

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **16 May 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

**Prosecution's Communication of Pre-Inspection Report for Material Provided to the
Defence under Rule 77 on 12 May 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 six documents to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui, pursuant to Rule 77 of the Rules of Procedure and Evidence, on 12 May 2011.

The Prosecution provided on a CD six French transcripts of the testimony of witnesses DRC-OTP-WWWW-0582¹ and DRC-OTP-WWWW-0583², given in the case of the *Prosecutor v. Thomas Lubanga Dyilo*. Parts of five of these transcripts were provided on an urgent basis to the Defence in the redacted real-time version on 29 November 2010.

The transcripts were disclosed on a confidential basis in conformity with Trial Chamber I's decision on the matter³ and pursuant to Trial Chamber II's decision of 22 February 2010⁴.



Luis Moreno-Ocampo, Prosecutor

Dated this 16th day of May 2011

At The Hague, The Netherlands

¹ ICC-01/04-01/06-Rule68Deposition-CONF-FRA ET 16-11-2010, ICC-01/04-01/06-Rule68Deposition-CONF-FRA ET 17-11-2010, ICC-01/04-01/06-Rule68Deposition-CONF-FRA ET 18-11-2010.

² ICC-01/04-01/06-T-334-CONF-FRA CT 22-11-2010, ICC-01/04-01/06-T-335-CONF-FRA ET 23-11-2010, ICC-01/04-01/06-T-336-CONF-FRA ET 24-11-2010.

³ Following the partial disclosure on 29 November 2010, and with the view to disclosing the complete versions of the transcripts of testimony of witnesses P-0582 and P-0583 to the Defence teams in the case of the *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, and in accordance with Trial Chamber I's instructions to the Prosecution to inform it of any proposed redactions that it considered necessary for disclosure (ICC-01/04-01/06-T-335-Red-ENG, p. 3, lines 9-12), the Prosecution submitted proposals for redactions to Trial Chamber I, which were approved by way of e-mails sent through a Legal Officer of the Trial Division on 6 and 12 April 2011.

⁴ ICC-01/04-01/07-T-105-CONF-FRA ET, p. 3, lines 16-25 and p. 4, lines 1-4.