

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 6 February 2007

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, 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

Prosecution's Information on Further Disclosure of Incriminatory Evidence

The Office of the Prosecutor

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

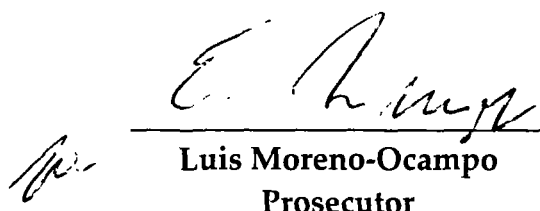
Counsel for the Defence

Mr Jean Flamme
Ms Véronique Pandanzyla

**Office of Public Counsel
for the Defence**

Ms Melinda Taylor

1. On 5 February 2007, the Prosecution - in addition to the disclosure of potentially exculpatory evidence and the provision for pre-inspection of materials that fall under Rule 77 - disclosed further incriminatory evidence pursuant to Article 64(3)(c).
2. The Prosecution prior to disclosure informed the Defence orally that it would notify the Pre-Trial Chamber of the disclosure but it would not file the incriminatory evidence in the record of the case against Thomas Lubanga Dyilo because in its view the 15 May 2006 "Decision on the Final System of Disclosure and the Establishment of a Timetable"¹ does not apply anymore.
3. Accordingly, the Prosecution herewith informs the Single Judge of the Pre-Trial Chamber about the fact of the disclosure of further incriminatory evidence.



Luis Moreno-Ocampo
Prosecutor

Dated this 6th day of February 2007
At The Hague, The Netherlands

¹ Decision on the Final System of Disclosure and the Establishment of a Timetable, public, 15 May 2006.