



Original: **English**

No.: ICC-01/04-01/07  
Date: 29 October 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 29 October 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 submits the pre-inspection report regarding the disclosure to both Defence teams, on 29 October 2010, of twenty-one documents pursuant to Rule 77 of the Rules of Procedure and Evidence.

Four documents relate to witnesses P-268 and P-584 and have already been provided to the Defence as annexes to filings ICC-01/04-01/07-2088-Conf and ICC-01/04-01/07-2243-Conf.

Six documents are newly collected evidence related to P-279.

The remaining eleven documents are the written statement and the audio recordings of an interview with P-28, which has taken place over the course of several days in October 2010. Courtesy copies of the statement and audio tapes have already been provided to both Defence teams on 25 October 2010.

### **Request for Confidentiality**

Annexes A<sup>1</sup> and B<sup>2</sup> 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.



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Luis Moreno-Ocampo, Prosecutor

Dated this 29<sup>th</sup> day of October 2010  
At The Hague, The Netherlands

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<sup>1</sup> List of Disclosed Material provided to the Defence of Germain Katanga on 29 October 2010.

<sup>2</sup> List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 29 October 2010.