

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original English

N° : ICC-02/04-01/15

Date : 09/03/ 2015

Before : Preliminary Chamber II

Ms Ekaterina Trendafilova, Single judge

SITUATION IN UGANDA

THE PROSECUTOR

v.

DOMINIC ONGWEN

Public

Defence Request for Extension of Time Limit to Reply to the Prosecution's Further Application to Maintain the Redaction in the "Prosecutor's Amended Application for Warrants of Arrest Under Article 58 (ICC-02/04-01/15-198-17-02-2015)

Defence Counsel for Dominic Ongwen

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

The Office of the Prosecutor

Fatou Bensouda

Benjamin Gumpert

Counsel for Defence

Krispus Ayena Odongo

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation & Reparation Section

Other

1. The Defence for Dominic Ongwen ("Defence") respectfully requests an extension of the time limit by 21 working days from the 11 March 2015 to file its document in reply to the Prosecution's further application to maintain the redactions in the "Prosecutor's amended application for warrants of arrest under article 58."¹
2. Regulation 35(2) of the Regulations of the Court ("Regulations") provides that "a Chamber may extend.....a time limit if good cause is shown and where appropriate after having given the participants an opportunity to be heard"
3. The Defence respectfully submits that the Defence Counsel for Dominic Ongwen has been notified by the Counsel Support Section (CSS) of his appointment on 24th February.²
4. Unfortunately, up to now, the Defence Counsel has been unable to access to his citrix/epn webmail from Kampala (Uganda) where he is residing.
5. Defence Counsel is waiting for his visa in order to travel to The Hague, in order to meet the IT Section to help him to access to his epn webmail.
6. Defence Counsel is in the total incapacity to access to his epn webmail and to the confidential document necessary to him to reply the above mentioned Prosecution's further Application to Maintain the Redactions in the "Prosecutor's Amended Application for Warrants of Arrest Under Article 58."³
7. Therefore, Defence Counsel for Mr Dominic Ongwen is not in a position to reply to the said Prosecution's Application in the time limit of 21 days set by Regulation 24.1 and 34.b of the Regulations of the Court.
8. Actually Defence Counsel cannot access to any of the documents notified to him via his epn webmail, since he was appointed.

¹ ICC-02/04-01/15-198-17.02.2015 with confidential ex parte annex A « Prosecution's Further Application to Maintain the Redactions in the « Prosecutor's Amended Application for Warrants of Arrest under Article 58 »

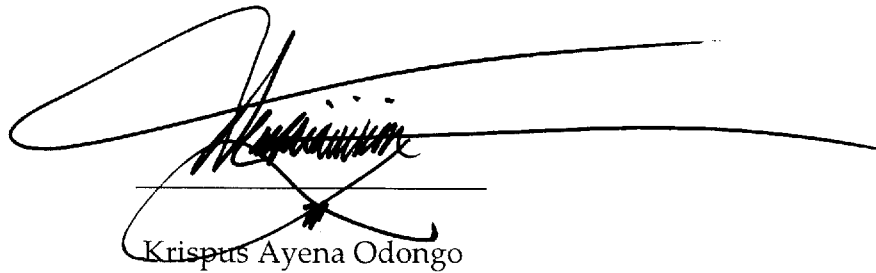
² ICC-02/04-01/15-201-24-02-2015 « Registration of the appointment of Mr Krispus Ayena Odongo as Counsel of Mr Dominic Ongwen

³ ICC-02/04-01/05-347-14 November 2008 -Conf-Exp-Anx A « Redacted version of the Prosecutor's Request for a Warrant of Arrest under article 58 »

9. The Defence respectfully submits that these factual circumstances totally out of control of the newly appointed Defence Counsel constitute “good cause” under Regulation 35 (2) of the Regulations of the Court.

Relief sought

10. The Defence respectfully requests extension of the time limit by 21 working days from the 11 March 2015 to file its document in reply to the Prosecution’s further application to maintain the redactions in the “Prosecutor’s amended application for warrants of arrest under article 58.



Krispus Ayena Odongo

Defence Counsel for Dominic Ongwen

Dated this 9th March 2015

In Kampala, Uganda