

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/04-01/06

Date: 31 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
v. THOMAS LUBANGA DYILO**

Public Document

**Decision Inviting the Prosecution to Revise Proposed Redactions in relation to the
Prosecution Amended Application pursuant to Rule 81 (2) of the Rules of
Procedure and Evidence**

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
Ms Véronique Pandanzyla

**The Representatives of Victims a/0001/06
to a/0003/06**

Mr Luc Walley
Mr Franck Mulenda

Office of Public Counsel for the Defence

Ms Melinda Taylor

I, Judge Sylvia Steiner, judge at the International Criminal Court (“the Court”);

NOTING the “Prosecution’s Application pursuant to Rule 81 (2) with Further Details” (“the Prosecution Application”),¹ filed by the Prosecution on 19 June 2006, in which the Prosecution, pursuant to rule 81 (2) of the Rules of Procedure and Evidence (“the Rules”), seeks authorisation from the Pre-Trial Chamber to redact information contained in several witness statements which, if disclosed to the Defence of Thomas LUBANGA DYILO, could prejudice ongoing and/or further investigations;²

NOTING the *ex parte* and *in camera* hearing with the Prosecution on 28 June 2006;

NOTING the “Prosecution’s Amended Application pursuant to Rule 81 (2) with Further Details” (“the Prosecution Amended Application”),³ filed by the Prosecution on 18 July 2006, in which the Prosecution amended the redactions for which it seeks authorisation from the single judge;⁴

NOTING rule 81 (2) of the Rules;

CONSIDERING the importance of consistency in any redaction that might be authorised by the single judge pursuant to rule 81 (2) of the Rules;

¹ ICC-01/04-01/06-153-Conf-Exp-AnnA.

² The Prosecution Application, para. 7.

³ ICC-01/04-01/06-198-Conf-Exp-AnnA.

⁴ The Prosecution Amended Application, paras. 11 to 16.

FOR THESE REASONS

DECIDES to invite the Prosecution to revise the redactions proposed *inter alia* in the following paragraphs of the witness statements attached to the Prosecution Amended Application:

- (i) Paragraph 22 of Annex II;
- (ii) Paragraphs 136 and 245 of Annex IV;
- (iii) Paragraph 189 of Annex XVI;
- (iv) Paragraph 112 of Annex XVII;
- (v) Paragraph 6, 119 and 144 of Annex XVIII;
- (vi) Paragraphs 16 and 34 of Annex XIX.

DECIDES to give the Prosecution until 1 August 2006 at 16.00 hours to make any filing in relation to this matter.

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



Judge Sylvia Steiner
Single Judge

Dated this Monday 31 July 2006

At The Hague

The Netherlands