

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: 10 March 2017

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*

Confidential

With confidential annexes I and II

**Notification of the Appointment of Ms Sarah Kerwegi
as Legal Adviser to Witnesses P-0379 and P-0309**

Source: Registry

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

Counsel for the Defence of Mr Dominic Ongwen

Mr Krispus Ayena Odongo
Mr Charles Achaleke Taku

Legal Representatives of Victims

Mr Joseph Akwenyu Manoba
Mr Francisco Cox

**Unrepresented Applicants
(Participation/Reparation)**

Unrepresented victims

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda
Mr Orchlon Narantsetseg

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Mr Esteban Peralta Losilla
Mr Pieter Vanaverbeke

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other
Ms Sarah Kerwegi

Introduction

1. The Registry informs the Chamber of the appointment of Ms Sarah Kerwegi as Legal Adviser to Witnesses P-0379 and P-0309 ("Notification of Appointment"), pursuant to rule 74(10) of the Rules of Procedure and Evidence ("Rules").

Classification

2. The present submission and annexes are classified as confidential, pursuant to regulation 23bis(1) of the Regulations of the Court ("RoC"), because they contain the identity or private contact details of Ms Kerwegi and information related to an upcoming witnesses (namely, to the effect that Witnesses P-0379 and P-0309 are upcoming witnesses) that is presently confidential.

Applicable Law

3. The Registry has considered the following provisions: article 68 of the Rome Statute, rules 21 and 74(10) of the Rules, regulations 67 and 69 of the RoC, regulation 123(1) of the Regulations of the Registry, and articles 5, 8 and 22(3) of the Code of Professional Conduct for Counsel ("Code").

Submission

4. On 19 January 2017, the Registrar appointed Ms Sarah Kerwegi as the Legal Adviser to Witnesses P-0379 and P-0309.¹
5. Ms Kerwegi was duly provided with electronic access to relevant material in connection with the case, including the statements and transcripts of interviews of Witnesses P-0379 and P-0309, *via* a secure channel in order to maintain confidentiality at all times.²

¹ Confidential Annex I.

² Annex to the "Decision on the protocol on witness familiarisation": *Protocol on the practices to be used to familiarise witnesses for giving testimony at trial*, ICC-01/04-02/06-656-AnxA dated 17 June 2015, paras 59 to 64, *spec.* para. 60.

6. On 8 July 2015, Ms Kerwegi executed the solemn undertakings required by articles 5 and 22(3) of the Code.³

The Registrar remains at the disposal of the Chamber should further information be required.



Marc Dubuisson, Director of the Division of Judicial Services
per delegation of
Herman von Hebel, Registrar

Dated this 10 March 2017
At The Hague, The Netherlands

³ Confidential Annex II.