

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-02/04-01/05

Date: 6 February 2025

PRE-TRIAL CHAMBER III

Before: Judge Althea Violet Alexis-Windsor, Presiding Judge
Judge Iulia Motoc
Judge Haykel Ben Mahfoudh

SITUATION IN IN THE REPUBLIC OF UGANDA

IN THE CASE OF THE PROSECUTOR v. JOSEPH KONY

Public Document

Redacted version of the “Observations of the Registrar on the Prosecutor’s request for the disclosure of certain sealed documents on record in the Situation in Uganda” (ICC-02/04-01/05-110-US-Exp) 14 September 2006

Source: Registry

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

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**

Specify the team(s) to be notified

☒ **Legal Representatives of the Victims**

Specify the team(s) to be notified

☐ **Legal Representatives of the Applicants**

☐ **Unrepresented Victims**

☐ **Unrepresented Applicants
(Participation/Reparation)**

☒ **The Office of Public Counsel for Victims**

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

☐ **States' Representatives**

☐ **Amicus Curiae**

REGISTRY

Registrar

M. Zavala Giler, Osvaldo

☐ **Counsel Support Section**

☒ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and
Reparations Section**

☐ **Other**

The Registrar of the International Criminal Court (the Court);

NOTING that, on 30 May 2006, Judge Diarra was appointed as the single judge responsible for the disclosure of sealed documents for Pre Trial Chamber II in the matter *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen (Prosecutor v Kony and Others)*¹.

NOTING also that on 29 August 2006², the Pre Trial Chamber II ordered that the Victims and Witnesses Unit submit observations on the Prosecutors request to disclose certain sealed documents in the matter.

NOTING, the previous decisions of the Pre Trial Chamber (PTC)³ and relevant court proceedings⁴ on the disclosure of sealed documents in the matter, in particular that documents on record in this matter are sealed for the safety and security of witnesses *inter alia*⁵).

NOTING further that in making a decision to unseal documents in whole or partially Chambers has taken great care to ensure that correct and appropriate

¹ *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Décision portant désignation d'un juge unique pour la levée des scellés, 30 May 2006, ICC-02/04-01/05- 87

² *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Ordonnance sollicitant de la division d'aide aux victimes et aux témoins des observations relatives à la levée des scellés concernant certains documents dans les dossiers de la situation et de l'affaire, ICC-02/04-01/05-107-US-Exp, 29 August 2006, pg 5-7.

³ *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision on the Prosecutor's application for unsealing of the warrants of arrest, 13 October 2005, ICC-02/04-01/05-52; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision to unseal further documents of the record, 2 November 2005, ICC-02/04-01/05-82; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision to unseal further documents of the record, 9 March 2006, ICC-02/04-01/05-78 ; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Order to the Prosecutor to provide information on further unsealing of documents of the record, 18 April 2006, ICC-02/04-01/05-82.

⁴ On 9 March 2006 the Prosecutor requested that the PTC not take into account documents filed by the Registry as the OTP did not deem them relevant; 2 May 2006 the Prosecutor's presentation on the disclosure of documents and On 10 July 2006 and 21 July 2006 respectively the Prosecutors requests for the unsealing of filed documents

⁵ *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision on the Prosecutors Application for Warrants of Arrest under Article 58, ICC-02/04-01/05-1-US Exp, 8 July 2005 pg 9-10; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision on the Prosecutor's application for unsealing of the warrants of arrest, 13 October 2005, ICC-02/04-01/05-52, pg 2-3; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Order to the Prosecutor to provide information on further unsealing of documents of the record, 18 April 2006, ICC-02/04-01/05-82 pg 2.

treatment has been given specifically to the safety and security of victims and witnesses⁶.

NOTING that Chambers has stated, "*la protection des victimes et témoins peut rendre des expurgations nécessaires avant que certains documents ne soient rendus publics, et que la Chambre a le pouvoir de procéder à des expurgations dans le but de protéger des victimes et des témoins en vertu de [Article 57 (3) (c), 68 (1) and Rule 87]*"⁷ (Redactions made by Chambers may be necessary prior to the unsealing and publication of certain sealed documents⁸).

NOTING further, that the VWU may provide advice to Chambers *inter alia* on the appropriate protective measures, security arrangements and other appropriate assistance in terms of Article 68 (4) of the Rome Statute⁹.

