

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **6 May 2009**

TRIAL CHAMBER II

Before: Judge Bruno Cotte, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Hans-Peter Kaul

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
THE PROSECUTOR
*v. GERMAIN KATANGA AND MATHIEU NGUDJOLO CHUI***

Public Document

**Prosecution's Communication of Incriminatory Evidence Disclosed to the Defence
on 5 May 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 Andreas O'Shea

**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

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 notifies the Chamber, that on 5 May 2009, it re-disclosed video DRC-OTP-0155-0004 to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui as incriminatory evidence.¹ This video had previously been disclosed on 20 June 2008, pursuant to Rule 77.² The Prosecution re-classifies this video as incriminating evidence so that the original can be transferred to the Registry and made accessible in the eCourt database.³



Luis Moreno-Ocampo, Prosecutor

Dated this 6th day of May 2009

At The Hague, The Netherlands

¹ Video DRC-OTP-0155-0004 was previously disclosed in R77 disclosure package 17 on 20 June 2008. The Prosecution re-classifies this video as incriminating evidence so that it can be made accessible in the eCourt database. The Prosecution will rely on the video at trial.

² See ICC-01/04-01/07-624, ICC-01/04-01/07-624-Conf-AnxA and ICC-01/04-01/07-624-Conf-AnxB, disclosure report of R77 package 17.

³ Video DRC-OTP-0155-0004 was re-disclosed in INCR package 34 on 5 May 2009.