

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **17 June 2016**

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 Annex A**

Prosecution's Communication of the Disclosure of Evidence

Source: The Office of the Prosecutor

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

The Office of the Prosecutor

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Legal Representatives of Victims

Mr Joseph Akwenyu Manoba
Mr Francisco Cox
Ms Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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Defence**

Amicus Curiae

States Representatives

REGISTRY

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Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Section

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

Introduction

1. The Office of the Prosecutor ("Prosecution"), in accordance with rule 121(2)(c) of the Rules of Procedure and Evidence ("the Rules"), provides notice of the disclosure of incriminatory evidence pursuant to articles 61(3)(b) and 64(3)(c) of the Rome Statute ("the Statute") and rule 76(1) of the Rules.

Submission

2. On 15 and 16 June 2016, the Prosecution disclosed to the Defence four packages of evidence: Pre-Trial INCR package 22 consisting of 822 items, Pre-Trial INCR package 23 consisting of 143 items, Pre-Trial rule 77 package 15 consisting of 430 items and Pre-Trial rule 77 package 16 consisting of 4,102 items.
3. With respect to the applied redactions, the Prosecution submits that they fall under the "standard categories" that have been pre-approved by the Single Judge of the Pre Trial Chamber II.¹ In addition, as per the Single Judge of this Chamber, the Prosecution notes that the "pre-approved redactions" at the confirmation stage remain in place.² These redactions are minimal and affect neither the substance of the material nor the ability of the Defence to comprehend it.

¹ ICC-02/04-01/15-224, para. 4.

² ICC-02/04-01/15-432, para.4.

Confidentiality

4. Annex A attached to this communication contains the list of evidence that has been disclosed to the Defence. The Prosecution requests that this annex be received as "Confidential" since it relates to *inter partes* disclosure.



Fatou Bensouda
Prosecutor

Dated this 17th day of June 2016
At The Hague, The Netherlands