CONSIDERING that the VWU has a statutory obligation to provide security arrangements and protective measures for victims, witnesses and others at risk on account of witness testimony¹⁰.

CONSIDERING that effective witness protection requires maintenance of a high level of confidentiality. This is also a matter of international best practice. As such confidentiality extends to all areas of VWU work related to the fulfilment of its

⁶ *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Order to the Prosecutor to provide information on further unsealing of documents of the record, 18 April 2006, ICC-02/04-01/05-82, pg 2; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision to unseal further documents of the record, 9 March 2006, ICC-02/04-01/05-78, pg 3; 2 November 2005, ICC-02/04-01/05-82; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision to unseal further documents of the record, 9 March 2006, ICC-02/04-01/05-78, pg 3-4

⁷ *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Ordonnance sollicitant de la division d'aide aux victimes et aux témoins des observations relatives à la levée des scellés concernant certains documents dans les dossiers de la situation et de l'affaire, ICC-02/04-01/05-107-US-Exp, 29 August 2006, pg 4; *Prosecutor v Joseph Kony, Vincent Otti, Raskwa Lukwiya, Okot Odhiambo and Dominic Ongwen*, Decision on the Prosecutor's application for unsealing of the warrants of arrest, 13 October 2005, ICC-02/04-01/05-52 pg 6

⁸ Please note that this is not the official translation of this paragraph, it is inserted only for completeness of the submissions.

⁹ Rome Statute Article 43 (6) on the VWU mandate, see also Rule 17 (2) (i), (ii) and (v) for the Rules of Procedure and Evidence; Regulation 41 of the Regulations of the Court read with Rule 87 and 88 of the RPE.

¹⁰ Rome Statute of the International Criminal Court, Article 43 (6)

mandate¹¹, inclusive of any internal correspondence in the seat of the Court or any of its field offices¹². It is also considered that such practice should be extended to all internal court correspondence unless there is an overwhelming public interest to disclose these documents.

CONSIDERING that the Regulations of the Registry provide for two kinds of classifications for documents that are not under seal, namely confidential and public¹³. The VWU understands that the unsealing of documents will not lead to their publication but they would be classified as confidential¹⁴.

SUBMITS its' observations regarding the disclosure of certain sealed documents listed in the decision on 29 August 2006, with this understanding in mind. For ease of reference the observations are listed below in the order in which they appear in the decision of 29 August 2006¹⁵. Further Motivation is given for each observation made:

Submissions with regard to the disclosure of sealed documents

a) **ICC-02/04-11-US-Exp**, Prosecutor's Application to Disclose to Internal Auditor Certain Information Relating to the Amended Application for Warrants;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

¹¹Rules of Procedure and Evidence (RPE) Rule 18 (a) VWU has a responsibility to, "Ensure that the staff in the Unit maintain confidentiality **at all times**"; Regulations of the Registry (ROR) Regulation 92 see especially sub regulation 2, concerning security arrangements by the Registry involving the protection and security for the safety of victims and witnesses, "**Procedures and measures** referred to in sub-regulation 1 shall be **confidential**"; see Rules of Procedure and Evidence, Rule 17 (2) (iv) and (v) where confidentiality is an area that the VWU has a responsibility to train others within the Court in and assist in developing investigations that are mindful of security and confidentiality (this assumes that the VWU has obligations and expertise in confidentiality).

¹² RPE Rule 18 (a); ROR 97 together with 98 note how 98 is similar particularly sub regulation 2 to Regulation 88.

¹³ ROR Regulation 14.

¹⁴ Decision 9 March 2006, pg 2; see also ROR Regulation 14

¹⁵ Decision 29 August 2006, pg 5 to 7

2.1 The whole paragraph 5.

3. *Reasons for VWU requested redactions or treatment of content:*

The paragraph should be redacted because it mentions the location of victims and witnesses. Disclosing such information to the general public could result in a risk in the security of those witnesses and victims. In addition the paragraph contains information related to protection of witnesses. This information should remain confidential because it concerns —the operations of the VWU and if disclosed would undermine the effectiveness of witness protection.

b) **ICC-02/04-16-Exp**, Registration in the record of material presented during the *ex parte* hearing held in closed session on 21 June 2005;

1. *VWU requested treatment:* if unsealed, the following redaction is recommended.

