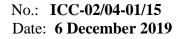
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Cour Pénale Internationale

International Criminal Court

Original: English



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

Defence Announcement of the Closure of its Presentation of Evidence

Source: Defence for Dominic Ongwen

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

The Office of the Prosecutor	Counsel for the Defence
Fatou Bensouda, Prosecutor	Krispus Ayena Odongo
James Stewart, Deputy Prosecutor	Chief Charles Achaleke Taku
Benjamin Gumpert, QC	Beth Lyons
Legal Representatives of the Victims Joseph Akwenyu Manoba Francisco Cox	Common Legal Representative for Victims Paolina Massidda Jane Adong
Unrepresented Victims	Unrepresented Applicants (Participation/Reparation)
The Office of Public Counsel for Victims	The Office of Public Counsel for the
Paolina Massidda Caroline Walter	Defence Xavier-Jean Keita
Orchlon Narantsetseg	Adviei-Jean Keita
States' Representatives	Amicus Curiae
REGISTRY	
Registrar	Counsel Support Section
Peter Lewis	

Victims and Witnesses Unit Nigel Verrill **Detention Section**

Victims Participation and Reparations Section Other

I. NOTIFICATION

- 1. The Defence for Dominic Ongwen ('Defence') hereby notifies Trial Chamber IX, the Office of the Prosecutor, the Common Legal Representative for Victims and the Legal Representatives for Victims that the Defence has closed the presentation of evidence in its case, in the case of *The Prosecutor v Dominic Ongwen*, ICC-02/04-01/15.
- 2. The Defence makes this declaration with the stipulation that several requests for the submission of evidence have not been decided and that said pending requests shall be included into the submitted evidence in due course. This declaration also incorporates the notifcation made on 5 December 2019 *via* email to Trial Chamber IX with the Parties and Participants in copy where the Defence noted it needed further time to review and possibly request the inclusion into evidence three (3) items disclosed by the Office of the Prosecutor in October 2019.¹
- 3. The Defence also notes that disclosure from the Office of the Prosecutor may still continue pursuant to the Prosecution's obligation in the Rome Statute under Article 67(2) and Rule 77 of the Rules of Procedure and Evidence (disclosure which is material to the Defence's case). The Defence requests the right to review any disclosure and make a timely request for its submission into evidence if the Defence deems it necessary, and that any further exculpatory evidence be reasonably considered if a timely request is made.
- Finally, the Defence notes that with the closure of its presentation of evidence, it does not waive Mr Ongwen's right to make an unsworn statement pursuant to Article 67(1)(h) of the Rome Statute.

¹ Email sent by Defence to Trial Chamber IX, Prosecution, CLRV and LRV entitled, "*Notice of information impacting upon closing of evidence*," sent on 5 December 2019 at 16h24 CET.

Respectfully submitted,

Hon. Krispus Ayena Odongo On behalf of Dominic Ongwen

Dated this 6th day of December, 2019