

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

Nº: ICC-02/04-01/15

Date: 13 September 2017

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

IN THE CASE OF *THE PROSECUTOR v. DOMINIC ONGWEN*

**Public
With Public Annexes 1 to 24**

**Registry's Report on the Evidence recognised as formally submitted to the
Chamber**

Source: Registry

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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Unrepresented Victims

**Unrepresented Applicants
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**The Office of Public Counsel for
Victims**

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Amicus Curiae

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I. Introduction

1. The Registry submits the present report and its 24 annexes consisting of items recognised as formally submitted ("Report"), pursuant to the "Initial Directions on the Conduct of the Proceedings" ("Directions"),¹ issued on 13 July 2016 by Trial Chamber IX ("Chamber").

II. Procedural history

2. On 13 July 2016, the Presiding Judge issued the Directions which adopted, among other guidelines, provisions related to the submission of evidence by email.² The Registry was directed to file in the record of the case reports indicating which items have been formally submitted by all participants in relation to each witness who testifies.³
3. On 16 January 2017, the first Trial Witness testified.⁴ Until the 24 July judicial recess, 24 witnesses had appeared before the Court.
4. The Chamber recognised as formally submitted certain items of evidence at the request of the parties.⁵ Pursuant to the Directions, the Registry was instructed to apply redactions as appropriate to the emails and annex these to the Report.⁶

III. Applicable Law

5. For the purpose of the present Report, the Registry has considered inter alia articles 64(7), 64(10) and 67(1) of the Rome Statute and rule 137 of the Rules of Procedure and Evidence.

IV. Submission

¹ Trial Chamber IX, "Initial Directions on the Conduct of the Proceedings", 13 July 2016, ICC-02/04-01/15-497.

² *Ibid.*, para. 27 - 30.

³ *Ibid.*, para. 28(v).

⁴ Transcript, ICC-02/04-01/15-T-28-ENG ET.

⁵ ICC-02/04-01/15-497, para. 28 (iv).

⁶ *Ibid.*, para. 28(v).

6. In order to enable the parties and the participants to suggest specific additional redactions, the Registry followed the procedure that was adopted for the purposes of the Registry's Report on implementing the Decision on Publicity of the Court Record.⁷
7. Hence, the Registry liaised with the Office of the Prosecutor ("Prosecution"), the Defence, the Office of Public Counsel for victims ("OPCV") and the Legal Representatives of Victims ("LRV") by email.⁸ Redaction proposals were received and considered.⁹
8. Accordingly, the Registry applied redactions to the emails set forth in the following 24 annexes:

- **Annex I:** email sent on 27/01/2017, "Decision on Submitted Materials for P-422" at 09:52;

- **Annex II:** email sent on 27/01/2017, "Decision on Submitted Materials for P-403" at 09:55;

- **Annex III:** email sent on 15/02/2017, "Decision on Submitted Materials for P-16" at 21:50;

- **Annex IV:** email sent on 23/02/2017, "Decision on Submitted Materials for P-59" at 09:58;

- **Annex V:** email sent on 23/02/2017, "Decision on Submitted Materials for P-440" at 09:59;

- **Annex VI:** email sent on 21/03/2017, "Decision on Submitted Materials for P-3" at 17:25;

- **Annex VII:** email sent on 28/03/2017, "Decision on Submitted Materials for P-205" at 09:51;

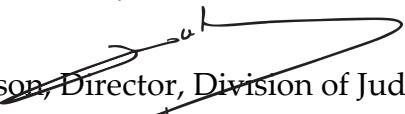
⁷ Registry, "Registry's Report implementing the "Decision on Publicity of Case Record"", 22 March 2017, ICC-02/04-01/15-780.

⁸ Emails sent by the Registry Court Officer on 24 August 2017 at 11:08 and 4 September at 16:05.

⁹ The Registry received answers respectively from the Prosecution team, on 24 August 2017 at 11:17, 30 August 2017 at 17:35 and 17:37; from the Defence on 24 August 2017 at 13:41; from the LRV on 4 September 2017 at 17:05; and from the OPCV on 29 September 2017 at 14:48.

- **Annex VIII:** email sent on 29/03/2017, "Decision on Submitted Materials for P-330" at 10:59;
- **Annex IX:** email sent on 10/04/2017, "Decision on Submitted Materials for P-379" at 10:16;
- **Annex X:** email sent on 12/04/2017, "Decision on Submitted Materials for P-309" at 09:55;
- **Annex XI:** email sent on 18/04/2017, "Decision on Submitted Materials for P-264" at 09:38;
- **Annex XII:** email sent on 11/05/2017, "Decision on Submitted Materials for P-352" at 21:48;
- **Annex XIII:** email sent on 17/05/2017, "Decision on Submitted Materials for P-18" at 10:49;
- **Annex XIV:** email sent on 17/05/2017, "Decision on Submitted Materials for P-142" at 10:54;
- **Annex XV:** email sent on 13/06/2017, "Decision on Submitted Materials for P-314" at 09:13;
- **Annex XVI:** email sent on 14/06/2017, "Decision on Submitted Materials for P-24" at 09:13;
- **Annex XVII:** email sent on 15/06/2017, "Decision on Submitted Materials for P-249" at 12:14;
- **Annex XVIII:** email sent on 20/06/2017, "Decision on Submitted Materials for P-9" at 09:42;
- **Annex XIX:** email sent on 21/06/2017, "Decision on Submitted Materials for P-280" at 09:37;
- **Annex XX:** email sent on 21/06/2017, "Decision on Submitted Materials for P-269" at 14:44;
- **Annex XXI:** email sent on 05/07/2017, "Decision on Submitted Materials for P-252" at 17:12;
- **Annex XXII:** email sent on 21/07/2017, "Decision on Submitted Materials for P-218" at 17:13;

- **Annex XXIII:** email sent on 21/07/2017, “Decision on Submitted Materials for P-144” at 17:15; and
- **Annex XXIV:** email sent on 25/07/2017, “Decision on submitted Materials for P-54” at 9:52.


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

Dated this 13 September 2017

At The Hague, The Netherlands