2. *Parts to be redacted:*

2.1 Page 2, last paragraph

2.2 The entire attachment.

3. *Reasons for VWU requested redactions or treatment of content:*

These documents describe the operational measures and security arrangements made [REDACTED] for witnesses' security. The disclosure of such information will undermine the effectiveness of those protective measures. Indeed to describe protection measures can simultaneously suggest means of breaching those measures.

c) **ICC-02/04-01/05-17-US-Exp**, Prosecutor's Motion for Clarification and Urgent Request for Variation of Time-Limit Enshrined in Rule 155;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

- 2.1 Page 8 to 9, paragraphs 12, 13 and 14 entirely.

- 2.2 Page 8, footnote 19 entirely, 3 lines.

3. *Reasons for VWU requested redactions or treatment of content:*

This document describes VWU ways of functioning and protective measures. The disclosure of such information will undermine the effectiveness of those measures and the operations of the VWU in providing effective witness protection.

- d) **ICC-02/04-01/05-21-US-Exp**, Application for Unsealing of Warrants of Arrest Issued on 8 July 2005, and Other Related Relief;

1. *VWU requested treatment:* if unsealed, following redaction recommended.

2. *Parts to be redacted and reasons for VWU requested redactions or treatment of content:*

- 2.1 Page 5, paragraph 6, line 6 to 12

Reasons for VWU requested redactions or treatment of the content: this document describes VWU sources of information. It also describes VWU security measures. Disclosure would undermine the effectiveness of those security measures and expose, to the general public, VWU sources of information.

- 2.2 From page 6 to 7, paragraphs 9 and 10 as a whole.

Reasons for VWU requested redactions or treatment of the content: this document describes the operational measures and security arrangements for witnesses' security. Disclosure would undermine the effectiveness of those measures. Indeed to describe protection measures can simultaneously suggest means of breaching those measures.

2.3 Page 9, paragraph 14,

2.3.1 Line 6 to 8. redaction of "[REDACTED]"

[REDACTED]

[REDACTED] ;

2.3.2 Line 9, redaction of "the victim's precise age"

2.3.3 Line 12 entirely

2.3.4 Line 13 and 14, redaction of "was beaten" and "after attempting to escape".

2.3.5 Footnotes 4 and 5 entirely.

Reasons for VWU requested redactions or treatment of the content:

The information on these sections of the document concerns identifying features of the victims. The requested redactions will prevent the possible identification of victims.

- e) ICC-02/04-01/05-22-US-Exp, Application Proposing Treatment of Submissions, transcripts and Decisions Which are Currently Sealed, in the event that Warrants of Arrest are unsealed;

1. *VWU requested treatment:* VWU discerns no justification for continued sealing.

f) **ICC-02/04-01/05-24-US-Exp**, Provision of Additional Information Relating to the Prosecutor's Application for Unsealing of Warrants of Arrest Issued on 8 July 2005; and other Related Relief;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted and Reasons for VWU requested redactions or treatment of content:*

2.1.1 Page 7, paragraph 10 "[REDACTED]"

2.1.2 Page 7, paragraph 10 "[REDACTED]".

2.1.3 Page 7, paragraph 10 footnote Nr3: "without telling representatives of the [REDACTED] about the existence of the warrants".

Reasons for VWU requested redactions of the content: this document describes ICC network of contacts used to get confidential information. Disclosure could have an impact on the security of the information sources.

2.2.1 From page 9 till 13, paragraph 13,

2.2.2 footnote Nr5 page 10,

2.2.3 footnote Nr4 page 9.

Reasons for VWU requested redactions of the content: this document describes the operational measures and security arrangements made in [REDACTED] or witnesses' security. Disclosure would undermine the effectiveness of those measures.

Indeed to describe protection measures can simultaneously suggest means of breaching those measures and place the witnesses at risk in the process.

2.3 Page 13, paragraph 14, line 5 and 6.

Redaction of the following part of the sentence: *"including from the [REDACTED] UN-affiliated organizations, and police, camp and school officials"*

Reasons for VWU requested redactions of the content: this document describes ICC network of contacts used to get information. Disclosure could have an impact on the security of the information sources.

2.4 Page 14, paragraph 16, line 6 and 7.

Redaction of the following part of the sentence: *"[REDACTED] [REDACTED]".*

Reasons for VWU requested redactions of the content: this document describes ICC network of contacts used to get information. Disclosure could have an impact on the security of the information sources.

