



Original: **English**

No.: ICC-01/04-01/07
Date: 14 December 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 14 December 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 14 December 2010 pursuant to Rule 77 of the Rules of Procedure and Evidence to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui, of twenty-four documents.

All of these documents have been previously disclosed. Among these documents, 14 documents are related to witness P-0003; they were re-disclosed without redactions following Trial Chamber I's decision dated 25 June 2009¹ and the oral decision dated 6 May 2010². The other 10 documents relate to intermediary P-321, which were previously disclosed on 14 April 2010 in confidential annex B of filing ICC-01/04-01/07-2023. These documents were re-disclosed with fewer redactions following the decision of Trial Chamber I dated 26 October 2010.³

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 14th day of December 2010
At The Hague, The Netherlands

¹ ICC-01/04-01/06-1986-Conf-Exp.

² ICC-01/04-01/06-T-282-CONF-FRA.

³ ICC-01/04-01/06-2595-Conf. For the public version of this decision, please see ICC-01/04-01/06-2595-Red.

⁴ List of Disclosed Material provided to the Defence of Germain Katanga on 14 December 2010.

⁵ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 14 December 2010.