

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 10 March 2016

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Presiding Judge
Judge Marc Perrin de Brichambaut
Judge Chang-ho Chung

SITUATION IN UGANDA

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

**Public
with Confidential Annex A**

Prosecution's Communication of the Disclosure of Evidence

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
Mr Benjamin Gumpert

Counsel for Dominic Ongwen

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Legal Representatives of Victims

Mr Joseph Akwenyu Manoba
Mr Francisco Cox
Ms Paolina Massida

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massida

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Defence**

Amicus Curiae

States Representatives

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 article 61(3)(b), 67(1)(a) and (b) of the Rome Statute (“the Statute”) and rule 76(1) of the Rules.

Submission

2. On 9 March 2016, the Prosecution disclosed to the Defence 1 package of evidence consisting of 1 item amounting to 9 pages.
3. The item contained in the disclosure package is the document referred to at paragraph 4 of the notification entitled “Prosecution’s non-reliance on P-0198 and its impact on the Document Containing the Charges and the Pre-Confirmation Brief”,¹ filed on 8 March 2016.
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.

¹ ICC-02/04-01/15-413-Conf.

² ICC-02/04-01/15-224, para.4.

Confidentiality

5. Annex A appended to this communication contains the list of the evidence that has been disclosed to the Defence. The Prosecution requests that this annex be received as “Confidential” since it relates to *inter partes* disclosure.



Fatou Bensouda
Prosecutor

Dated this 10th day of March 2016
At The Hague, The Netherlands