

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

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

Date: 6 July 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  
*vs.* THOMAS LUBANGA DYILO**

**Public Document with Confidential Annex**

**Communication of Original Evidentiary Materials following Disclosure to the  
Defence of Incriminating Evidence pursuant to Article 61(3)(b) of the Rome  
Statute on 5 July 2006**

**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**  
Mr Jean Flamme

1. In compliance with the Decisions of the Single Judge of the Pre-Trial Chamber of 15 May 2006<sup>1</sup> and of 24 May 2006,<sup>2</sup> the Prosecution herewith submits forty-seven documents that on 5 July 2006 have been disclosed to the Defence pursuant to Article 61(3)(b) of the Rome Statute. In addition, the Prosecution submits a CD containing the electronic versions of these documents.
  
2. In particular, the Prosecution submits the originals of the documents identified as numbers 1, 2, 3, 4, 5, 6, 7, 8, 34, 35, 36, 37, 38, 39, 40, 41, 45, and 47 in the annexed "List of disclosed materials."<sup>3</sup>
  
3. The Prosecution collected the documents detailed in the "List of disclosed materials" under numbers 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 42, 43, 44, and 46 electronically. Therefore, in respect of these documents, the Prosecution is not in a position to submit their originals. Electronic versions of these documents are included in the CD containing the electronic version of all disclosed documents.
  
4. In this particular instance, fourteen out of the forty-seven documents included in the "List of disclosed materials" are handwritten documents, namely numbers 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 32. In

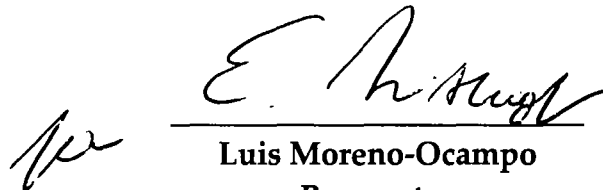
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<sup>1</sup> Decision on the Final System of Disclosure and the Establishment of a Timetable, 15 May 2006.

<sup>2</sup> Decision on the Postponement of the Confirmation Hearing and the Adjustment of the Timetable Set in the Decision on the Final System of Disclosure, 24 May 2006.

<sup>3</sup> Confidential Annex 1. - As to the document under number 2, the Prosecution submits a paper copy of the first page of this document, instead of original, since the backside of the page forms part of another document.

addition to the electronic copies, the Prosecution has also provided the Defence with paper copies of those fourteen handwritten documents.



**Luis Moreno-Ocampo**  
**Prosecutor**

Dated this 6<sup>th</sup> day of July 2006  
At The Hague, The Netherlands