2.5 Page 15, paragraph 18, from line 8 till end of the paragraph.

Reasons for VWU requested redactions of the content: this document describes the operational measures and security arrangements made in [REDACTED] for witnesses' security. Disclosure would undermine the effectiveness of those measures. Indeed to describe protection measures can simultaneously suggest means of breaching those measures.

2.6 Page 22, line 1.

Redaction of, *"especially former LRA members and officer".*

Reasons for VWU requested redactions of the content: this document describes ICC network of contacts used to get confidential information. Disclosure could have an impact on the security of the information sources.

2.7 Page 27, lines 14 and 15.

Redaction of the following part of the sentence: *"the re-location of victims and witnesses".*

Reasons for VWU requested redactions of the content: this document describes the operational measures and security arrangements for witnesses' security. Disclosure would undermine the effectiveness of those measures and security arrangements. Indeed to describe operational measures and security arrangements can simultaneously suggest means of breaching those measures and arrangements to the detriment of witness protection.

- g) **ICC-02/04-01/05-25-US-Exp**, Registrar's Response to the order for additional information relating to the Prosecutor's Application for unsealing of warrants of arrest issued on 8 July 2005, and other related relief;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

- 2.1 Page 2, paragraph I.2, redaction of, [REDACTED]

[REDACTED]

2.2 Page 2, paragraph II.3 redaction of words [REDACTED]

2.3 Page 2, paragraph II.4 redaction of, [REDACTED]

[REDACTED] *has indicated its preparedness to avert any stepped up operations by the LRA".*

3. *Reasons for VWU requested redactions or treatment to content:*

This document describes the operational measures and security arrangements for witnesses' security. Disclosure would undermine the effectiveness of those measures and security arrangements. Indeed to describe protection measures can simultaneously suggest means of breaching those measures. Moreover, it refers to [REDACTED]

h) ICC-02/04-01/05-41-US-Exp, Notification of Additional Matter Relating to Witness Security;

1. *VWU requested treatment:* That the document remain under seal.

2. *Parts to be redacted:* The document in its entirety.

3. *Reasons for VWU requested redactions or treatment to content:*

The fact that an [REDACTED]

[REDACTED] This can be seriously detrimental to [REDACTED]

i) ICC-02/04-01/05-42-US-Exp, Notification of Errata in Prior OTP filing of 4 October 2005;

1 *VWU requested treatment:* That the document remain under seal.

2. *Parts to be redacted:* The document in its entirety.

3. *Reasons for VWU requested redactions or treatment to content:*

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

j) **ICC-02/04-01/05-44-US-Exp**, Decision to Convene a Status Conference;

1 *VWU requested treatment:* That the document remain under seal.

2. *Parts to be redacted:* The document in its entirety.

3. *Reasons for VWU requested redactions or treatment to content:*

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

k) **ICC-02/04-01/05-46-US-Exp**, Prosecutor's submission of ICC Security and Safety Report Into the [REDACTED] as Relied Upon at Hearing Held on 6 October 2005;

1 *VWU requested treatment:* That the document remain under seal.

2. *Parts to be redacted:* The document in its entirety.

3. *Reasons for VWU requested redactions or treatment to content:*

The fact that [REDACTED] [REDACTED] should not be made public knowledge. This can be seriously detrimental to victims and witnesses security. People could then easily [REDACTED] [REDACTED] all the necessary information [REDACTED] and access the sensitive data: [REDACTED]. It is reasonably foreseeable that if this information became public knowledge, this would dramatically jeopardize the victims and witnesses security and undermine the effectiveness of operational and security measures in place for their protection. Moreover, part of the document is an internal memorandum and is classified in part as "Confidential-Security". This document should therefore remain under seal.

1) **ICC-02/04-01/05-59-US-Exp**, Sealed Supplement to Prosecutor's Position on the Decision of Pre-Trial Chamber II to Redact Factual Description of Crimes from the Warrants of Arrest, Motion for Reconsideration, and Motion for Clarification;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

2.1 Page 4, paragraph 6, line 5 redaction of: "*there were only six attacks*", line 12 redaction of: "*the six places*"

2.2 Page 5, line 4 redaction of: "*the six attack locations.*"

2.3 Page 6, from line 4 to line 13 and footnote Nr2, redaction of: "*announced at the time the attack on Barlonyo IDP Camp...that the OTP was investigating the attack.....before this Chamber also connected Barlonyo to the ICC investigation*".

