

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-02/04-01/15**
Date: **30 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 Annexes A and B**

**Prosecution's submission of the updated list of evidence and the updated list of
witnesses**

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
Mr Charles Taku

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
Ms Caroline Walter
Mr Orchlon Narantsetseg

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

Amicus Curiae

States Representatives

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Section

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

1. In accordance with the Trial Chamber's directions, the Office of the Prosecutor ("Prosecution") hereby submits its updated List of Evidence ("LOE", Annex A) and updated List of Witnesses ("LOW", Annex B).
2. The updated LOE and LOW reflect the Trial Chamber's "Decision on the Prosecution's Applications for Introduction of Prior Recorded Testimony under Rule 68(2)(b) of the Rules",¹ and the "Decision on Prosecution Request to Add Items to its List of Evidence, to include a Witness on its List of Witnesses and to Submit Two Prior Recorded Testimonies under Rule 68(2)(b) and (c)".²
3. The LOW also includes updates to the witnesses' order of appearance. The latter has been added for Witnesses P-0028, P-0038, P-0047, P-0242 and P-0256, together with an estimated duration of examination. Amongst the first 25 witnesses, the Prosecution has revised the order of appearance for Witnesses P-0009, P-0045, P-0252 and P-0309.
4. With regard to Witness P-0142, whose order of appearance is addressed in the "Defence Response to Prosecution's Request to Add Witness Transcripts and Seven Additional Documents to its List of Evidence"³, the Prosecution observes that this witness is listed as number 11 in the order of appearance. The Prosecution does not expect him to testify before 1 March 2017.

¹ ICC-02/04-01/15-596-Red.

² ICC-02/04-01/15-600.

³ ICC-02/04-01/15-608.

Confidentiality

5. Annexes A and B are filed as “Confidential” pursuant to regulation 23*bis* of the Regulations of the Court, because they contain information that is classified as confidential in the case record.



Fatou Bensouda
Prosecutor

Dated this 30th day of November 2016
At The Hague, The Netherlands