



Original: English

No.: ICC-01/04-01/07
Date: 12 November 2009

TRIAL CHAMBER II

Before: Judge Bruno Cotte, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Christine Van den Wyngaert

**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**

**Addendum to Prosecution's Communication of Incriminatory Evidence Disclosed
to the Defence on 3 November 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

Mr Jean-Pierre Fofé Djofia Malewa

Legal Representatives of Victims

Mr Jean-Louis Gilissen

Mr Fidel Nsita Luvengika

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") herewith notifies Trial Chamber II and the Defence teams of Germain KATANGA and Mathieu NGUDJOLO CHUI, of a corrected version of the disclosure lists for the disclosure of incriminatory evidence which took place on 3 November 2009. For four documents the wrong witness number had been mentioned in the disclosure lists. DRC-OTP-0164-0534 and DRC-OTP-1015-0552 are related to P-157 instead of P-28. DRC-OTP-1016-0156 and DRC-OTP-1029-0844 are related to P-132 instead of P-28. The corrected version of the disclosure lists can be found in Annexes A and B appended to this filing.

Request for Confidentiality

Annexes A¹ and B² 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 12th day of November 2009

At The Hague, The Netherlands

¹ List of Disclosed Material provided to the Defence of Germain Katanga on 3 November 2009.

² List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 3 November 2009.