

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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

Date: **26 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 23 and 26 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

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 Mathieu Ngudjolo Chui and Germain Katanga on 23 and 26 April 2010, respectively, of four documents pursuant to Rule 77 of the Rules of Procedure and Evidence ("Rule 77").

Disclosure of new material

The Prosecution disclosed four documents that are the interview transcripts of witness 267's second interview, taken for the purposes of the *Lubanga* case, as indicated in the *Prosecution's Application to Lift Redactions to Documents Related to Witness 267*.¹ Two transcripts of the same interview had already been disclosed on 21 April 2010.² The Prosecution had inadvertently omitted to include these four transcripts in the previous disclosure package.

Request for confidentiality

Annexes A³ and B⁴ 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 26th day of April 2010

At The Hague, The Netherlands

¹ ICC-01/04-01/07-2030-Red, 19 April 2010.

² See Rule 77 disclosure package 70.

³ List of Disclosed Material provided to the Defence of Germain Katanga on 26 April 2010.

⁴ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 23 April 2010.