

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 24 June 2009

TRIAL CHAMBER I

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

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

Public

Decision issuing confidential and public redacted versions of "Decision on the 'Prosecution's Request for Non-Disclosure of the Identity of Eight Individuals providing Rule 77 Information' of 5 December 2008 and 'Prosecution's Request for Non-Disclosure of Information in One Witness Statement containing Rule 77 Information' of 12 March 2009"

Decision/Order/Judgment to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

Mr Luis Moreno Ocampo
Ms Fatou Bensouda

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju Duval

Legal Representatives of the Victims

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo
Mr Jean Louis Gilissen
Mr Jean Chrysostome Mulamba
Nsokoloni
Mr Paul Kabongo Tshibangu
Mr Hervé Diakiese

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

Ms Paolina Massidda

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

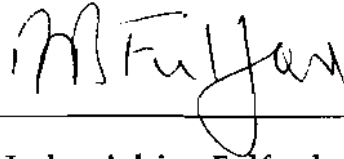
Victims Participation and Reparations Section

Other

1. On 12 June 2009, the Chamber issued the “Decision on the ‘Prosecution’s Request for Non-Disclosure of the Identity of Eight Individuals providing Rule 77 Information’ of 5 December 2008 and ‘Prosecution’s Request for Non-Disclosure of Information in One Witness Statement containing Rule 77 Information’ of 12 March 2009” (“Decision”).¹
2. In this Decision the Chamber authorized the non-disclosure of certain information, including the identities of some witnesses who are not trial witnesses, in material provided to the defence in accordance with Rule 77 of the Rules of Procedure and Evidence. To ensure that the non-disclosure does not cause prejudice to the defence, the Chamber also authorized the service of alternative evidence and admissions of fact as proposed by the prosecution.
3. The Chamber hereby issues:
 - i. a confidential redacted version of the Decision (attached as Annex 1) to be notified to the prosecution, defence and legal representatives of the victims participating in the proceedings;
 - ii. a public redacted version of the Decision (attached as Annex 2).

¹ Decision on the “Prosecution’s Request for Non-Disclosure of the Identity of Eight Individuals providing Rule 77 Information” of 5 December 2008 and “Prosecution’s Request for Non-Disclosure of Information in One Witness Statement containing Rule 77 Information” of 12 March 2009, 12 June 2009, ICC-01/04-01/06-1965-Conf-Exp.

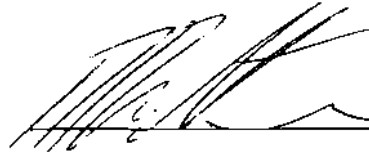
Done in both English and French, the English version being authoritative.



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge René Blattmann

Dated this 24 June 2009

At The Hague, The Netherlands