

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/07
Date: 26 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 – *Ex Parte* – Prosecutor Only Annexes**

**Amended Submission of Prosecution's Application Pursuant to Rules 81(1), 81(2)
and 81(4) for Redactions to Screening Notes and Transcripts of Witnesses 2, 5, 6,
10, 0163, 0238, 0287, 0233, 0267, 0271 and 0132**

The Office of the Prosecutor

Mr. Luis Moreno-Ocampo, Prosecutor
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Mr. Éric MacDonald, Trial Lawyer
Ms. Florence Darques-Lane, Legal
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Counsel of the Defence

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

Pursuant to the Single Judge's order issued at the 4 February 2008 *ex parte* hearing ("4 February hearing"),¹ the Office of the Prosecutor ("Prosecution") respectfully submits, an amended submission of its application for redactions to the screening notes and transcripts of Witnesses 2, 5, 6, 10, 0163, 0238, 0287, 0233, 0267, 0271 and 0132 ("Amended Submission") on which the Prosecution intends to rely upon for the purpose of the confirmation hearing. The redactions proposed in this Amended Submission are requested pursuant to Rules 81(1), 81(2) and 81(4) of the Rules of Evidence ("Rules") and pursuant to the Single Judge's prior decisions on redactions to witness statements and related materials.² This Amended Submission contains 11 annexes (A, B, C, G, J, K, L, M, N, P and Q). These annexes replace the annexes appended to the "Prosecution's Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions to Statements of Witnesses and Related Materials to Be Relied Upon at the Confirmation Hearing"³ for Witnesses 2,⁴ 5,⁵ 6,⁶ 10,⁷ 0163,⁸ 0287,⁹ 0233,¹⁰ 0267,¹¹ 0271,¹² to the "Corrigendum to Prosecution's Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions to Statements of Witnesses and Related Materials to Be Relied Upon at the Confirmation Hearing dated 14 January 2008 and Submission of Additional Materials"¹³ for Witnesses 0238¹⁴ and 0163¹⁵ and to the "Prosecution's Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions to the Statement of an Additional Witness and Related Materials to Be Relied Upon at the Confirmation Hearing"¹⁶ for Witness 0132.¹⁷ For ease of perusal, the Prosecution is re-submitting the annexes in their entirety.

¹ ICC-01/04-01/07-T-16-CONF-EXP-ENG, p. 31, lines 17-25, p. 32 lines 1-3.

² ICC-01/04-01/07-90 and ICC-01/04-01/07-124.

³ ICC-01/04-01/07-145 and ICC-01/04-01/07-145-Conf-Exp-Anx1.

⁴ ICC-01/04-01/07-145-Conf-Exp-AnxA1.

⁵ ICC-01/04-01/07-145-Conf-Exp-AnxB1-B3.

⁶ ICC-01/04-01/07-145-Conf-Exp-AnxC1-C6.

⁷ ICC-01/04-01/07-145-Conf-Exp-AnxG1-G2.

⁸ ICC-01/04-01/07-145-Conf-Exp-AnxJ1-J11.

⁹ ICC-01/04-01/07-145-Conf-Exp-AnxL1-L2.

¹⁰ ICC-01/04-01/07-145-Conf-Exp-AnxM1-M6.

¹¹ ICC-01/04-01/07-145-Conf-Exp-AnxN1-N6.

¹² ICC-01/04-01/07-145-Conf-Exp-AnxP1-P2.

¹³ ICC-01/04-01/07-147-Conf-Exp.

¹⁴ ICC-01/04-01/07-147-Conf-Exp-AnxK1-K6.

¹⁵ ICC-01/04-01/07-147-Conf-Exp-AnxJ12-J15.

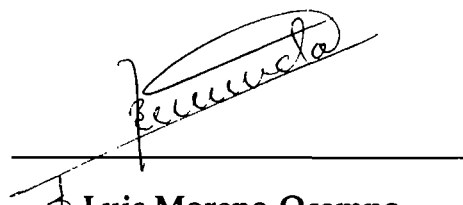
¹⁶ ICC-01/04-01/07-152-Conf-Exp-Anx1.

Request for Sealing

The Prosecution appends to this public Application confidential Annexes. The Prosecution respectfully requests that these Annexes be received by the Single Judge as "Confidential, Ex Parte, Prosecutor Only" since the Annexes relate to material that is currently under seal or depict information for which the redactions are sought and communication of such would defeat the purpose for which the redactions are requested.

Request

The Prosecution respectfully requests that the Single Judge authorize the proposed redactions to the screening notes and transcripts of Witnesses 2, 5, 6, 10, 0163, 0238, 0287, 0233, 0267, 0271 and 0132 as submitted in this Amended Submission and its annexes.



Luis Moreno-Ocampo
Prosecutor

Dated this 26th day of February 2008

At The Hague, The Netherlands

¹⁷ ICC-01/04-01/07-152-Conf-Exp-AnxA-AnxE, which would be replaced by Annex Q1-Q5 appended to this Amended Submission.