

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 02 May 2008

TRIAL CHAMBER I

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

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

Public Formatted and Redacted Version

Prosecution's information on not leading evidence on two individual cases

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

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**

Ms Paulina Massidda

States Representatives

Amicus Curiae

REGISTRY

Registrar

Defence Support Section

Ms Silvana Arbia

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Background

1. On 28 August 2006, the Prosecution submitted the 'Document Containing the Charges, Article 61(3)a'. In this document, the Prosecution detailed a number of individual cases of enlistment, conscription and use of children under the age of fifteen. These individual case stories include the individual cases of REDACTED and REDACTED¹.
2. On 14 December 2007, the Prosecution submitted the 'Prosecution's Summary of Presentation of Evidence'. In this application, the Prosecution referred to both witnesses in the section 'Individual Cases of UPC/FPLC Conscription, Enlistment and/or Use of Children, Including Children under the Age of 15, to Participate Actively in Hostilities'².

Information

3. The Prosecution informs the Chamber and the Defence that it will not lead evidence at trial in respect of the individual cases of either witness³.



Luis Moreno-Ocampo, Prosecutor

Dated this 02nd day of May 2008

At The Hague, The Netherlands

¹ ICC-01/04-01/06-356-Anx2. REDACTED's individual case story is referred to in paragraphs 58 to 63 (included). REDACTED's individual case story is referred to in paragraphs 77 to 84 (included).

² ICC-01/04-01/06-1099-Anx. Part V describes the individual case stories. REDACTED's individual case story is referred to in paragraphs 137 to 147 (included). REDACTED's individual case story is referred to in paragraphs 160 to 170 (included).

³ In addition to leading evidence on the individual case stories of REDACTED, REDACTED, REDACTED and REDACTED, the Prosecution will call further former child soldier witnesses.