2.4 Page 7, line 3, redaction of "*the six sites*".

2.5 Page 8, paragraph 7, line 4, redaction of "*the six attack sites*", and line 7 redaction of "*the six sites*".

3. *Reasons for VWU requested redactions or treatment of content:*

The extracts for which redaction is requested contain information on the location of victims and witnesses. Disclosure of such information would jeopardize security for victims and witnesses.

m) ICC-02/04-01/05-61-US-Exp, Registration in the Record of material presented during the status conference held in closed session on 6 October 2005;

1 VWU requested treatment: If the document is unsealed, it is requested that only the Annex containing the BBC News article- HNE6-02/04-01/05-US, should be unsealed and the rest of the document should remain under seal.

2. *Parts to be redacted:* The whole document with the exception of the last Annex BBC News article- HNE6-02/04-01/05-US.

3. *Reasons for VWU requested redactions or treatment to content:*

The fact that an [REDACTED]
[REDACTED]. This can be seriously detrimental to victims and witnesses security. [REDACTED]
[REDACTED]
[REDACTED], *inter alia*. Furthermore, [REDACTED]
[REDACTED], which should stay strictly confidential. It is reasonably foreseeable that if this information became public knowledge, this would dramatically jeopardize the victims and witnesses security and undermine the effectiveness of operational and security measures.

Finally, part of this document is an internal memorandum, and part of it is classified Confidential-Security. It is strongly recommended that this document should remain sealed.

- n) **ICC-02/04-01/05-63-US-Exp-Anx-A-B**, Annex A and B to "Update of Proposed Treatment of All Relevant Documents of the Record and Application for Entry of Reasons for Sealing into Public Record;

1. *VWU requested treatment:* if unsealed, the following redaction is recommended.

2. *Parts to be redacted:*

Any reference to under seal documents in these charts should be redacted.

3. *Reasons for VWU requested redactions or treatment to content:*

The document contains an overview of all under seal documents in the matter. For example it refers to issues that should stay confidential such as

 (please see observations in regard to ICC-02/04-01/05-61-US-Exp, ICC-02/04-01/05-46-US-Exp, ICC-02/04-01/05-42-US-Exp). The VWU requests that any references to under seal documents in these charts be redacted.

- o) **ICC-02/04-01/05-65-US-Exp**, Registration in the record of material presented during the status conference held in closed session on 17 November 2005;

1. *VWU requested treatment:* if unsealed, the following redaction is recommended.

2. *Parts to be redacted:*

Any reference to under seal documents in these charts should be redacted.

3. *Reasons for VWU requested redactions or treatment to content:*

The document contains an overview of all under seal documents in the matter. For example it refers to issues that should remain under seal such as [REDACTED]

[REDACTED] ICC-02/04-01/05-61-US-Exp, ICC-02/04-01/05- 46-US-Exp, ICC-02/04-01/05-42-US-Exp) [REDACTED]

The VWU requests that any references to under seal documents in these charts be redacted.

- p) **ICC-02/04-01/05-69-US-Exp**, Sealed Annex to Prosecutor's Application to Supplement the Record;

VWU requested treatment: VWU discerns no justification for continued sealing.

- q) **ICC-02/04-01/05-70-Conf-Exp**, Submission filed by the Registrar on 5 December 2005;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

- 2.1 Page 4., line 4. redaction of "Amnesty Commission in Kampala"
- 2.2 Page 5, line 3 of the letter, redaction of "Amnesty Commissioner"
- 2.3 Page 6, line 5,6,7 and 8 : redaction of "The Chairman, Amnesty Commission, Kampala, Uganda" and "Dear Chairman Amnesty"
- 2.4 Page 6, line 23 : redaction of "Amnesty"

3. *Reasons for VWU requested redactions or treatment to content:*

This document contains information on ICC sources of information. Disclosure could jeopardize security of the source.

r) **ICC-02/04-01/05-73-US-Exp**, Prosecutor's Application That the Pre-Trial Chamber Disregard as Irrelevant The Submission Filed by the Registry on 5 December 2005;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

2.1 Page 11, footnote Nr7, line 10 and 11, redaction of "[REDACTED]
[REDACTED]".

3. *Reasons for VWU requested redactions or treatment to content:*

The fact that [REDACTED]
can be very detrimental to security measures.

s) **ICC-02/04-01/05-74-US-Exp**, Registration in the Record of material presented during the status conference held in closed session on 7 December 2005;

1. *VWU requested treatment:* if unsealed, the following redaction is recommended.

