

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **28 July 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

**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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Mr Charles Achaleke Taku

Legal Representatives of Victims

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Mr Francisco Cox
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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

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**The Office of Public Counsel for the
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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

Introduction

1. The Office of the Prosecutor (“Prosecution”) provides notice of the disclosure of evidence pursuant to article 67(1)(a) and (b) of the Rome Statute, and rule 77 of the Rules of Procedure and Evidence.

Submission

2. On 28 July 2017, the Prosecution disclosed to the Defence two packages of evidence: “Trial Rule 77 package 55 containing 33 items/195 pages” and “Trial Rule 77 Package 56 containing 26 items/35 pages.” Some of these items were disclosed with redactions.

3. The Prosecution informs the Chamber that it originally identified 36 victim applications related to the Prosecution witnesses. However, after the discussion with the Legal Representatives, we agreed that three applications¹ do not have any links with the Prosecution witnesses. Therefore, the Prosecution will not disclose these applications to the Defence.

¹ a/01130/16, a/00066/16 and a/00009/16.

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 28th day of July 2017
At The Hague, The Netherlands