

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 14 December 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 vs. THOMAS LUBANGA DYILO**

Public

URGENT

Prosecution's request to extend the time limit for disclosure

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 Biju-Duval
Mr Marc Desalliers
Ms Caroline Buteau

Background

1. On 9 November 2007, the Trial Chamber issued the 'Decision Regarding the Timing and Manner of Disclosure and the Date of Trial'¹ in which it held, *inter alia*, that the Prosecution must disclose its incriminatory material by 14 December 2007.²

Information

2. The Prosecution intended to disclose on 14 December 2007 241 items of evidence, of which 240 documents³ and one video. 126 of the documents concerned have redactions. In addition, the video was disclosed as an excerpt (an enhancement of a previously disclosed video).
3. However, both the preparation for disclosure of redacted documents and excerpts of videos are very time-consuming from a technical point of view. The process includes:
 - (i) Finalizing the tagging of the documents in each of the categories of disclosure;
 - (ii) Finalizing the e-Court protocol tagging of legal metadata;
 - (iii) Finalizing the redactions, which involves a process of selecting the documents that have been the subject of a dialogue with the Court and where applicable converting the highlights on the documents into actual redactions;
 - (iv) Ensuring the objective metadata is quality checked for accuracy;
 - (v) Running the productions, which form a permanent record of how the documents appear at the time of disclosure;
 - (vi) Creating a Ringtail Export Database;

¹ ICC-01/04-01/06-1019.

² *Ibid.*, paragraph 25.

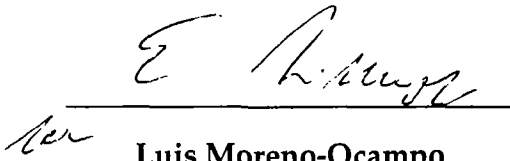
³ Comprised of at least 730 pages.

- (vii) Re-OCR-ing the redacted images (which can only be done once the packages are complete);
- (viii) Manually updating the pages information in the data export (report) to be provided to the Defence;
- (ix) Finalizing any videos to be exported;
- (x) Making metadata field name adjustments in the Ringtail Export database; Quality checking the data exports; and
- (xi) Creating CDs or DVDs with the requisite data.

4. Due to the volume of the material and the high number of redacted documents, the Prosecution has not been able to finalise the process in time. It has informed the Defence thereof, and the Defence has kindly agreed to obtain the evidentiary materials by Monday, 17 December 2007 at 11.00 am.

Request

5. Consequently, the Prosecution pursuant to Regulation 35 (2) of the Regulations of the Court requests that the Trial Chamber extends the time limit for disclosure of evidentiary material to Monday, 17 December 2007 at 11.00 am.



Luis Moreno-Ocampo
Prosecutor

Dated this 14th of December 2007

At The Hague, The Netherlands