

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07
Date: 6 February 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 Document
with Confidential Annexes**

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

The Office of the Prosecutor

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

Counsel for the Defence

Mr. David Hooper
Mr. Göran Sluiter
Ms. Caroline Buisman

The Office of the Prosecutor ("Prosecution") herewith notifies the Single Judge that, on 4 February 2008, it disclosed to the Defence thirty-seven documents as incriminatory evidence pursuant to Article 61(3)(b) of the Statute.¹

Request for Confidentiality

The Prosecution requests that Annexes A, B, C and D appended to this communication be received by the Single Judge as "Confidential" since they relate to material already classified as confidential by the Single Judge.

Submission of Originals of Disclosed Evidence to the Registry

The Prosecution further informs the Single Judge that nineteen of the thirty-seven documents disclosed to the Defence have been submitted to the Registry in original form.² For the remaining eighteen documents originals have either already been provided to the Registry³ or their containers cannot be provided at this stage.⁴



/ Luis Moreno-Ocampo
Prosecutor

Dated this 6th day of February 2008
At The Hague, The Netherlands

¹ See Annex A containing a list of the material disclosed to the Defence as incriminating evidence on 4 February 2008.

² Annex B lists the nineteen documents for which the originals will be provided to the Registry.

³ Annex C lists the ten documents for which originals have already been provided to the Registry in the case of *The Prosecutor v. Thomas Lubanga Dyilo*, ICC-01/04-01/06.

⁴ Annex D lists the eight documents for which originals cannot be provided at this stage since they were originally collected in electronic format on a CD which contains both disclosed and non-disclosed material.