

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

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

Date: 12 October 2007

TRIAL CHAMBER I

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge René Blattmann

Registrar: Mr Bruno Cathala

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

Public

Decision on the “Motion by former counsel for leave to file written corrigenda to oral arguments”

Office of the Prosecutor

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

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju-Duval
Mr Marc Desalliers

Legal Representatives of Victims
a/0001/06 to a/0003/06 and a/0105/06
Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu

Former Counsel for the Defence
Mr Jean Flamme

1. On 13 September 2007,¹ the former defence counsel of Mr Thomas Lubanga Dyilo, Mr Jean Flamme, filed the "Motion by former counsel for leave to file written corrigenda to oral arguments" ("motion"),² in which he requests leave to file a written corrigendum to his oral submissions on 9 November 2006.³
2. On 3 October 2006, the Prosecutor filed a "Prosecution's reply to motion for leave to file written corrigenda to oral arguments",⁴ in which he requests the Trial Chamber to dismiss former counsel's motion arguing that the "Chamber is without jurisdiction to receive and rule on the motion".⁵
3. The oral submissions which are sought to be corrected were made by former counsel during the hearing on the confirmation of charges before Pre-Trial Chamber I. Therefore, the Trial Chamber is not competent to consider the motion and hereby dismisses it.

¹ The Registry notified this filing in accordance with Regulation of the Court 31 on 24 September 2007.

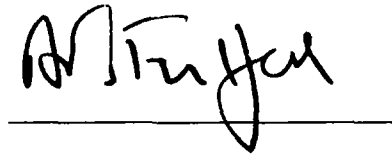
² ICC-01/04-01/06-958.

³ Paragraph 1.

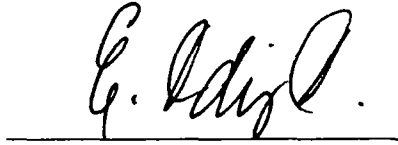
⁴ ICC-01/04-01/06-968

⁵ Paragraph 2.

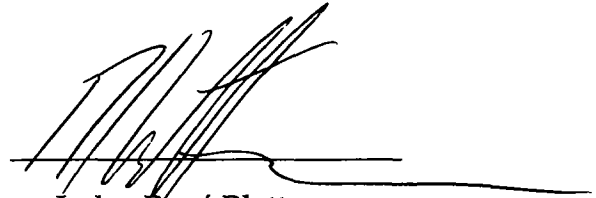
Done in both English and French, the English version being authoritative.



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge René Blattmann

Dated this 12 October 2007

At The Hague, The Netherlands