



Original: **English**

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

Date: **21 April 2010**

**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**

**Prosecution's Communication of Pre-Inspection Report for Material Provided to  
the Defence under Rule 77 on 21 April 2010**

**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**

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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") submits the pre-inspection report regarding the disclosure to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui, on 19 April 2010, of three documents pursuant to Rule 77 of the Rules of Procedure and Evidence ("Rule 77").

### **Disclosure of new material**

One of the documents disclosed by the Prosecution today is the Swahili translation of the interview notes of Witness 219. The Chamber authorized, in an email dated 19 January 2010, the disclosure of translations of documents related to prosecution witnesses who will be testifying before this Court. The remaining two documents are interview transcripts of witness 267's second interview. As indicated in the *Prosecution's Application to Lift Redactions to Documents Related to Witness 267*<sup>1</sup>, the statement was taken for the purposes of the *Lubanga* case and it does not contain any redactions.

### **Request for Confidentiality**

Annexes A<sup>2</sup> and B<sup>3</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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<sup>1</sup> ICC-01/04-01/07-2030-Red, of 19 April 2010.

<sup>2</sup> List of Disclosed Material provided to the Defence of Germain Katanga on 21 April 2010.

<sup>3</sup> List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 21 April 2010.



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Luis Moreno-Ocampo, Prosecutor

Dated this 21<sup>st</sup> day of April 2010

At The Hague, The Netherlands