



Original: English

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

Date: 5 June 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 the Commencement Date of the Defence Presentation of
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

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 ('Court') in the case of *The Prosecutor v. Dominic Ongwen*, pursuant to Article 64(2) of the Rome Statute and Rule 132 *bis*(5)(e) of the Rules of Procedure and Evidence, issues the following 'Order Setting the Commencement Date of the Defence Presentation of Evidence'.

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 the date set by this decision, and in accordance with the Initial Directions, the Defence will have up to five hours to present its opening statement.⁵ The first block for the Defence evidence presentation will take place as scheduled below.

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 Confidential 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-Conf-Red. 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 Initial Directions, ICC-02/04-01/15-497, para. 7.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

DECIDES that the Defence opening statement will be given on 18 September 2018 at 09:30; and

DECIDES that the first block for the Defence presentation of evidence will run from 27 September 2018 to 10 October 2018.

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



Judge Bertram Schmitt, Single Judge

Dated 5 June 2018

At The Hague, The Netherlands