⁶ or as requested by the information provider -, the Prosecution herewith submits the paper-copy thereof.


Luis Moreno-Ocampo
Prosecutor

Dated this 16th day of October 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 Décision sur la demande du Procureur en application de la règle 81(2) du 10 octobre 2006 ("11 October 2006 Decision").

⁴ Attached hereto as Confidential Annex 1.

⁵ Communication of Original Evidentiary Materials following Disclosure to the Defence of Incriminating Evidence pursuant to Article 61(3)(b) of the Rome Statute on 11 October 2006 and Confidential Annex 1, 13 October 2006.

⁶ 11 October 2006 Decision.