

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/07
Date: 6 February 2009

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
with Confidential Annexes A, B & C**

**Prosecution's Communication of Originals of Incriminatory Evidence Disclosed to
the Defence on 5 February 2009**

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

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

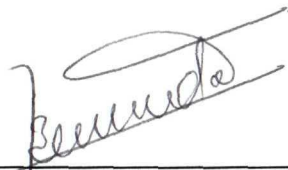
**Victims Participation and Reparations
Section**

Other

The Office of the Prosecutor ("Prosecution") hereby files into the record of the case of the *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* the originals of the documents disclosed to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui as incriminatory evidence on 5 February 2009.

Request for Confidentiality

Annexes A¹, B² and C³ appended to this communication contain the forms and lists referring to the disclosures which took place on 5 February 2009. The Prosecution requests that the above mentioned annexes be received as "Confidential" since they relate to *inter partes* disclosure.



Fatou Bensouda, Deputy Prosecutor

Dated this 6th day of February 2009

At The Hague, The Netherlands

¹ Chain of Custody Form for disclosure package 28 of 5 February 2009.

² List of disclosed materials – Containers of electronic media for package 28 of 5 February 2009.

³ List of hard copies provided for package 28 of 5 February 2009.