

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/06
Date: 28 November 2008

TRIAL CHAMBER I

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

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

**Public Document
Public Redacted Version**

**Prosecution's Provision of Information on Location and Names of
Individuals**

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

Mr Luc Walley

Ms Carine Bapita Buyangandu

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

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REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Background

1. On 25 November 2008, the Trial Chamber ordered the Prosecution to provide the names and, if possible, the whereabouts of the individuals who authored three notebooks and two logbooks recording details of demobilized child soldiers.¹

II. Prosecution's Submissions

2. The notebook registered as DRC-OTP-0140-0009 was authored by an individual named [REDACTED]. This information is available in the statement of witness DRC-OTP-WWWW-0031 at paragraph 180, although no last name is provided.² The Prosecution established that [REDACTED] and that she resides [REDACTED]. The Prosecution has never contacted this individual and is currently unable to obtain her contact details.
3. The notebook registered as DRC-OTP-0140-0146 appears to have been authored by two different individuals, based on a comparison of the handwriting contained within it. The first three entries are all signed by an individual named [REDACTED]. The Prosecution established that [REDACTED] and that he resides [REDACTED]. The Prosecution has never contacted this individual and is currently unable to obtain his contact details. The entries in the second hand are not signed and the Prosecution has no information as to the author of this portion.

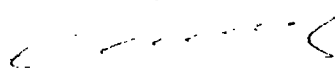
¹ ICC-01/04-01/06-T-99-ENG at page 25, lines 11-17. For ease of reference, the three notebooks are registered as DRC-OTP-0140-0009, DRC-OTP-0140-0146 and DRC-OTP-0140-0152 and the two logbooks are registered as DRC-OTP-0160-0002 and DRC-OTP-0160-0190.

² This witness statement was disclosed on 22 February 2008.

4. The notebook registered as DRC-OTP-0140-0152 appears to have been authored by three different individuals, based on a comparison of the handwriting contained within it. The first two entries are signed by individuals named [REDACTED]. The Prosecution established that [REDACTED] and that they reside [REDACTED]. The Prosecution has never contacted these individuals and is currently unable to obtain their contact details. The entries in the third hand are not signed and the Prosecution has no information as to the author of this portion.
5. The logbooks registered as DRC-OTP-0160-0002 and DRC-OTP-0160-0190, based on information available to the Prosecution, have been authored by three individuals, one of whom is currently protected on order of the Trial Chamber and the Prosecution cannot divulge the name of this individual at the present time.³ The two other individuals who made entries in these logbooks are [REDACTED]. This information is available in the Investigator's Note (DRC-OTP-0162-0056) at paragraphs 8-10.⁴
6. The Prosecution has been unable to obtain details on the current whereabouts of these individuals and has no means of retrieving this information. The Prosecution has never contacted [REDACTED] and is unable to obtain information as to his current location or contact details. As of the date of the last telephone contact the Prosecution had with [REDACTED] he resided [REDACTED], but for some time the Prosecution has been unable to re-establish contact with this individual.

³ ICC-01/04-01/06-T-99-ENG at page 26, lines 3-7.

⁴ The Investigator's Note was disclosed on 22 February 2008.



Luis Moreno-Ocampo
Prosecutor

Dated this 28th day of November 2008
At The Hague, The Netherlands