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No.: ICC-02/04-01/15

Date: 16 June 2015

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN UGANDA

**IN THE CASE OF
*THE PROSECUTOR v. DOMINIC ONGWEN***

Public with Confidential Annex A, Prosecution and Defence Only Prosecution's Communication of the Disclosure of Evidence
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Source: The 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

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Mr James Stewart

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Mr Krispus Ayena Odongo

Legal Representatives of Victims

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

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Section

Detention Section

Victims Participation and Reparations Section

Other

Introduction

1. The Office of the Prosecutor (“Prosecution”) herewith submits in accordance with rule 121(2)(c) of the Rules of Procedure and Evidence (“the Rules”) its communication of the disclosure of incriminatory evidence pursuant to articles 61(3)(b), 67(1)(a) and (b) of the Rome Statute (“the Statute”) and rule 76(1) of the Rules, potentially exculpatory evidence pursuant to article 67(2) of the Statute and material to the preparation of the defence pursuant to rule 77 of the rules.
2. On 30 March 2015, the Prosecution informed the Single Judge of its intention to disclose to the Defence by mid-June 2015¹ further material relevant to witnesses whose evidence it intends to rely upon to prove the charges against Dominic Ongwen.

Submission

3. On 15 June 2015, the Prosecution disclosed to the Defence 4 packages of evidence consisting of 846 items amounting to 8746 pages.
4. With respect to the redactions that have been applied, the Prosecution submits that all of these fall under the “standard categories” which have been pre-approved by the Single Judge.² These redactions are minimal and affect neither the substance of the material nor the ability of the Defence to comprehend it.

Confidentiality

5. Annex A appended to this communication contains the list of the evidence that has been disclosed to the Defence. The Prosecution

¹ ICC-02/04-01/15-215, para.6.

² ICC-02/04-01/15-224, para.4.

requests that this annex be received as “Confidential” since it relates to *inter partes* disclosure.



Fatou Bensouda,
Prosecutor

Dated this 16th day of June 2015
At The Hague, The Netherlands