

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 30 November 2006

PRE-TRIAL CHAMBER I

Before: Judge Claude Jorda, Single Judge

Registrar: Mr Bruno Cathala

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

Public Document with Confidential Annexes

**Submission of the Rule 77 Pre-Inspection Note following the Provision of
Materials falling under Rule 77 of the Rules of Procedure and Evidence to the
Defence on 28 November 2006**

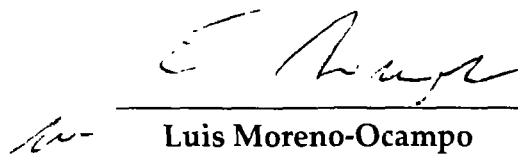
The Office of the Prosecutor
Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Ekkehard Withopf, Senior Trial Lawyer

Counsel for the Defence
Mr Jean Flamme
Ms Véronique Pandanzyla

**Office of Public Counsel
for the Defence**
Ms Melinda Taylor

1. In compliance with the Decisions of the Single Judge of the Pre-Trial Chamber of 15 May 2006¹ and 24 May 2006², and the Single Judge's oral Decision of 23 June 2006³, the Prosecution herewith submits the "Pre-Inspection Note"⁴ in respect of the provision of a material that falls under Rule 77 to the Defence on 28 November 2006.

2. In this particular instance, following the request from the Defence on 12 November 2006⁵, the Prosecution provided an item that falls under Rule 77 as detailed in the annexed "Pre-Inspection Note".⁶ The Prosecution made available to the Defence a CD containing the electronic version of the item.



Luis Moreno-Ocampo
Prosecutor

Dated this 30th day of November 2006
At The Hague, The Netherlands

¹ Decision on the Final System of Disclosure and the Establishment of a Timetable, 15 May 2006.

² Decision on the Postponement of the Confirmation Hearing and the Adjustment of the Timetable Set in the Decision on the Final System of Disclosure, 24 May 2006.

³ See Transcript of 23 June 2006 Status Conference (English), pp. 49-50.

⁴ Attached hereto as confidential Annex 1.

⁵ Letter from the Defence sent to the Prosecution on 12 November 2006 at 17:34 hours, attached as confidential Annex 2.

⁶ The Prosecution refers to its oral submissions at the occasion of the status conference of 14 July 2006. See (English) transcript, at page 46.