



Original: English

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

Date: 8 May 2015

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN UGANDA

IN THE CASE OF *THE PROSECUTOR* v. *DOMINIC ONGWEN*

Public

**With Annexes A-C confidential *ex parte* only available to the Registry and
Annex D confidential *ex parte* only available to the OTP and Registry**

Report of the Registry following document ICC-02/04-01/15-219

Source: Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda
Mr James Stewart
Mr Benjamin Gumpert

Counsel for the Defence

Mr Krispus Ayena Odongo
Mr Thomas Obhof

Legal Representatives of Victims

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

Mr. Herman von Hebel

Counsel Support Section

Mr. Esteban Peralta Losilla

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Ms. Fiona McKay

Other

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

NOTING the “Order concerning the level of classification of documents in the record of the case”, rendered by the Single Judge of Pre-Trial Chamber II on 14 April 2015 (the “Single Judge’s Order”);¹

CONSIDERING that the Single Judge ordered the “Prosecutor and the Registrar to review each of their filings which are not currently classified as “public” and, by 8 May 2015:

(i) to indicate those which can be reclassified as “public” or, failing that and as appropriate, “confidential”;

(ii) to file, insofar possible, public or confidential redacted versions of documents which cannot as such be reclassified as “public” or “confidential”;

(iii) with respect to their confidential filings which cannot be made public and of which public redacted versions currently exist in the record of the case, to file, insofar possible, new public redacted versions with lesser redactions;

(iv) to put on the record of the case reasons justifying the level of classification of any filing that cannot be made public”;²

CONSIDERING that the Single Judge ordered Prosecutor and the Registrar to propose, by 8 May 2015, any redactions vis-à-vis the Defence and/or vis-à-vis the public to transcripts ICC-02/04-01/15-T-1-CONF-EXP-ENG, ICC-02/04-01/15-T-2-CONF-EXP-ENG and ICC-02/04-01/15-T-3-CONF-EXP-ENG; and to propose any redactions vis-à-vis the public to transcript ICC-02/04-01/15-T-5-CONF-EXP-ENG”;³

¹ ICC-02/04-01/15-219

² ICC-02/04-01/15-219, page 3.

³ ICC-02/04-01/15-219, page 4.

NOTING articles 43(6), 64(3) and 68(1) and (4) of the Rome Statute (the “Statute”), rules 16 to 19, 85, 88, 89 and 132(1) of the Rules of Procedure and Evidence (the “Rules”), regulations 54 and 86 of the Regulations of the Court (the “Regulations”) and regulations 79 to 96 of the Regulations of the Registry;

RESPECTFULLY SUBMITS, as annexes to this present document:

1. An overview of all Registry documents previously submitted into the case file which can be reclassified as public (annex A to this present document).
2. An overview of the Registry documents previously submitted into the case file which cannot be made public (annex B to this present document). Specific reasoning as to the Registry’s request to maintain the restricted level of access is equally provided.
3. An overview of Registry documents for which public redacted versions have been submitted in the case file following the Single Judge’s Order (annex C to this present document).
4. An overview of the proposed redactions to transcripts ICC-02/04-01/15-T-1-CONF-EXP-ENG, ICC-02/04-01/15-T-2-CONF-EXP-ENG and ICC-02/04-01/15-T-3-CONF-EXP-ENG (annex D to this present document).

SUBMITS Annexes A to C as confidential *ex parte* only available to the Registry, as they contain some sensitive information that are up to this date not accessible by the parties and Annex D as confidential *ex parte* only available to the OTP and Registry, as the said transcripts are currently available to the OTP and Registry. Should the Single Judge order the reclassification into public of the documents listed in Annex A, the said Annex can also be reclassified as public.

RESPECTFULLY SUBMITTED,



Marc Dubuisson, Director, Division of Court Services

per delegation of
Herman von Hebel, Registrar

Dated this 8 May 2015

At The Hague, The Netherlands