

**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,<sup>1</sup> 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;<sup>2</sup> 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.<sup>3</sup>

---

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

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

<sup>3</sup> 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