2. *Parts to be redacted:*

2.1 From page 8 to 11.: Annex HNE 10-02/04-01/05-US-Exp and annex HNE 11-02/04-01/05-US-Exp

3. *Reasons for VWU requested redactions or treatment to content:*

This document contains [REDACTED] which should remain strictly confidential.

If this information become known outside ICC, this would dramatically jeopardize the victims and witnesses security and undermine the effectiveness of operational and security measures.

t) **ICC-02/04-01/05-77-US-Exp**, Decision on the Prosecutor's Application that the Pre-Trial Chamber Disregard as Irrelevant the Submission filed by the Registry on 5 December 2005;

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

2.1 Page 4, paragraph 4, line 2 , redaction of "*Amnesty Commission, Kampala*"; line 8 and 9 redaction of "*Amnesty Commission in Kampala, Uganda*".

2.2 Page 27, paragraph 43, line 10 and 11, redaction of "*Amnesty Commission, Kampala, Uganda*".

2.3 Page 36 – line 3 to 4: redaction of : "*and addressed to the Chairman of the Amnesty Commission in Kampala*".

3. *Reasons for VWU requested redactions or treatment to content:*

The information in the extracts for which redaction is recommended is on the sources of confidential information of the ICC. The disclosure of this information would result in a threat for the source providing the ICC with information.

u) **ICC-02/04-01/05-79-US-Exp**, Prosecutor's Application for Leave to Appeal Pre-Trial Chamber II's decision on Prosecutor's Application that the Pre-Trial

Chamber Disregard as Irrelevant the Submission Filed by the Registry on 5 December 2005;

VWU requested treatment: VWU discerns no justification for continued sealing

- v) **ICC-02/04-01/05-83-AnxA-B-US**, Annexes to Prosecutor's Submission of Information on Further Unsealing of Documents of Record;

ICC-02/04-01/05-83-US-Exp- AnxB 52to 56/544

ICC-02/04-01/05-44-US-Exp

- 1 *VWU requested treatment:* It is recommended that this document remain under seal.

2. *Parts to be redacted:* The document in its entirety.

3. *Reasons for VWU requested redactions or treatment to content:*

The fact that [REDACTED]

[REDACTED] should not be made public knowledge. This can be seriously detrimental to victims and witnesses security because it is reported that [REDACTED]

ICC-02/04-01/05-83-US-Exp- AnxB 65...69/544

ICC-02/04-01/05-59-US-Exp:

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

- 2.1 Page 4, paragraph 6, line 5 redaction of: "there were only six attacks", line 12 redaction of: "the six places"

- 2.2 Page 5, line 4 redaction of: "the six attack locations."

- 2.3 Page 6, from line 4 to line 13 + footnote Nr2, redaction of:
"announced at the time the attack on Barlonyo IDP Camp...that the OTP was investigating the attack.....before this Chamber also connected Barlonyo to the ICC investigation".
- 2.4 Page 7, line 3 , redaction of *"the six sites"*.
- 2.5 Page 8, paragraph 7, line 4 , redaction of *"the six attack sites"*, and line 7 redaction of *"the six sites"*.

3. *Reasons for VWU requested redactions or treatment to content:*

The extracts from the document for which redaction is recommended contain information on the location of victims and witnesses location. Disclosure of such information would jeopardize security for victims and witnesses.

ICC-02/04-01/05-83-US-Exp- AnxB .76+77/544

ICC-02/04-01/05-70-US-Conf:

- 1. *VWU requested treatment:* if unsealed, the following redactions are recommended.
- 2. *Parts to be redacted:*
 - 2.1 Page 4., line 4. redaction of *"Amnesty Commission in Kampala"*
 - 2.2 Page 5, line 3 of the letter, redaction of *"Amnesty Commissioner"*
- 3. *Reasons for VWU requested redactions or treatment to content:*
 This document contains information on ICC sources of information. Disclosure could jeopardize security of the source as it would expose the identity of the source.

ICC-02/04-01/05-83-US-Exp- Anx B .90/544

ICC-02/04-01/05-73-US-Exp

1. VWU requested treatment: if unsealed, the following redaction is recommended.

2. *Parts to be redacted:*

2.1 Page 11, footnote Nr7, line 10 and 11, redaction of "t [REDACTED]

[REDACTED]

[REDACTED]

3. *Reasons for VWU requested redactions or treatment to content:*

The fact that the [REDACTED]

[REDACTED] can be very detrimental to security measures. It is recommended that such information should not be made public.

