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No.: ICC-01/04-01/07
Date: 29 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 Annex A**

**Prosecution's Communication of Potentially Exculpatory Evidence Disclosed to
the Defence on 28 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

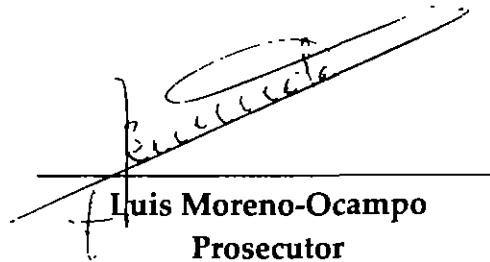
Mr. David Hooper
Mr. Göran Sluiter
Ms. Caroline Buisman
Ms. Sophie Menegon

The Office of the Prosecutor ("Prosecution") herewith submits the report for the potentially exonerating evidence disclosed to the Defence on 28 February 2008 pursuant to Article 67(2) of the Statute.

Request for Confidentiality

The Prosecution requests that Annex A appended to this communication be received by the Single Judge as "Confidential" since it relates to *inter partes* disclosure.

Annex A contains the "List of Disclosed Material", disclosed to the Defence as potentially exonerating evidence on 28 February 2008.



Luis Moreno-Ocampo
Prosecutor

Dated this 29th day of February 2008
At The Hague, The Netherlands