

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **22 July 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 21 July 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

1. The Office of the Prosecutor ("Prosecution") herewith submits the pre-inspection report regarding the provision of seventeen documents pursuant to Rule 77 of the Rules of Procedure and Evidence to the Defence teams of Germain Katanga and Mathieu Ngudjolo Chui on 21 July 2011.
2. The Prosecution disclosed seventeen documents of which three are related to witness DRC-D03-P-0066¹, fourteen to witness DRC-D03-P-0088² and one is related to witness DRC-D03-P-0480³. Two documents, DRC-OTP-1062-0440 and DRC-OTP-1062-0458, were disclosed with redactions as imposed and applied by the United Nations. DRC-OTP-1062-0440 is the less redacted version of DRC-OTP-0204-0291 which was disclosed in Rule 77 Package 95 on 9 March 2011. DRC-OTP-0203-0366 is the translation into English of DRC-OTP-1062-0440. The thirteen pictures and DRC-OTP-1062-0492 relate to the Prosecutor's visit to Zumbe village on 10 July 2009.

Request for Confidentiality

3. Annexes A⁴ and B⁵ appended to this communication contain the "List of Disclosed Material" provided 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 22nd day of July 2011

At The Hague, The Netherlands

¹ DRC-OTP-0203-0366, DRC-OTP-1062-0440 and DRC-OTP-1062-0458.

² DRC-OTP-1062-0478, DRC-OTP-1062-0479, DRC-OTP-1062-0480, DRC-OTP-1062-0481, DRC-OTP-1062-0482, DRC-OTP-1062-0483, DRC-OTP-1062-0484, DRC-OTP-1062-0485, DRC-OTP-1062-0486, DRC-OTP-1062-0487, DRC-OTP-1062-0488, DRC-OTP-1062-0489, DRC-OTP-1062-0490 and DRC-OTP-1062-0492.

³ DRC-OTP-1062-0458.

⁴ List of Disclosed Material provided to the Defence of Germain Katanga on 21 July 2011.

⁵ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 21 July 2011.