

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 2 March 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 Document  
with Confidential Annexes A and B**

**Prosecution's Communication of Pre-Inspection Report for Material Provided to  
the Defence under Rule 77 on 27 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 Hervé Diakiese  
Mr Vincent Lurquin  
Mr Jean Chrysostome Mulamba Nsokoloni  
Ms Flora Mbuyu Anjelani  
Mr Fidel Nsita Luvengika

**Legal Representatives of Applicants**

Mr Jean-Louis Gilissen  
Mr Joseph Keta

**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**

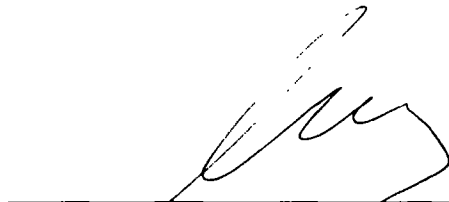
**Victims Participation and Reparations Section**

**Other**

The Office of the Prosecutor ("Prosecution") herewith submits the pre-inspection report regarding the disclosure on 27 February 2009 pursuant to Rule 77 of the Rules of Procedure and Evidence to the Defence teams of Germain KATANGA and Mathieu NGUDJOLO CHUI, of sixty-three items. Twenty of these items are documents for which Article 54(3)(e) restrictions have recently been lifted by the provider. Two of these twenty documents had previously been disclosed to both Defence teams in redacted form. The package also includes the transcript of a previously disclosed video, three audio/video files and eight photographs.

### **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.

  
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Luis Moreno-Ocampo, Prosecutor

Dated this 2<sup>nd</sup> day of March 2009

At The Hague, The Netherlands

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<sup>1</sup> List of Disclosed Material provided to the Defence of Germain Katanga on 27 February 2009.

<sup>2</sup> List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 27 February 2009.