Cour Pénale Internationale



International Criminal Court

Original: English

No: ICC-01/04-01/06

Date: 19 April 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 Concerning the Reclassification of the Redacted Versions of Documents ICC-01/04-01/06-32-US-Exp and ICC-01/04-01/06-32-Conf-AnxC as Public

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

No: ICC-01/04-01/06

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

NOTING the "Decision to Unseal and Reclassify Certain Additional Documents in the Record of the Case against Mr Thomas Lubanga Dyilo" (the "Decision"), issued by Judge Sylvia Steiner acting as single judge of Pre-Trial Chamber I, by which:

- (i) it was noted that the Prosecution filed documents ICC-01/04-01/06-39-US-AnxA and ICC-01/04-01/06-39-US-AnxD, which are redacted versions for the Defence of documents ICC-01/04-01/06-32-US-Exp and ICC-01/04-01/06-32-Conf-AnxC;
- (ii) a decision was taken to reclassify documents ICC-01/04-01/06-39-US-AnxA and ICC-01/04-01/06-39-US-AnxD as confidential;
- (iii) the Prosecution was requested to make any further redactions it deemed necessary to make both documents accessible to the public;²

NOTING the "Submission of Redacted Documents",³ filed by the Prosecution on 6 April 2006, in which the prosecution stated that no further redactions were necessary to make the above-mentioned documents accessible to the public;⁴

NOTING articles 57 (3) (c), 67 (1) and 68 (1) of the Rome Statute (the "Statute") and rules 87 and 88 of the Rules of Procedure and Evidence (the "Rules");

CONSIDERING that there is no reason for documents ICC-01/04-01/06-39-Conf-AnxA and ICC-01/04-01/06-39-Conf-AnxD to remain confidential;

⁴ Idem, para. 5.

¹ ICC-01/04-01/06-46.

² Idem, pp. 5 and 6.

³ ICC-01/04-01/06-69.

FOR THESE REASONS

DECIDE to reclassify documents ICC-01/04-01/06-39-Conf-AnxA and ICC-01/04-01/06-39-Conf-AnxD as public.

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

Judge Sylvia Steiner Single Judge

Dated this Wednesday 19 April 2006

At The Hague

The Netherlands