

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 31 May 2019

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 I and II**

**Notification of the Appointment of Ms Nicoletta Montefusco
as Legal Adviser to Witness D26-P-0068**

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 Benjamin Gumpert

Counsel for the Defence of Mr 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. Peter Lewis

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 Nicoletta Montefusco

I. Introduction

1. The Registry hereby informs the Chamber of the appointment of Ms Nicoletta Montefusco as Legal Adviser to Witness D26-P-0068 (“Notification of Appointment”), pursuant to rule 74 (10) of the Rules of Procedure and Evidence (“Rules”).

II. Classification

2. Pursuant to regulation 23 *bis*(1) of the Regulations of the Court (“RoC”), the annexes to the present submission are classified as confidential, as they contain personal information and contact details of Ms Nicoletta Montefusco.

III. 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”).

IV. Submissions

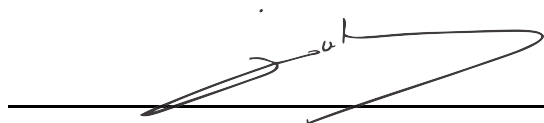
4. On 31 May 2019, the Registrar appointed Ms Nicoletta Montefusco as the Legal Adviser to Witness D26-P-0068.¹ Ms Montefusco will be duly provided with access to relevant material in connection with the case, including the statements and transcripts of interviews of Witness D26-P-0068, *via* a secure channel in order to maintain confidentiality at all times.²

¹ Confidential Annex I.

² Annex to the “Decision on Protocols to be Adopted at Trial”: *Unified Protocol on the practices used to prepare and familiarise witnesses for giving testimony at trial*, ICC-02/04-01/15-504-Anx1 dated 22 July 2016, paras 53 to 60, *spec.* para. 56.

5. On 29 and 31 May 2019, Ms Montefusco 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 concerning the appointment in question.



Marc Dubuisson, Director, Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 31 May 2019
At The Hague, The Netherlands

³ Confidential Annex II.