



Original: French

No.: ICC-01/04-01/06

Date: 20 March 2006

PRE-TRIAL CHAMBER I

Before: Judge Claude Jorda, Presiding Judge
Judge Akua Kuenyehia
Judge Sylvia Steiner

Registrar: Mr Bruno Cathala

**SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO
IN THE CASE OF
THE PROSECUTOR *v.* THOMAS LUBANGA DYILO**

Public Document

**APPOINTMENT OF MR JEAN FLAMME AS DUTY COUNSEL FOR MR
THOMAS LUBANGA DYILO**

The Office of the Prosecutor

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

Duty Counsel

Mr Jean Flamme

Please find attached the appointment of Mr Jean Flamme as duty counsel for Mr Thomas Lubanga Dyilo.

[signed]



**International
Criminal
Court**

Jean Flamme
Marathonstraat 14
B 9000 Ghent
Belgium

Fax number: +32 92213181

Reference: DSS/2006/69/DDP/SS

Date: 18 March 2006

Dear Mr Flamme,

On behalf of the Registrar, I hereby appoint you duty counsel for Mr Thomas Lubanga Dyilo, as part of the initial assistance provided to an accused person transferred to the detention centre of the International Criminal Court in The Hague.

In accordance with this appointment, you are required to be available upon request of Court representatives.

Please note that this appointment as duty counsel does not automatically lead to an appointment as legal representative of the person to whom you will be providing assistance, and that your responsibilities are governed by the *Rome Statute*, the *Rules of Procedure and Evidence*, the *Regulations of the Court*, the *Code of Professional Conduct for counsel* and other relevant texts adopted by the Court.

Please allow me to draw your attention in particular to the obligation to respect professional secrecy and confidentiality under article 8 of the above-noted Code of Conduct.¹

Yours sincerely,

[signed]

Didier Preira
Head, Division of Victims and Counsel

[Stamp: ICC-CPI, 20 March 2006, Copy]

¹ **Article 8: Respect for professional secrecy and confidentiality**

1. Counsel shall actively exercise all care to respect professional secrecy and to protect confidential information in accordance with the statutory and regulatory provisions.
2. Counsel shall reveal information confidential by nature or by order of the Court only to persons working with him or her and solely to enable the exercise of his or her functions in the case in question. Counsel shall actively exercise all care to respect and maintain the confidentiality of such information.
3. Information confidential by nature is understood as information such as envisaged by rule 73.
4. Counsel may disclose information confidential by nature only under the terms of rule 73, sub-rule 1 or, where information confidential by order of the Court is involved, only when the Court expressly lifts the restriction on disclosure.