

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

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

Date: 9 March 2006

THE APPEALS CHAMBER

Before: Judge Navi Pillay, Presiding Judge
Judge Philippe Kirsch
Judge Georgios M. Pikis
Judge Sang-Hyun Song
Judge Erkki Kourula

Registrar: Mr Bruno Cathala

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

**Under seal
Ex parte only available to the Prosecutor**

**REGISTRAR'S REQUEST FOR AN ORDER OF TRANSFER OF CERTAIN PARTS
OF THE CASE RECORD TO THE SITUATION RECORD**

The Office of the Prosecutor
Mr. Luis Moreno Ocampo, Prosecutor

The Registrar of the International Criminal Court (the “Court”);

NOTING that pursuant to rules 121, sub-rule 10, 137 and 149 of the Rules of Procedure of Evidence, the Registrar is responsible for creating and maintaining a full and accurate record of the proceedings;

NOTING the Decision of Pre-Trial Chamber I issued on 24 February 2006, registered as ICC-01/04-01/06-8-US (the “Decision of Pre-Trial Chamber I”, whereby the Pre-Trial Chamber requested the Registrar to remove the decision with the quote: ICC-01/04-01/06-US-Exp-Corr, dated 10 February 2006, from the record of the case against Mr. Thomas Lubanga Dyilo and to incorporate it into the record of the situation in the DRC;

CONSIDERING that the Prosecutor has appealed, under seal, the decision ICC-01/04-01/06-US-Exp-Corr, dated 10 February 2006, prior to its transfer in the situation record, hence the related documents and orders were filed with the Registry and registered in the case record, namely:

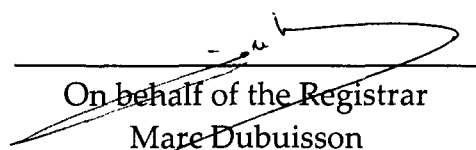
- ICC-01/04-01/06-3-US-Exp;
- ICC-01/04-01/06-5-US-Exp;
- ICC-01/04-01/06-6-US-Exp;
- ICC-01/04-01/06-20-US-Exp;

CONSIDERING that the documents and orders relating to the appeal are not covered in the Decision of Pre-Trial Chamber I;

CONSIDERING however, that in accordance with the Decision of Pre-Trial Chamber I, the documents and orders relating to the appeal, together with the present Request, ought to be removed from the record of the case against Mr. Thomas Lubanga Dyilo and be incorporated into the record of the situation in the DRC

REQUESTS the Appeals Chamber to order the removal from the record of the case against Mr. Thomas Lubanga Dyilo and the incorporation into the record of the situation in the DRC, of:

- ICC-01/04-01/06-3-US-Exp;
- ICC-01/04-01/06-5-US-Exp;
- ICC-01/04-01/06-6-US-Exp;
- ICC-01/04-01/06-20-US-Exp;
- The present Request;
- Any other document or order, as the Appeals Chamber may deem appropriate.


On behalf of the Registrar
Mare Dubuisson
Head of the Division of Court Services

Dated this ninth of March 2006

At The Hague, The Netherlands