

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **19 April 2011**

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 19 April 2011**

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 of sixteen documents to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui, pursuant to Rule 77 of the Rules of Procedure and Evidence, on 19 April 2011.

The Prosecution disclosed two investigator’s reports¹. DRC-OTP-1062-0084 is related to Witness DRC-D02-P-0146 and DRC-OTP-1062-0089 is related to Witness DRC-D02-P-0147. Eight documents classified as ICC witness related expenses are related to Witness DRC-D02-P-0146 and Witness DRC-D02-P-0147 respectively. Courtesy copies of the four documents related to DRC-D02-P-0350 were disclosed to the Defence on 12 and 14 April 2011.²

Request for Confidentiality

Annexes A³ and B⁴ 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 19th day of April 2011

At The Hague, The Netherlands

¹ DRC-OTP-1062-0084 and DRC-OTP-1062-0089.

² The courtesy copies were sent by e-mail: DRC-OTP-1062-0027 on 12 April 2011 at 11:04, DRC-OTP-1062-0029 on 12 April 2011 at 17:25, DRC-OTP-1062-0078 on 14 April 2011 at 18:16 and on 14 April 2011 at 19:20, DRC-OTP-1062-0082 on 14 April 2011 at 19:20.

³ List of Disclosed Material provided to the Defence of Germain Katanga on 19 April 2011.

⁴ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 19 April 2011.