



Original: English

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

Date: 23 April 2008

TRIAL CHAMBER I

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

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

**Public Document
With Confidential, *Ex Parte* – Prosecution Only Annexes
Prosecution's Application to Lift Redactions to One Document**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the*

Court to:

The Office of the Prosecutor

Counsel for the Defence

Ms Catherine Mabilie

Mr Jean-Marie Biju-Duval

Legal Representatives of Victims

Legal Representatives of Applicants

Mr Luc Walley

Mr Franck Mulenda

Ms Carine Bapita Buyangandu

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Defence Support Section

Ms Silvana Arbia

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Background

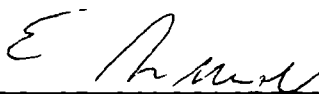
1. On 4 December 2007, the Trial Chamber rendered a decision orally that the Prosecution must apply to the Trial Chamber to lift redactions on the basis of Rule 81(4) of the Rules of Procedure and Evidence (Rules) that had previously been authorized by the Pre-Trial Chamber.¹

II. Scope of the Present Submission

2. In the present application, the Prosecution requests the lifting of redactions to one document, previously authorized by the Pre-Trial Chamber² on the basis of Rule 81(4).³
3. The redaction at issue was required at an earlier stage in the proceedings and was granted for reasons of witness protection. The Prosecution submits that at this stage in the proceedings the redaction is no longer justified.

III. Relief Requested

4. Based on the foregoing, the Prosecution requests the Trial Chamber to authorize the lifting of redactions based on Rule 81(4) to one document.



Ekkehard Withopf, Senior Trial Lawyer
on behalf of
Luis Moreno-Ocampo, Prosecutor

Dated this 23rd day of April 2008
At The Hague, The Netherlands

¹ Transcript, ICC-01-04-01-06-T-62-ENG, 4 December 2007 at page 21, lines 19-25 and page 22, lines 1-11.

² "Decision concerning the Prosecution Proposed Summary Evidence", ICC-01/04-01/06-517, page 8. The redacted document was disclosed to the Defence on 9 October 2006.

³ The document is attached as Confidential, *ex parte*, Annex A with the redactions as authorized provided in a manner that permits the Chamber to 'see through' the redaction. In Confidential, *ex parte*, Annex B attached hereto, the Prosecution provides additional information on the document and the information currently redacted.