



Original: **English**

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

Date: **12 March 2010**

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 with
Confidential – Prosecution and Defence Only Annexes 1 and 2**

**Prosecution's information regarding protective measures requested for a document
relevant to defence witness DW-0005**

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

Legal Representatives of Applicants

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu
Mr Joseph Keta Orwinyo
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Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
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Ms Paolina Massidda

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REGISTRY

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Defence Support Section

Ms Silvana Arbia

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations Other
Section**

Background

1. At a hearing on 10 March 2010, the Trial Chamber issued an oral decision¹ granting the Prosecution's application for protective measures governing the use of a document relevant to defence witness DRC-D01-WWWW-0005. The protective measures were requested by the Prosecution on 5 March 2010,² pursuant to a request from the provider of the document.
2. The Trial Chamber ordered the Prosecution to file in the record of the case the letter in which the provider of the document, the United Nations ("UN"), agreed to the disclosure of the document. The Chamber also ordered the Prosecution to file the "more comprehensive version" of the document which is the subject of the Chamber's order of protective measures.

Prosecution's submission of the letter from the United Nations

3. The Prosecution attaches to the present filing the 26 February 2010 letter through which the UN consented to the disclosure of the document to the Defence,³ and the document itself.⁴



Luis Moreno-Ocampo

Prosecutor

Dated this 12th day of March 2010

At The Hague, The Netherlands

¹ ICC-01/04-01/06-T-258-CONF-ENG ET, page 73, line 22 to page 79, line 17.

² The measures were requested in an email communication from the Prosecution to the Legal Officer to the Trial Chamber of 05 March 2010.

³ The UN's letter is attached as Confidential Annex 1.

⁴ The document (which bears the ERN DRC-OTP-0226-0598) is attached as Confidential – Prosecution and Defence Only Annex 2.