



Original: **English**

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

Date: 19 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 19 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**

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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") herewith notifies Trial Chamber II of its disclosure, on 19 May 2010, to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui, of 1 document as incriminatory evidence. The statement of P-132 was re-disclosed following the oral decision on redactions rendered by Trial Chamber II on 6 May 2010.<sup>1</sup>

### **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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Luis Moreno-Ocampo, Prosecutor

Dated this 19<sup>th</sup> day of May 2010

At The Hague, The Netherlands

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<sup>1</sup> Oral decision ICC-01/04-01/07-T-137-CONF-FRA ET, page 44, line 19 to page 45, line 4.

<sup>2</sup> List of Disclosed Material provided to the Defence of Germain Katanga on 19 May 2010.

<sup>3</sup> List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 19 May 2010.