

ANNEX II

PUBLIC

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

04 October 2018 15:46



Trial Chamber IX Communications

Subject:

DEF Submission of Evidence D-0150

Dear Trial Chamber IX, Prosecution and Legal Representatives,

Pursuant to ICC-02/04-01/15-497, para. 28, The Defence for Dominic Ongwen requests the submission into evidence the following document used during its examination of D-0150:

Tab 1, UGA-OTP-0022-0402

Very best,



[REDACTED]

From: Trial Chamber IX Communications
Sent: 12 October 2018 12:22
To: [REDACTED]
Cc: Trial Chamber IX Communications, [REDACTED]
Subject: Decision on Submitted Materials for D-150
Attachments: DEF Submission of Evidence D-0150

Dear Counsel and Registry:

For D-150, the Chamber recognises as formally submitted the item submitted by the Defence (Email from the Defence, 4 October 2018, at 15:46).

The Chamber recalls that, if a document has been recognised as formally submitted, this means in general that its translated version is automatically recognised as well (Decision on Defence Request to Add 14 Items to its List of Evidence, 24 July 2018, ICC-02/04-01/15-1314, para. 8). Accordingly, the translation of the item submitted by the Defence is also recognised as submitted (UGA-OTP-0284-1239, *translation of* UGA-OTP-0022-0402).

This said, and no differently to what is said in Decision 497 in relation to audio-visual material, it is 'clearly preferable' for the submitting party to submit the ERN of the translation along with the original so there is no confusion as to their status (Initial Directions on the Conduct of the Proceedings, 13 July 2016, ICC-02/04-01/15-497, para. 30).

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,

Trial Chamber IX