

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/04-01/15  
Date: 4 September 2019

**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 Annexes I and II**

**Notification of the Appointment of Mr Charles Khamala  
as Legal Adviser to Witness D26-P-0036**

**Source:** Registry

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

**The Office of the Prosecutor**

Ms Fatou Bensouda  
Mr Benjamin Gumpert

**Counsel for the Defence of Mr Ongwen**

Mr Krispus Ayena Odongo  
Mr Charles Achaleke Taku

**Legal Representatives of Victims**

Mr Joseph Akwenyu Manoba  
Mr Francisco Cox

**Unrepresented Applicants  
(Participation/Reparation)**

**Unrepresented victims**

**The Office of Public Counsel for  
Victims**

Ms Paolina Massidda  
Mr Orchlon Narantsetseg

**States' Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

Mr Esteban Peralta Losilla  
Mr Pieter Vanaverbeke

**Victims and Witnesses Unit**

Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Mr Charles Khamala

## **I. Introduction**

1. The Registry hereby informs the Chamber of the appointment of Mr Charles Khamala as Legal Adviser to Witness D26-P-0036 (“Notification of Appointment”), pursuant to rule 74 (10) of the Rules of Procedure and Evidence (“Rules”).

## **II. Classification**

2. Pursuant to regulation 23 *bis*(1) of the Regulations of the Court (“RoC”), the annexes to the present submission are classified as confidential as they contain personal information and contact details of Mr Charles Khamala.

## **III. Applicable Law**

3. The Registry has considered the following provisions: article 68 of the Rome Statute, rules 21 and 74(10) of the Rules, regulations 67 and 69 of the RoC, regulation 123(1) of the Regulations of the Registry, and articles 5, 8 and 22(3) of the Code of Professional Conduct for Counsel (“Code”).

## **IV. Submissions**

4. On 3 September 2019, the Registrar appointed Mr Charles Khamala as the Legal Adviser to Witness D26-P-0036.<sup>1</sup> Mr Khamala will be duly provided with access to relevant material in connection with the case, including the statements and transcripts of interviews of Witness D26-P-0036, *via* a secure channel in order to maintain confidentiality at all times.<sup>2</sup>

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<sup>1</sup> Confidential Annex I.

<sup>2</sup> Annex to the “Decision on Protocols to be Adopted at Trial”: *Unified Protocol on the practices used to prepare and familiarise witnesses for giving testimony at trial*, ICC-02/04-01/15-504-Anx1 dated 22 July 2016, paras 53 to 60, *spec.* para. 56.

5. On 31 August 2019, Mr Khamala executed the solemn undertakings required by articles 5 and 22(3) of the Code.<sup>3</sup>

The Registrar remains at the disposal of the Chamber should further information be required.

  

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Marc Dubuisson, Director, Division of Judicial Services  
on behalf of Peter Lewis, Registrar

Dated this 4 September 2019  
At The Hague, The Netherlands

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<sup>3</sup> Confidential Annex II.