

**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 Establishing a Time Limit for the Prosecution's Response to the Request  
of the Defence for Unrestricted Access to the Entire Record of the Situation in the  
Democratic Republic of the Congo**

**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

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

**NOTING** the "Decision concerning Pre-Trial Chamber I's Decision of 10 February 2006 and the Incorporation of Documents into the Record of the Case against Mr Thomas Lubanga Dyilo",<sup>1</sup> issued by Pre-Trial Chamber I on 24 February 2006, which decided "that Mr Thomas Lubanga Dyilo shall have access only to the redacted index of the record of the situation in the DRC and to any public document contained therein; and that Mr Thomas Lubanga Dyilo shall not have access to non-public documents in the record of the situation in the DRC unless otherwise provided by the Chamber upon a motivated request by him";<sup>2</sup>

**NOTING** the "Observations de la défense concernant le système de divulgation, requis par les décisions du 23 et 27 mars 2006"(the "Request"),<sup>3</sup> filed by the Duty Counsel for the Defence on 6 April 2006, in which he requests *inter alia* to be given unrestricted access to the record of the situation in the Democratic Republic of the Congo (the "DRC");<sup>4</sup>

**NOTING** the decision of Pre-Trial Chamber I of 22 March 2006 designating Judge Sylvia Steiner as single judge in the case against Mr Thomas Lubanga Dyilo responsible, under article 57 (2) of the Rome Statute (the "Statute"),<sup>5</sup> for exercising the functions of the Chamber in that case, including those functions provided for in rule 121 (2) (b) of the Rules of Procedure and Evidence (the "Rules");

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<sup>1</sup> ICC-01/04-01/06-8.

<sup>2</sup> *Idem*, p. 4.

<sup>3</sup> ICC-01/04-01/06-68.

<sup>4</sup> *Idem*, p. 8.

<sup>5</sup> ICC-01/04-01/06-33.

**NOTING** article 67 (1) of the Statute, rule 101 of the Rules and regulation 34 of the Regulations of the Court (the "Regulations");

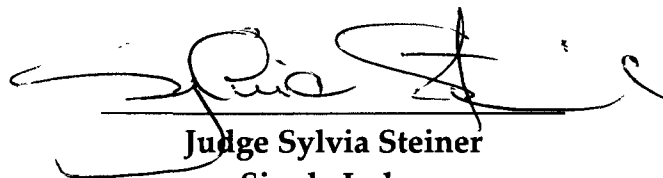
**CONSIDERING** that according to the chapeau of regulation 34 of the Regulations, a time limit other than the 21 days provided for in paragraph (b) of this regulation may be fixed by the single judge;

**CONSIDERING** that according to article 67 (1) of the Statute, the Request should be ruled upon as soon as practicable;

**FOR THESE REASONS**

**DECIDES** to give the prosecution until 16.00 hours on Wednesday 25 April 2006 to file its response to the Request.

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