

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **16 March 2006**

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Single Judge

Registrar: Mr Bruno Cathala

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

Under seal

**ORDER CONCERNING THE INCORPORATION OF CERTAIN DOCUMENTS
INTO THE RECORD OF THE CASE AGAINST
MR THOMAS LUBANGA DYILO**

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Ekkehard Withopf, Senior Trial Lawyer

I, Judge Sylvia Steiner, judge at the International Criminal Court (the “Court”);

NOTING the “Decision Concerning Pre-Trial Chamber I’s Decision of 10 February 2006 and the Incorporation of Documents into the Record of the Case against Mr Thomas Lubanga Dyilo” (the “Decision”),¹ in which Pre-Trial Chamber I (the “Chamber”) requested “the Registrar to remove the decisions with the quotes: ICC-01/04-01/06-1-US-Exp-Corr and ICC-01-04-01/06-7-US-Exp from the record of the case against Mr Thomas Lubanga Dyilo and to incorporate them into the record of the situation in the DRC”;

NOTING that, pursuant to the Decision, the Registrar incorporated into the record of the situation in the Democratic Republic of the Congo (the “DRC”) and removed from the record of the case against Mr Thomas Lubanga Dyilo the following three documents: ICC-01/04-01/06-1-US-Exp, ICC-01/04-01/06-1-US-Exp-Corr and ICC-01-04-01/06-7- US-Exp; and that the said documents are currently part of the record of the situation in the DRC, with the reference numbers ICC-01/04-118-US-Exp, ICC-01/04-118-US-Exp-Corr and ICC-01/04-119-US-Exp, and are classified under seal and “ex parte, Prosecution only”;

NOTING the decision of the Chamber of 14 March 2006 designating Judge Sylvia Steiner as single judge of the Chamber from 15 until 22 March 2006 at 12.00 hours in the case of the Prosecutor v. Thomas Lubanga Dyilo;²

NOTING articles 57 (3) (c), 67 (1) and 68 (1) of the Rome Statute (the “Statute”) and rules 87 (2) (c) and 88 (4) of the Rules of Procedure and Evidence (the “Rules”);

¹ ICC-01/04-01/06-8-US, p. 6.

² ICC-01/04-01/06-33-US.

CONSIDERING that, apart from the three above-mentioned documents, unredacted versions of all documents related to the Prosecution's Application against Mr Thomas Lubanga Dyilo are currently part of the record of the case against Mr Thomas Lubanga Dyilo;

CONSIDERING that for the sake of completeness of the record against Mr Thomas Lubanga Dyilo, the three said documents, in addition to remaining part of the record of the situation in the DRC, must be included in the record of the case against Mr Thomas Lubanga Dyilo;

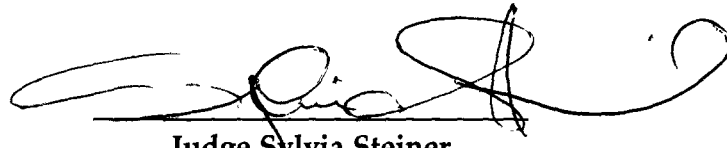
FOR THESE REASONS

ORDER the Registrar to:

- (a) re-incorporate into the record of the case against Mr Thomas Lubanga Dyilo the following documents:
 - a. ICC-01/04-118-US-Exp (former ICC-01/04-01/06-1-US-Exp);
 - b. ICC-01/04-118-US-Exp-Corr (former ICC-01/04-01/06-1-US-Exp-Corr) ; and
 - c. ICC-01/04-119-US-Exp (former ICC-01-04-01/06-US-7-Exp).

(b) classify the said documents in the record of the case against Mr Thomas Lubanga Dyilo under seal and "*ex parte*, Prosecution only" until otherwise ordered by the Chamber.

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



Judge Sylvia Steiner
Single Judge

Dated this Thursday 16 March 2006

At The Hague

The Netherlands