

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **18 April 2016**

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'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

Ms Fatou Bensouda
Mr James Stewart
Mr Benjamin Gumpert

Counsel for Dominic Ongwen

Mr Krispus Ayena Odongo

Legal Representatives of Victims

Mr Joseph Akwenyu Manoba
Mr Francisco Cox
Ms Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the
Defence**

Amicus Curiae

States Representatives

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Introduction

1. The Office of the Prosecutor ("Prosecution"), in accordance with rule 121(2)(c) of the *Rules of Procedure and Evidence* ("the Rules"), provides notice of the disclosure of incriminatory evidence pursuant to articles 61(3)(b) and 64(3)(c) of the Rome Statute ("Statute") and rule 76(1) of the Rules, as well as material that falls under rule 77 of the Rules.

Submission

2. On 15 April 2016, the Prosecution disclosed to the Defence two packages of evidence: three Acholi translations of previously disclosed statements as incriminating evidence in Package 19 and 203 items in Package 13 under the provision of rule 77.
3. With respect to the applied redactions, the Prosecution submits that they fall under the "standard categories" that have been pre-approved by the Single Judge.¹ These redactions are minimal and affect neither the substance of the material nor the ability of the Defence to comprehend it.
4. The Prosecution will continue to notify the Single Judge of the Pre-Trial Chamber II of items disclosed to the Defence, as the Presidency has not yet assigned the case to any Trial Chamber.

¹ ICC-02/04-01/15-224, para. 4.

Confidentiality

5. Annex A attached to this communication contains the list of 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 18th day of April 2016
At The Hague, The Netherlands