ICC-02/04-01/05-83-US-Exp- Annex B 107 to 117/544ICC-02/04-01/05-74- US-Exp

1. VWU requested treatment: if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

2.1 From page 8 to 11.: Annex HNE 10-02/04-01/05-US-Exp and Annex HNE 11-02/04-01/05-US-Exp

3. *Reasons for VWU requested redactions or treatment to content:*

[REDACTED]

[REDACTED]

If these information became public knowledge, this would dramatically jeopardize the victims and witnesses security and undermine the effectiveness of operational and security measures.

ICC-02/04-01/05-83-US-Exp- Anx B .121 + 144+153/544**ICC-02/04-01/05-77-US-Exp**

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*
 - 2.1 Page 4, paragraph 4, line 2, redaction of "*Amnesty Commission, Kampala*"; line 8 and 9 redaction of "*Amnesty Commission in Kampala, Uganda*".
 - 2.2 Page 27, paragraph 43, line 10 and 11, redaction of "*Amnesty Commission, Kampala, Uganda*".
 - 2.3 Page 36 – line 3 to 4: redaction of : '*and addressed to the Chairman of the Amnesty Commission in Kampala*'.

3. *Reasons for VWU requested redactions or treatment to content:*
The disclosure of this document constitutes a threat for the source who is providing ICC with information.

ICC-02/04-01/05-83-US-Exp- Anx B 204/544+ 212/544 03-05-2006**T-02-04-3-Conf-Exp- EN**

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*
 - 2.1 Page 128, line 19, redaction of "*UPDF*", and line 22 redaction of "*police contact and to some local militia contacts*".

2.2 Page 136, lines 13, 14 and 15, redaction of *"it is part of the interim risk assessment that we are doing. We will be assessing whether or not any of the witnesses need to be moved"*.

3. *Reasons for VWU requested redactions or treatment to content:*

This part of the document contains information on people and organisations who are helping ICC regarding witnesses protective measures. Disclosure could jeopardize the security of these people.

It also describes the operational measures and security arrangements for witnesses' security. Disclosure would undermine the effectiveness of those measures and place witnesses and victims at risk.

ICC-02/04-01/05-83-US-Exp- AnxB 242...323/544 03-05-2006

T-02-04-01-05-1-Conf-Exp- EN

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

2.1 Page 5, line 18, redaction of *"preventive relocations"*, line 21 redaction of *"three witnesses"*, lines 23.24 and 25, redaction of *"one of those witnesses declined relocation. He is a camp official and he felt that it was important for him to stay in the camp"*.

2.2 Page 6: redaction of the whole page.

2.3 Page 7: from line 1 to 6

2.4 Page 7, line 24, redaction of *"two people"*, line 25 redaction of *"160"*.

2.5 Page 12: from line 18 to line 25.

2.6 Pages 13, 14, 15, 16: redaction of the whole pages.

2.7 Page 16: up to line 22 included

- 2.8 Page 18: from line 9 till line 25.
- 2.9 Page 19: the whole page
- 2.10 Page 20: line 1, and from line 12 to 25 included.
- 2.11 Page 21: from line 1 to line 17 included.
- 2.12 Page 24: from line 6 to line 23 included.
- 2.13 Page 48: from line 20 till line 25 included.
- 2.14 Page 49: line 1,2 and 3 included, as well as lines 23,24 and 25 included.
- 2.15 Page 50: line 1 to 4 included.
- 2.16 Page 67: from line 16 to line 25 included.
- 2.17 Pages 68 and 69: the whole pages.
- 2.18 Page 70: from line 1 to 12 included.
- 2.19 Page 41: line 3 and 4.
- 2.20 Page 77: from line 16 to line 19 included.
- 2.21 Page 78 : from line 15 to line 23 included.
- 2.22 Page 79: from line 5 to 9 included and from line 19 to 18 included.
- 2.23 Page 86 : line 8 and 9 included.

3. *Reasons for VWU requested redactions or treatment to content:*

This document contains information on the victims and witnesses. Disclosure could jeopardize their security.

It also describes the operational measures and security arrangements for witnesses' security. Disclosure would undermine the effectiveness of those measures.

