

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 1 February 2008

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

with confidential Prosecution and Defence only annexes

**Prosecution's communication of originals of incriminatory evidence disclosed
to the Defence on 31 January 2008**

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

Ms Catherine Mabile
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

Submission of electronic copies of incriminatory evidence

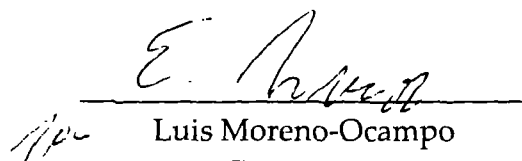
1. The Prosecution herewith submits electronic versions of 84 items disclosed to the Defence as incriminating evidence on 31 January 2008. The items disclosed to the Defence on 31 January 2008 are listed in the annexed "List[s] of disclosed materials".¹

Submission of originals of disclosed evidence

2. In compliance with the Trial Chamber's 9 November 2007 "Decision Regarding the Timing and Manner of Disclosure and the Date of Trial",² the Prosecution also files 82 items of evidence in their original form with the Registry.

Items for which no physical originals are being filed

3. The Prosecution informs the Trial Chamber that two items have been disclosed to the Defence in redacted form.³ The redactions have been authorized by the Trial Chamber.⁴ Consequently,⁵ originals thereof have not been filed with the Registry.


 Luis Moreno-Ocampo
 Prosecutor

Dated this 1st day of February 2008
 At The Hague, The Netherlands

¹ The Lists of disclosed materials are annexed as Confidential Prosecution and Defence Only – Annexes 1 to 3.

² ICC-01/04-01/06-1019, para 22.

³ They bear the ERNs: DRC-OTP-0184-0062 and DRC-OTP-0184-0063.

⁴ ICC-01/04-01/06-1146-Conf-Exp. Pursuant to the Trial Chamber's order the Prosecution will disclose the same items with less extensive redactions by 7 February 2008.

⁵ Reference is made to the "Prosecution's communication of originals of incriminatory evidence disclosed to the Defence pursuant to the order of the Trial Chamber of 9 November 2007", ICC-01/04-01/06-1054, para 9.