

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/04-01/15
Date: 2 February 2018

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

IN THE CASE OF *THE PROSECUTOR v. DOMINIC ONGWEN*

Public

Order Setting Deadline for the Prosecution to Submit Documentary Evidence

To be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Fatou Bensouda
James Stewart
Benjamin Gumpert

Counsel for the Defence

Krispus Ayena Odongo

Legal Representatives of Victims

Joseph Akwenyu Manoba
Francisco Cox
Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Judge Bertram Schmitt, acting as Single Judge on behalf of Trial Chamber IX ('Single Judge' and 'Chamber', respectively) of the International Criminal Court ('Court') in the case of *The Prosecutor v. Dominic Ongwen*, having regards to Rule 101 of the Rules of Procedure and Evidence and Regulation 34(a) of the Regulations of the Court, issues the following 'Order Setting Deadline for the Prosecution to Submit Documentary Evidence'.

1. At this point in the trial, the Office of the Prosecutor ('Prosecution') is expected to complete its presentation of evidence around the end of March 2018. As foreshadowed previously,¹ the Single Judge considers it appropriate to set the deadline regarding the submission of any further evidence by the Prosecution.
2. This deadline shall not apply to: (i) the testimony of the remaining Prosecution witnesses and any related materials submitted through the email submission procedure;² and (ii) any future Prosecution evidence submitted through the email procedure for witnesses called by others, so long as the submitted evidence has a genuine - and not pretextual - connection to the Prosecution's examination of that witness.³

¹ Preliminary Directions for any LRV or Defence Evidence Presentation, 13 October 2017, ICC-02/04-01/15-1021, para. 5, n. 13.

² Initial Directions on the Conduct of the Proceedings, 13 July 2016, ICC-02/04-01/15-497, para. 28.

³ Trial Chamber VI, *The Prosecutor v. Bosco Ntaganda*, Reasons for the Chamber's oral ruling on use of certain material during cross-examination by the Prosecution, 18 July 2017, ICC-01/04-02/06-1997, para. 16; Trial Chamber VII, *The Prosecutor v. Jean-Pierre Bemba Gombo et al.*, Decision on Formally Submitted Items for D23-1, 8 November 2016, ICC-01/05-01/13-1786-Anx4-Red (originally sent 21 March 2016), p. 6.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

SETS a deadline of 1 March 2018 at 16:00 for the Prosecution to submit any further evidence, subject to paragraph 2 above.

Done in both English and French, the English version being authoritative.



Judge Bertram Schmitt, Single Judge

Dated 2 February 2018

At The Hague, The Netherlands