ICC-02/04-01/05-83-US-Exp- Anx B 465 + 466/544

T-02-04-01-05-3-Conf-EN 17/11/2005

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

2.1 Page 20 – line 20 to 23.

2.2 Page 21 – line 6 to 9.

3. *Reasons for VWU requested redactions or treatment to content:*

This part of the document contains information on people and organisations who are helping ICC regarding witnesses protective measures. Disclosure of this information could jeopardize the security of these people and place the witnesses they are helping protect at risk.

It also describes the operational measures and security arrangements for witnesses' security. Disclosure would undermine the effectiveness of those measures.

ICC-02/04-01/05-83-US-Exp- AnxB-From 487/544 to 544/544

T-02-04-01-05-4-Conf-EN [2] 7/12/2005

1. *VWU requested treatment:* if unsealed, the following redactions are recommended.

2. *Parts to be redacted:*

2.1 Page 8, from line 2 to line 5 included,

2.2 Page 18, line 3 and 4 redaction of "*Because this man has as part of his responsibility to negotiate with the LRA*".

Reasons for VWU requested redactions of the content: The disclosure of the extracts of the letter for which redactions are requested would result in a threat on the receiver of the letter.

2.3 Page 28, from line 1 to line 2: the sentence "[REDACTED]"

Reasons for VWU requested redactions of the content: the disclosure of this document constitutes a threat for the source who is providing ICC with information.

2.4 Page 35, from line 13 to line 15, redaction of *"the letter is addressed to the chairman of the Amnesty Commission, but as I understood you, it was a member of the Commission from whom you obtained the letter"*.

2.5 Page 39 to 40

2.5.1 From page 39 (line 23) to page 40 (line 16).

2.5.2 Page 40, line 21, redaction of "[REDACTED]"

2.5.3 Page 40, line 24 and 25.

2.6 Page 41, from line 1 to 4 included.

2.7 Page 41, line 24 and 25, redaction of *"one international professional staff and two local staff"*

Reasons for VWU requested redactions of the content: The extracts of the document for which redaction is recommended describe the VWU protection system. Such information should remain confidential. It also mentions the fact

— [REDACTED] The disclosure of such information could have serious adverse consequences regarding security and witnesses' protection.

Moreover, the number of ICC staff in the field, as well as their nationality should not be disclosed to the public.

2.8 Page 44, from line 3 to line 12 included.

Reasons for VWU requested redactions of the content: this part of the document contains information regarding witnesses that should remain confidential.

Disclosure would undermine the effectiveness of the protective measures.

- 2.9 From page 50, line 11 to page 51 line 25 included.

Reasons for VWU requested redactions of the content: this part of the document contains information regarding witnesses, such as witnesses' location and relocations procedures that should remain confidential.

Disclosure would undermine the effectiveness of the protective measures and therefore the witnesses' security.

- 2.10 Page 52, from line 4 to line 8 included.

Reasons for VWU requested redactions of the content: This document refers to the cooperation agreement between the ICC and the [REDACTED] regarding victims and witnesses. To stay efficient, this agreement should remain confidential.

- 2.11 Page 54, line 13 and 14, line 16 redaction of "UN organisations".

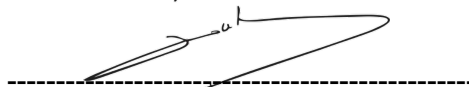
Reasons for VWU requested redactions of the content: this document describes ICC network of contacts used to get information. Disclosure could have an impact on the security of the information sources.

- w) **ICC-02/04-01/05-90-US-Exp**, Decisions on Prosecutor's Applications for Leave to Appeal Dated the 15th day of 2006 and to Suspend or Stay Considerations of Leave to Appeal Dated the 11th day of May 2006;

VWU requested treatment: VWU discerns no justification for continued sealing.

- x) **ICC-02/04-01/05-93-US-Exp**, Request to Unseal Pre-Trial Chamber's Decision dated the 10th day of July 2006 and Renewal of Request to Unseal All Previous Filings, Decisions and Court Proceedings related to the Subject Matter of that Decision;

VWU requested treatment: VWU discerns no justification for continued sealing.

A handwritten signature in blue ink, appearing to read 'M. Dubuisson', is written over a horizontal dashed line.

Marc Dubuisson, Director, Division of Judicial Services,
on behalf of
Osvaldo Zavala Giler, Registrar

Dated this 06 February 2025

At The Hague
The Netherlands