



Original: **English**

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

Date: **31 August 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 31 August 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 submits the pre-inspection report regarding the provision on 31 August 2010 pursuant to Rule 77 of the Rules of Procedure and Evidence to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui, of fourteen documents. The Prosecution disclosed 10 audio recordings of P-219's interview, pursuant to Trial Chamber II's Decision ICC-01/04-01/07-2345. Redactions have been applied to audio recording DRC-OTP-1052-0100 from 00.29.30 to 00.30.29, as ordered by the Trial Chamber¹. The remaining four documents are related to P-353 including two photographs² referred to in P-353's statement³.

Request for Confidentiality

Annexes A⁴ and B⁵ appended to this communication contain the "List of Disclosed Material" 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 31st day of August 2010

At The Hague, The Netherlands

¹ ICC-01/04-01/07-2345-Conf-Exp, 30 August 2010.

² The disclosure of these photographs was requested by e-mail received on 25 August 2010 from the defence team of Germain Katanga.

³ See DRC-OTP-1036-0481.

⁴ List of Disclosed Material provided to the Defence of Germain Katanga on 31 August 2010.

⁵ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 31 August 2010.