

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/04-01/07**
Date: **7 November 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 4 and 7 November 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 four documents pursuant to Rule 77 of the Rules of Procedure and Evidence to the Defence teams of Mathieu Ngudjolo Chui and Germain Katanga on 4 respectively 7 November 2011.
2. The Prosecution disclosed four video excerpts of which the corresponding complete videos had previously been disclosed.¹

Request for Confidentiality

3. Annexes A² and B³ 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 7th day of November 2011

At The Hague, The Netherlands

¹ DRC-OTP-0081-0004 was first disclosed in Pre-Trial INCR package 24 of 23 January 2009, DRC-OTP-0113-0218 was first disclosed in Pre-confirmation INCR package 08 of 21 April 2008 and DRC-OTP-0116-0002 was first disclosed in Pre-Trial INCR package 26 of 29 January 2009.

² List of Disclosed Material provided to the Defence of Germain Katanga on 7 November 2011.

³ List of Disclosed Material provided to the Defence of Mathieu Ngudjolo Chui on 4 November 2011.