

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **21 August 2019**

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

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

Public

Order Setting a Deadline for Evidence Related Requests

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

Peter Lewis

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, in the case of *The Prosecutor v. Dominic Ongwen*, having regard to Article 64(2) of the Rome Statute (‘Statute’) and Rule 101 of the Rule of Procedure and Evidence, issues the following ‘Order Setting a Deadline for Evidence Related Requests’.

I. Procedural history and submissions

1. On 13 July 2016, the Presiding Judge issued the Initial Directions on the Conduct of the Proceedings (‘Initial Directions’), where it was decided that the trial will be organised into: (i) presentation of evidence by the Office of the Prosecutor (‘Prosecution’); (ii) any presentation of evidence by the Legal Representatives of Victims (‘LRVs’); and (iii) any presentation of evidence by the Defence.¹
2. On 13 April 2018, the Prosecution closed its presentation of evidence.²
3. On 24 May 2018, the LRVs presentation of evidence concluded.³
4. On 4 June 2018, the Defence filed, *inter alia*, its final lists of witnesses and evidence for its evidence presentation.⁴
5. On 1 October 2018, the Defence commenced with its presentation of evidence and called its first witness.⁵ Up to now, the Defence has called about two thirds of the witnesses scheduled to provide *viva voce* evidence. It is expected that the Defence will complete its presentation of evidence in the upcoming months.
6. In order to facilitate the fair and expeditious conduct of the rest of the proceedings and provide the parties and participants with sufficient time, the Single Judge considers it appropriate to set a deadline for any outstanding motions which concern new requests

¹ Initial Directions on the Conduct of the Proceedings, ICC-02/04-01/15-497, para. 9.

² Notice of the Prosecution’s completion of evidence presentation, ICC-02/04-01/15-1225.

³ Transcript of hearing on 24 May 2018, ICC-02/04-01/15-T-178-ENG, page 31, lines 20-21.

⁴ Public Redacted Version of ‘Defence notification of List of Witnesses and Evidence in compliance with ICC-02/04-01/15-1021 and Request for Leave to Add Witnesses its List of Witnesses and Materials to its List of Evidence’, ICC-02/04-01/15-1272-Red2. The list of witnesses is contained in confidential annex A, ICC-02/04-01/15-1272-Conf-AnxA. The list of evidence is contained in confidential annex B, ICC-02/04-01/15-1272-Conf-AnxB.

⁵ Transcript of hearing, ICC-02/04-01/15-T-180-Red-ENG.

related to the introduction of evidence or any other matter concerning evidence at this stage of the proceedings.

7. To the extent possible, the parties and participants are hereby ordered to file any request related to evidence at this stage of the proceedings by 30 September 2019.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

ORDERS the parties and participants to file any request related to evidence at this stage of the proceedings by 30 September 2019.

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



Judge Bertram Schmitt, Single Judge

Dated 21 August 2019

At The Hague, The Netherlands