



Original: English

No.: ICC-01/04-01/07
Date: 24 September 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 Annex A – Confidential, *ex parte*, only available to the
Office of the Prosecutor and the Defence of Mathieu Ngudjolo Chui**

**Prosecution's Communication of Pre-Inspection Report for Material Provided to
the Defence under Rule 77 on 24 September 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

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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 team of Mathieu Ngudjolo Chui of seven audio recordings pursuant to Rule 77 of the Rules of Procedure and Evidence ("Rule 77"), on 24 September 2010. The audio recordings relate to P-219 and were disclosed pursuant to Trial Chamber II's Decision ICC-01/04-01/07-2400-Conf-Exp of 22 September 2010.

Request for Confidentiality

The Prosecution requests that this filing and Annex A¹, which contains the "List of Disclosed Material" provided to the Defence team of Mathieu Ngudjolo Chui, be received as "Confidential, *ex parte*, only available to the Office of the Prosecutor and the Defence of Mathieu Ngudjolo Chui" since they relate to *inter partes* disclosure between the Office of the Prosecutor and the Defence of Mathieu Ngudjolo Chui.



Luis Moreno-Ocampo, Prosecutor

Dated this 24th day of September 2010

At The Hague, The Netherlands

¹ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 24 September 2010.