

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-02/04-01/15**
Date: **16 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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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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Counsel Support Section

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 16 November 2016, the Prosecution disclosed to the Defence three packages of evidence: Pre-trial INCR package 32 containing 7 items/13 pages, Pre-Trial PEXO package 8 containing 1 item/1 page and Pre-Trial Rule 77 package 27 containing 96 items/100 pages.

3. Pre-Trial INCR package 32 contains two items which have been collected after the disclosure deadline, as well as other five items which were collected at the end of the August 2016, but have only recently come into the Prosecution's possession. The Prosecution intends to seek leave to add all seven items to the List of Evidence.

4. The Prosecution recognises its ongoing obligation of disclosure under article 67(2) and rule 77 which it will continue to fulfil throughout the trial

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 16th day of November 2016
At The Hague, The Netherlands