

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No: ICC-01/04-01/06  
Date: 29 September 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 with Confidential and *Ex Parte* Only Available to Prosecution  
Annex I**

**Decision convening an *ex parte* hearing for 3 October 2006**

**The Office of the Prosecutor**

Mr Luis Moreno Ocampo  
Ms Fatou Bensouda  
Mr Ekkehard Withopf

**The Legal Representatives of the  
Victims**

Mr Luc Walleyrn  
Mr Franck Mulenda

**Counsel for the Defence**

Mr Jean Flamme  
Ms Veronique Pandanzyla

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

Ms Melinda Taylor

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

**NOTING** the “First Decision on the Prosecution Requests and Amended Requests for Redactions under Rule 81” (“the Decision”),<sup>1</sup> issued by the single judge on 15 September 2006;

**NOTING** the “Provision of Summary Evidence to the Pre-Trial Chamber” (“the Prosecution First Application”),<sup>2</sup> filed by the Prosecution on 26 September 2006, in which the Prosecution requests the authorisation of the Chamber to disclose to the Defence proposed summary evidence of some witness statements and transcripts of witness interviews;

**NOTING** the “Provision of Summary Evidence to the Pre-Trial Chamber” (“the Prosecution Second Application”),<sup>3</sup> filed by the Prosecution on 29 September 2006, in which the Prosecution requests the authorisation of the Chamber to disclose proposed summary evidence of some additional statements and transcripts of witness interviews;

**NOTING** articles 57 (3) (c), 61 (3) (b), 67 (2), 68 (1) and 69 (4) of the Rome Statute (“the Statute”) and rules 76 to 83 of the Rules of Procedure and Evidence (“the Rules”);

**CONSIDERING** the need to deal with the Prosecution First Application and the Prosecution Second Application in an *ex parte* hearing with the Prosecution and the representatives of the Victims and Witnesses Unit;

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<sup>1</sup> ICC-01/04-01/06-437.

<sup>2</sup> ICC-01/04-01/06-479.

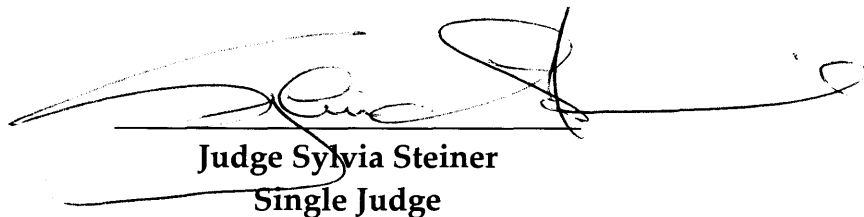
<sup>3</sup> ICC-01/04-

**FOR THESE REASONS**

**CONVENE** an *ex parte* hearing with the Prosecution and the representatives of the Victims and Witnesses Unit to be held in closed session on 3 October 2006 at 14h00 in Pre-Trial Courtroom.

**DECIDE** that the agenda of the hearing shall be the one set out in Annex I to the present Decision.

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



**Judge Sylvia Steiner**  
**Single Judge**

Done this Friday 29 September 2006

At The Hague

The Netherlands