



Original: **English**

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

Date: 18 May 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 Incriminatory Evidence Disclosed to the Defence
on 18 May 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 Fidel Nsita Luvengika
Mr Jean-Louis Gilissen

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 ("Chamber") of its disclosure, on 18 May 2010, to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui, of 2 documents as incriminatory evidence. The statement of P-249 and its translation were re-disclosed following the lifting of a redaction ordered by Trial Chamber II in an oral decision dated 14 May 2010.¹

Request for Confidentiality

Annexes A² and B³ 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 18th day of May 2010

At The Hague, The Netherlands

¹ Oral decision ICC-01/04-01/07-T-141-CONF-ENG ET, page 14, line 9 to page 18, line 9.

² List of Disclosed Material provided to the Defence of Germain Katanga on 18 May 2010.

³ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 18 May 2010.