

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07

Date: 4 January 2008

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. GERMAIN KATANGA***

Public with Confidential Annex A

**Prosecution's Communication of Incriminatory Evidence Disclosed to the
Defence on 4 January 2008**

The Office of the Prosecutor

Mr. Luis Moreno-Ocampo, Prosecutor
Ms. Fatou Bensouda, Deputy Prosecutor
Mr. Éric Macdonald, Trial Lawyer
Ms. Florence Darques-Lane, Legal
Adviser

Defence Counsel

Mr. David Hooper
Ms. Caroline Buisman

The Office of the Prosecutor ("Prosecution") herewith submits electronic versions of statements and interview notes of Witness 9 and the French translation of Witness 1's statement, disclosed to the Defence as incriminating evidence, in redacted form, pursuant to the terms of the Decision on the Prosecution Request for Authorization to Redact Statements of Witnesses 4 and 9 dated 21 December 2007 ("First Decision"),¹ the Decision on the Defence Request Concerning Languages dated 21 December 2007 ("Second Decision")² and the directions issued by the Single Judge at the hearing held on 14 December 2007.³

Request for Confidentiality

As directed by the Single Judge, the Prosecution submits Annex A as "Confidential".⁴

The Prosecution herewith annexes the "List of Redacted Materials"⁵ disclosed to the Defence as incriminating evidence on 4 January 2008.

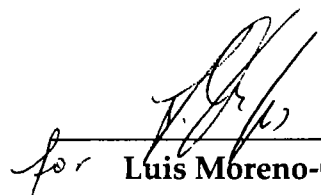
¹ ICC-01/04-01/07-123-Conf-Exp, p. 24, in which the Single Judge ordered the Prosecution to disclose to the Defence statements and interview notes of Witness 9 with the redactions authorized in Annex 1 to the Decision, by 4 January 2008.

² ICC-01/04-01/07-127, p. 17, in which the Single Judge decided that Germain Katanga shall be provided with a French translation of the authorized redacted version of Witness 1's statement, by 4 January 2008.

³ ICC-01/04-01/07-T-12-ENG, p. 8, lines 18-25 and p. 9, lines 1-3, in which the Single Judge directed that the Prosecution file confidentially witness statements containing authorized redactions once the Prosecution has filed the originals of such statements *ex parte* with the Registry.

⁴ *Ibid.*

⁵ The List of Redacted Materials is attached as Annex A to this communication and contains a list of the authorized redacted versions of statements and interview notes of Witness 9 and the French translation of the authorized redacted version of Witness 1's statement.


for **Luis Moreno-Ocampo**
Prosecutor

Dated this 4th day of January 2008

At The Hague, The Netherlands