

ANNEX VI

PUBLIC

From:**Sent:****To:**

03 March 2017 11:04

Trial Chamber IX Communications;

Subject:

Submission of items used during the examination of witness P-0003

Dear Trial Chamber IX,

The Prosecution formally submits the following items of evidence used during the examination of Witness P-0003, which concluded on 3 March 2017, in accordance with the Chamber's Decision #497, paragraph 28(i).

Tab # of OTP binder	ERN (e-Court)	Description
1.	UGA-OTP-0275-3454	List of P-0003's colleagues with corresponding codes, used in public session
10.	UGA-OTP-0246-0092-R01	Copy of a photograph of a logbook entry made at 0900 on 17 May 2004, Annex 2 to P-0003's statement, UGA-OTP-0246-0077, dated 7-8 October 2015
12.	UGA-OTP-0069-0803-R01	Statement of P-0003, dated 18 February 2005, including at Annex A a list of LRA jargon words & phrases
16.	UGA-OTP-0132-0093-R01	Partial transcript and translation of sound recording UGA-OTP-0054-0046 Track 2
17.	UGA-OTP-0132-0105-R01	Partial transcript and translation of sound recording UGA-OTP-0054-0010
18.	UGA-OTP-0132-0243-R01	Transcript and translation of sound recording UGA-OTP-0054-0014 [starts p. 0253]
19.	UGA-OTP-0248-0263-R01	Transcript and translation of sound recording UGA-OTP-0235-0038 Tracks 1 & 2
20.	UGA-OTP-0248-0198-R01	Transcript and translation of sound recording UGA-OTP-0235-0043 Track 2
21.	UGA-OTP-0248-0106-R01	Transcript and translation of sound recording UGA-OTP-0235-0049 Track 1
22.	UGA-OTP-0248-0143-R01	Transcript and translation of sound recording UGA-OTP-0052-0056
23.	UGA-OTP-0132-0174-R01	Transcript and translation of sound recording UGA-OTP-0047-0026
24.	UGA-OTP-0248-0224-R01	Transcript and translation of sound recording UGA-OTP-0239-0062 Track 2

Please note that the other items in the Prosecution binder used during the examination of P-0003 have already been recognised as submitted in the Chamber's Decision #615.

Regards,

A solid black rectangular box used to redact a signature.

From: [REDACTED]
Sent: 06 March 2017 17:12
To: [REDACTED] Trial Chamber IX
Subject: Communications; [REDACTED]
 Defence items to be submitted to Trial Chamber IX for witness P-0003 pursuant to ICC-02/04-01/15-497, para. 28(i)

Dear Trial Chamber,

On behalf of the Ongwen Defence, I am writing to request the formal submission of 1 excerpt raised with witness P-0003 during testimony.

This excerpt comprises time 23:36 to 23:41 of **UGA-OTP-0239-0123, track 2** (description: "*AF/83 Enhanced Copy of audio from Tape UGA-OTP-0054-0046 Sides A&B /*"). The Defence will shortly disclose this excerpt under the ERN **UGA-D26-0019-0001**.

This email is sent in accordance with the (i) the Chamber's instructions in ICC-02/04-01/15-497, para. 28(i) and (ii) Articles 64(9) and 69(3) of the Rome Statute and Rule 64 of the Rules of Evidence and Procedure. The excerpt submitted into evidence was discussed with the witness during the course of his cross-examination.

Kind regards,
 [REDACTED]

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[REDACTED]

From: Trial Chamber IX Communications
Sent: 21 March 2017 17:25
To: [REDACTED]
Cc: Trial Chamber IX Communications
Subject: Decision on Submitted Materials for P-3
Attachments: Submission of items used during the examination of witness P-0003; Defence items to be submitted to Trial Chamber IX for witness P-0003 pursuant to ICC-02/04-01/15-497, para. 28(i)

Dear Counsel and Registry:

For P-3, the Chamber recognises as formally submitted all items submitted by the Prosecution (Email from the Prosecution, 3 March 2017 at 11:04).

The Defence also attempts to submit an extract of a larger recording under a separate ERN (UGA-D26-0019-0001) (Email from Defence, 6 March 2017 at 17:12). Submission of ERNs excerpting information from other ERNs creates needless duplication in the evidence record – such excerpts should not be submitted unless there are compelling reasons for doing so. Noting that the larger recording identified by the Defence (UGA-OTP-0239-0123) has already been recognised as formally submitted in decision ICC-02/04-01/15-615, the Chamber declines to recognise the formal submission of UGA-D26-0019-0001.

The Registry is accordingly directed to proceed in accordance with paragraph 28(v) of the 'Initial Directions on the Conduct of the Proceedings, 13 July 2016, ICC-02/04-01/15-497.

Best,

[REDACTED] Trial Chamber IX