

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06
Date: 27 December 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 Annex

**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 21 December 2006**

The Office of the Prosecutor

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

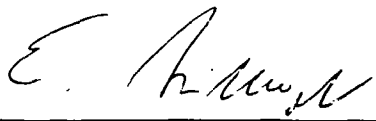
Counsel for the Defence

Mr Jean Flamme
Ms Véronique Pandanzyla

**Office of Public Counsel
for the Defence**

Ms Melinda Taylor

1. In compliance with the Decisions of the then Single Judge of the Pre-Trial Chamber of 15 May 2006¹ and 24 May 2006,² and the then Single Judge's oral Decision of 23 June 2006,³ the Prosecution herewith submits the "Pre-Inspection Note"⁴ in respect of the provision for pre-inspection of materials that fall within the scope of Rule 77 of the Rules of Procedure and Evidence to the Defence on 21 December 2006.
2. The Prosecution identified six documents that fall within the scope of Rule 77. The Prosecution provided the Defence with a CD containing the electronic version of the document.



LM
Luis Moreno-Ocampo
Prosecutor

Dated this 27th day of December 2006
At The Hague, The Netherlands

¹ Decision on the Final System of Disclosure and the Establishment of a Timeline, 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. The Prosecution notes that the disclosure framework created by the 15 May 2006, 24 May 2006 and 23 June 2006 Decisions was put in place for the purposes of the Confirmation Hearing. Given the ongoing nature of the Prosecution's disclosure obligations pursuant to Rule 77 of the Rules of Procedure and Evidence, the Prosecution continues to apply the framework created by the three Decisions provisionally.

⁴ Attached hereto as Confidential Annex.