

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

No.: ICC-01/04-01/06  
Date: 5 December 2006

**PRE-TRIAL CHAMBER I**

**Before:** Judge Claude Jorda, Presiding Judge  
Judge Akua Kuenyehia  
Judge Sylvia Steiner

**Registrar:** Mr Bruno Cathala

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

**Public with Public Redacted Annex**

**Filing of the French Translation of the Public Redacted Version of the "Prosecution's Document Addressing Matters that were Discussed at the Confirmation Hearing"**

**The Office of the Prosecutor**

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

**Counsel for the Victims:**

Mr Luc Walley  
Mr Franck Mulenda  
Ms Carine Bapita Buyangandu

**Counsel for the Defence**

Mr Jean Flamme  
Ms Véronique Pandanzyla

**Office of Public Counsel  
for the Defence**

Ms Melinda Taylor

## Background

1. On 7 November 2006, the Pre-Trial Chamber issued the “Decision on schedule and conduct of the confirmation hearing”<sup>1</sup> (Scheduling Order). In the Scheduling Order, the Pre-Trial Chamber decided, *inter alia*, that “[T]he Prosecution and the Legal Representatives of the Victims shall have until Monday 4 December 2006 at 9:30 to file a document in which they may address any matters that they discussed at the confirmation hearing.”
2. In the course of the Court session of 28 November 2006, the Pre-Trial Chamber requested the Participants to file their additional written observations in French.<sup>2</sup>
3. On 29 November 2006, the Defence filed the “Defence Motion for Clarification and Request for an Extension of the Page Limit”<sup>3</sup> (29 November 2006 Request). The Defence requested, *inter alia*, “[c]larification on the status of the suggestion of the Pre-Trial Chamber that the parties file their briefs in English [sic] ...”<sup>4</sup>
4. On 30 November 2006, the Single Judge of the Pre-Trial Chamber (Single Judge) rendered the “Décision sur la requête de la Défense aux fins d’éclaircissement et l’augmentation du nombre de page autorisé”<sup>5</sup> (30 November 2006 Decision). In the 30 November 2006 Decision, the Single Judge informed the Participants, *inter alia*, that they can file their additional written observations in English or in

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<sup>1</sup> Decision on the schedule and conduct of the confirmation hearing, public, 7 November 2006.

<sup>2</sup> See (English) transcript of the 28 November 2006 Court session, at page 150.

<sup>3</sup> Defence Motion for Clarification and Request for an Extension of the Page Limit, public, 29 November 2006.

<sup>4</sup> *Ibid.*

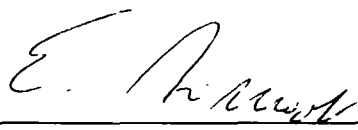
<sup>5</sup> Décision sur la requête de la Défense aux fins d’éclaircissement et l’augmentation du nombre de page autorisé, public, 30 November 2006.

French,<sup>6</sup> and decided that the Prosecution must transmit a translation into French by Tuesday, 5 December 2006, at 16:00 hours in the event that the additional written observations are submitted in English.


5. On 4 December 2006, the Prosecution filed the public redacted version of the "Prosecution's Document Addressing Matters that were Discussed at the Confirmation Hearing"<sup>7</sup> (4 December 2006 Document). The Prosecution filed the 4 December 2006 Document in English.

#### **Filing of the French translation**

6. The Prosecution herewith files the French translation of the public redacted version of the 4 December 2006 Document.<sup>8</sup>


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**Luis Moreno-Ocampo**  
**Prosecutor**

Dated this 5<sup>th</sup> day of December 2006  
 At The Hague, The Netherlands

<sup>6</sup> See 30 November 2006 Decision, at page 3.

<sup>7</sup> Prosecution's Document Addressing Matters that were Discussed at the Confirmation Hearing, public redacted version, 4 December 2006.

<sup>8</sup> Attached as public redacted Annex. – The Prosecution notes that the translation is a translation provided by the Languages Services Unit of the Office of the Prosecutor.