

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

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

Date: 17 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 *v.* THOMAS LUBANGA DYILO**

Public - Urgent

Order on "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 Jean-Marie Biju-Duval

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

1. The Office of the Prosecutor ("prosecution") filed a "Prosecution's request to extend the time limit for disclosure"¹ on 14 December 2007, which was notified to the Chamber at 18.50 that same day.
2. Pursuant to the Trial Chamber's decision of 9 November 2007,² the Chamber ordered the prosecution:

... to serve the entirety of their evidence by 16.00 on 14 December 2007. This is to include the incriminatory material in the form of witness statements and any other material which the prosecution intends to rely upon at trial, and any exculpatory material. Each item should be listed in a separate document.

3. Although the prosecution's request was notified to the Chamber past the aforesaid deadline, the Chamber has taken into consideration that the request followed previous consultations between the prosecution and the defence, in which the defence "agreed to obtain the evidentiary materials by Monday, 17 December 2007, at 11 am".³
4. Pursuant to Regulation 35 of the Court and considering the agreement reached between the two parties to extend the previously established deadline due to technical problems in the filing of the evidentiary material, the Trial Chamber hereby orders that the deadline for the prosecution's disclosure of the entirety of its evidence be extended to Monday, 17 December at 11 am.

¹ Prosecution's request to extend the time limit for disclosure, 14 December 2007, ICC-01/04-01/06-1093.

² Decision Regarding the Timing and Manner of Disclosure and the Date of Trial, 9 November 2007, ICC-01/04-01/06-1019. Paragraph 25.

³ ICC-01/04-01/06-1093. Paragraph 4.

Judges Adrian Fulford and Elizabeth Odio Benito were consulted but are unavailable to sign the Direction as they are away from the seat of the Court on the day of signature.

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

Judge Adrian Fulford

Judge Elizabeth Odio Benito



Judge René Blattmann

Dated this 17 December 2007
At The Hague, The Netherlands