

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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No.: **ICC-02/04-01/15**
Date: **2 November 2016**

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Raul C. Pangalangan

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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Unrepresented Victims

**Unrepresented Applicants for
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Victims and Witnesses Section

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

Introduction

1. The Office of the Prosecutor ("Prosecution") provides notice of the disclosure of evidence pursuant to articles 64(3)(c) and 67(1)(a),(b) of the Rome Statute, and rules 76(3) and 77 of the Rules of Procedure and Evidence.

Submission

2. On 1 November 2016, the Prosecution disclosed to the Defence two packages of evidence: Pre-Trial INCR package 31 consisting of 10 items/191 pages, and Pre-Trial Rule 77 package 25 consisting of 88 items/296 pages.

3. The Prosecution has recently identified two transcripts of sound recordings of intercepted LRA radio communications which were shown to witness P-0016 and annotated by him in the course of an interview in April 2005. These transcripts (UGA-OTP-0129-0419 and UGA-OTP-0167-0118) were misplaced during the evidence registration process back in 2005 and therefore were not registered in Ringtail at the time the interviews were conducted. On 28 October 2016, the Prosecution provided the Defence with courtesy copies of these transcripts and also disclosed them as part of the INCR package 31. The Prosecution intends to add these transcripts to the List of Evidence and will shortly file an application with the Chamber.

Confidentiality

4. 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 2nd day of November 2016
At The Hague, The Netherlands