

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

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

Date: 4 August 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**

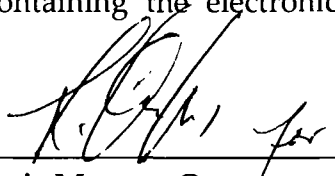
**Public Document with Confidential Annex**

**Communication of Original Evidentiary Materials following Disclosure to the  
Defence of Incriminating Evidence pursuant to Article 61(3)(b) of the Rome  
Statute on 28 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 thirteen items that on 28 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 items.
  
2. The Prosecution has disclosed documents with redactions under numbers 4 and 5 of the "List of disclosed materials".<sup>3</sup> Due to the redactions, the Prosecution submits paper-copies of the documents concerned, instead of the originals.<sup>4</sup>
  
3. The Prosecution collected the materials detailed in the "List of disclosed materials" under number 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 and 13 electronically. Therefore, in respect of these materials, the Prosecution is not in a position to submit their originals. Electronic versions of these materials are included in the CD containing the electronic version of all disclosed materials.

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

Dated this 4<sup>th</sup> day of August 2006  
 At The Hague, The Netherlands

<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> Attached hereto as Confidential Annex.

<sup>4</sup> The Prosecution is in the possession of the originals of the documents under number 4 and 5.