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

Date: 11 March 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 AND MATHIEU NGUDJOLO CHUI

**Public Document
with Confidential Annex A**

**Prosecution's Communication of Incriminatory Evidence Disclosed to the Defence
on 11 March 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 of Germain
Katanga**

Mr. David Hooper
Mr. Göran Sluiter
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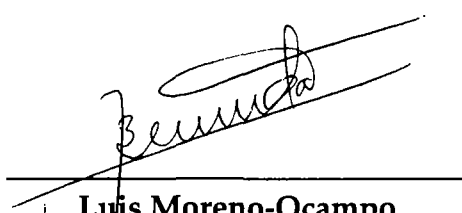
**Counsel for the Defence of Mathieu
Ngudjolo Chui**

Mr. Jean-Pierre Kilenda Kakengi Basila

The Office of the Prosecutor ("Prosecution") herewith notifies the Single Judge that on 11 March 2008 it disclosed to the Defence of Germain KATANGA as incriminatory evidence, the electronic versions of the interview notes, investigator's notes and interview transcripts of Witnesses 7, 8 and 9 and the material provided by Witnesses 8 and 14 pursuant to the terms of the Third Decision on the Prosecution Request for Authorisation to Redact materials related to the statements of Witnesses 7, 8, 9, 12 and 14 ("Third Decision on Redactions")¹ and the Decision on the Prosecution requests for redactions pursuant to Rule 81(2) and 81(4) of the Rules and for an extension of Time pursuant to regulation 35 of the Regulations of the Court on 11 March 2008.² The material disclosed contains redactions authorised by the Single Judge in her Third Decision on Redactions and the decision issued this day.

Request for Confidentiality

The Prosecution requests that Annex A, containing the "List of Disclosed Material" appended to this communication, be received by the Single Judge as "confidential" since it relates to *inter partes* disclosure.



Luis Moreno-Ocampo
Prosecutor

Dated this 11th day of March 2008
At The Hague, The Netherlands

¹ ICC-01/04-01/07-248-Conf, p. 23, in which the Single Judge ordered the Prosecution to disclose to the Defence the interview notes, investigator's notes and interview transcripts of Witnesses 7, 8 and 9 and the materials provided by Witnesses 8 and 14 with the redactions authorised by the Single Judge, as specified in Annex 1 to this decision by no later than 10 March 2008.

² ICC-01/04-01/07-308-Conf-Exp, p. 10, in which the Single Judge decided to grant the Prosecution request for extension of time and to give the Prosecution until Tuesday 11 March 2008 to make available to the Defence the relevant transcripts.