

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/04-01/07  
Date: 3 November 2008

**TRIAL CHAMBER II**

**Before:** Judge Bruno Cotte , Presiding Judge  
Judge Fatoumata Dembele Diarra  
Judge Fumiko Saiga

**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 Annexes A and B**

**Prosecution's Communication of Pre-Inspection Report for Material Provided to  
the Defence under Rule 77 on 24 October 2008**

**Source:** Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

**The Office of the Prosecutor**

**Counsel for the Defence of Germain  
Katanga**

Mr David Hooper

Mr Göran Sluiter

**Counsel for the Defence of Mathieu  
Ngudjolo Chui**

Mr Jean-Pierre Kilenda Kakengi Basila

Ms Maryse Alié

**Legal Representatives of Victims**

Ms Carine Bapita Buyangandu

Mr Joseph Keta

Mr Jean-Louis Gilissen

Mr Hervé Diakiese

Mr Jean Chrysostome Mulamba

Nsokoloni

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for  
Victims**

**The Office of Public Counsel for the  
Defence**

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Ms Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

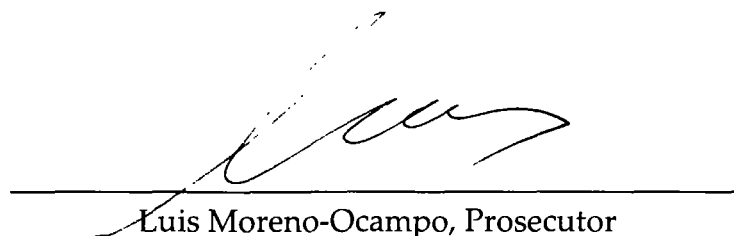
**Victims Participation and Reparations  
Section**

**Other**

The Office of the Prosecutor ("Prosecution") herewith submits the pre-inspection report for fourteen documents provided to the Defence teams of Germain KATANGA and Mathieu NGUDJOLO CHUI, on 24 October 2008, pursuant to Rule 77 of the Rules of Procedure and Evidence. Twelve of these documents, which were collected pursuant to article 54(3)(e) restrictions, were already disclosed after lifting of such confidentiality restrictions was granted by providers, albeit, for some, with redactions. Therefore, the Prosecution has recently re-disclosed to the Defence teams these same documents which now contain either less or no redactions.

### **Request for Confidentiality**

Annexes A<sup>1</sup> and B<sup>2</sup> appended to this communication contain the "List of Disclosed Material" provided to each Defence team. The Prosecution requests that these annexes be received as "Confidential" since they relate to *inter partes* disclosure.



Luis Moreno-Ocampo, Prosecutor

Dated this 3<sup>rd</sup> day of November 2008

At The Hague, The Netherlands

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<sup>1</sup> List of Disclosed Material provided to the Defence of Germain Katanga on 24 October 2008.

<sup>2</sup> List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 24 October 2008.