



Original: **English**

No. ICC-02/04-01/15

Date: 27 November 2015

**PRE-TRIAL CHAMBER II**

**Before: Judge Cuno Tarfusser, Single Judge**

**SITUATION IN UGANDA**

**IN THE CASE OF**

***THE PROSECUTOR v. DOMINIC ONGWEN***

**Confidential *ex parte* with confidential *ex parte* annex**

**available to the Defence of Mr Ongwen and the Prosecution**

**Registry report on the article 56 proceedings related to witness UGA-OTP-P-0236**

**Source: Registrar**

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

**The Office of the Prosecutor**

Ms Fatou Bensouda

**Counsel for the Defence**

Mr Krispus Ayena Odongo

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**The Office of Public Counsel for  
Victims**

**The Office of Public Counsel for the  
Defence**

**States' Representatives**

**Amicus Curiae**

## **REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

The **Registrar** of the International Criminal Court (the "Court");

**NOTING** the Chamber's Decision on the "Second Prosecution application to the Pre-Trial Chamber to preserve evidence and take measures under article 56 of the Rome Statute" dated 12 October 2015 (the "Decision");<sup>1</sup>

**NOTING** that in the Decision the Single Judge ordered that the testimony of witness UGA-OTP-P-0236 "shall be video recorded and a written transcript be made";<sup>2</sup>

**NOTING** articles 56 of the Rome Statute, regulation 23*bis* of the Regulations of the Court and regulation 41 and 50 (a) and (b) of the Regulations of the Registry;

**CONSIDERING** that during the closed session hearing held on 23 November 2015 the Single Judge ordered the Registrar to file a report on the article 56 proceedings for each witness, to annex to every report the audio and video recording of each testimony, and to include the reference(s) to the relevant transcript(s);<sup>3</sup>

**RESPECTFULLY SUBMITS** the following report:

1. Witness UGA-OTP-P-0236 testified in closed session on 16 November 2015 in the presence of the Defence and the Prosecution (the "testimony").
2. The transcript of the testimony is numbered as follows: ICC-02/04-01/15-T-16-CONF-ENG.

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<sup>1</sup> ICC-02/04-01/15-316-Conf


<sup>2</sup> ICC-02/04-01/15-316-Conf at page 10.

<sup>3</sup> ICC-02/04-01/15-T-19-Conf , realtime version, page5 line 16 to page 6 line 6 .

3. The audio and video recording of the testimony is annexed to the present report.<sup>4</sup>

#### **Level of confidentiality**

4. The present report and its annex are submitted as confidential, pursuant to Regulation 23*bis* of the Regulations of the Court, because they pertain to information that was discussed during a closed session hearing.



Marc Dubuisson, Director, Division of Judicial Services

*per* delegation of

Herman von Hebel, Registrar

Dated this 27 November 2015

At The Hague, the Netherlands

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<sup>4</sup> Annex 1.