



Original: **French**

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

Date: **6 July 2006**

PRE-TRIAL CHAMBER II

Before: Judge Fatoumata Dembele Diarra, Single Judge

Registrar: Mr Bruno Cathala

**SITUATION in Uganda
CASE 01/05**

Public Document

**DECISION ON THE PROSECUTOR'S REQUEST OF 3 JULY 2006 FOR
UNSEALING OF DOCUMENTS**

The Office of the Prosecutor

Mr Luis Moreno Ocampo, Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor

Ms Christine Chung, Senior Trial Lawyer

Mr Eric MacDonald, Trial Lawyer

I, Fatoumata Dembele Diarra, judge at the International Criminal Court (“the Court”);

NOTING the “Decision Appointing a Single Judge for Unsealing of Documents” dated 31 May 2006 by which Pre-Trial Chamber II designated Judge Fatoumata Dembele Diarra as Single Judge for the unsealing of documents in the situation in Uganda and in the case relating to **Joseph KONY, Vincent OTTI, Raska LUKWIYA, Okot ODHIAMBO and Dominic ONGWEN**;

NOTING the document filed by the Prosecutor entitled “Notification That Government of Uganda Will Continue Efforts to Execute Warrant of Arrest Naming Dominic Ongwen” dated 11 April 2006;¹

NOTING the Prosecutor’s request of 3 July 2006 entitled “Request to Unseal Prosecutor’s Notification that Government of Uganda Will Continue Efforts to Execute Warrant of Arrest Naming Dominic Ongwen Filed on 11 April 2006”;²

NOTING the Chamber’s functions and powers under article 57(3)(c) of the *Rome Statute* (“the Statute”) relating to the protection and privacy of victims and witnesses and under article 68 of the Statute;

CONSIDERING that pursuant to article 68(1) of the Statute, “[t]he Court shall take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses”;

¹ ICC-02/04-01/05-80-US-Exp.

² ICC-02/04-01/05-88-US-Exp.

CONSIDERING that in his request dated 3 July 2006, the Prosecutor considers that, subject to the redactions necessary to avoid identifying certain persons, it is no longer necessary for the document dated 11 April 2006 and the request itself to remain under seal;

CONSIDERING that the Chamber considers that it is necessary to redact the documents dated 11 April 2006 and 3 July 2006 so that they are in the form proposed by the Prosecutor in his request of 3 July and that, under articles 57(3)(c) and 68(1) of the Statute and rule 87 of the *Rules of Procedure and Evidence*, the Chamber has the power to proceed with these redactions;

FOR THESE REASONS,

DECIDE to unseal the request entitled “Request to Unseal Prosecutor's Notification that Government of Uganda Will Continue Efforts to Execute Warrant of Arrest Naming Dominic Ongwen Filed on 11 April 2006” dated 3 July 2006³ and the document entitled “Notification That Government of Uganda Will Continue Efforts to Execute Warrant of Arrest Naming Dominic Ongwen” dated 11 April 2006⁴ and order that these documents be made public in the redacted form as proposed by the Prosecutor in his request dated 3 July 2006.⁵

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

[signed]

Judge Fatoumata Dembele Diarra
Single Judge

Dated this 6 July 2006

At The Hague, the Netherlands

³ ICC-02/04-01/05-88-US-Exp.

⁴ ICC-02/04-01/05-80-US-Exp.

⁵ ICC-02/04-01/05-88-US-Exp.