

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 24 August 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
with Confidential Annex A, Ex parte only available to the Office of the Prosecutor
and the Defence**

Notice of Lifting of Redactions

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

Mr Jean-Pierre Fofé Djofia Malewa

Legal Representatives of the Victims

Mr Fidel Nsita Luvengika

Mr Jean-Louis Gilissen

Mr Joseph Keta

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(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

Deputy Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Prosecution hereby files, as Annex A to this submission, a comprehensive list that contains the names of interpreters and some interview locations.

Confidentiality

1. The Prosecution submits Annex A as confidential, *ex parte*, only available to the Office of the Prosecutor and the Defence as it relates to information contained in statements and interview transcripts of witnesses.

Background

2. On 10 August 2009, the Prosecution filed a request seeking the permanent redactions to some information contained in material previously disclosed to the Defence.¹
3. On 20 August 2009, Trial Chamber II ("the Chamber") by way of e-mail requested the Prosecution to notify Trial Chamber I of the Prosecution's intention to lift the names of interpreters and interview locations common to this case and the case of the *Prosecutor v. Thomas Lubanga*. The Prosecution complied with this request on 21 August 2009.²
4. On 21 August 2009, the Defence teams of Germain Katanga and Mathieu Ngudjolo were informed, by way of an e-mail, that the Chamber was allowing the Prosecution to disclose the names of interpreters and interview locations, "by way of a list in order to avoid that the same material would have to be disclosed (and uploaded in Ringtail) twice, once on 10 August following the *proprio motu* lifting of some redactions, and subsequently as necessary following the decision of the Chamber on the prosecution's application seeking to maintain redactions (document ICC-01/04-01/07-1363 of 13 August

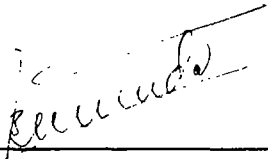
¹ ICC-01/04-01/07-1363 (Public redacted version). See also the order of the Chamber ICC-01/04-01/07-999.

² ICC-01/04-01/06-2089-Conf.

2009; the confidential *ex parte* version of the application, ICC-01/04-01/07-1359-Conf-Exp was filed on 10 August)".

Notice

5. The Prosecution hereby complies with the above instructions and files, as Annex A, a comprehensive list which provides the names of the interpreters and interview locations.



Fatou Bensouda, Deputy Prosecutor
on behalf of
Luis Moreno-Ocampo, Prosecutor

Dated this 24th day of August 2009

At The Hague, The Netherlands