

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 11 July 2016

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

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

**Public
With four confidential annexes**

**Transmission of the correspondence from relevant States
on the interim release**

Source: The 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, Prosecutor

Mr James Stewart, Deputy Prosecutor

Mr Benjamin Gumpert

Counsel for the Defence

Mr Krispus Ayena Odongo

Legal Representatives of the Victims

Mr Joseph Akwenyu Manoba

Mr Francisco Cox

Ms Paolina Massidda

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

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry files this report following the order of Trial Chamber IX (“the Chamber”), dated 15 June 2016, in which the competent authorities of the Kingdom of the Netherlands and the Republic of Uganda were invited to submit, by 7 July 2016, their observations on the interim release of Dominic Ongwen (“Order”).¹

II. Classification

2. Pursuant to regulation 23bis(2) of the Regulations of the Court (“Regulations”), the annexes are filed as confidential as they refer to the names of staff members of the Court and of representatives of the requested States. In addition, the Kingdom of the Netherlands has specified that its reply should be classified as “confidential”. The Ugandan authorities have not yet indicated the level of classification of their reply.

III. Applicable law

3. This report is submitted in accordance with rule 176 of the Rules of Procedures and Evidence (“Rules”) and the Order of the Chamber.

IV. Submissions

4. On 16 June 2016, the Registry transmitted the Order to the authorities of the Kingdom of the Netherlands² and the Republic of Uganda (“Uganda”)³ by way of a note verbale, as per said Order.
5. On 7 July 2016, the Registry received the submissions of the Kingdom of the Netherlands, dated 1 July 2016.⁴ In the email transmitting the electronic version of its reply, the Dutch authorities specified that the document should be classified as confidential.
6. On 4 and 7 July 2016, the Registry contacted the Embassy of the Republic of Uganda to the Kingdom of Belgium to kindly remind it of the invitation to

¹ Trial Chamber IX, “Order requesting observations from relevant States on interim release”, dated 15 June 2016, ICC-02/04-01/15-469

² Annex 1 - confidential

³ Annex 2 - confidential

⁴ Annex 3 - confidential

provide observations on the request made by Mr. Ongwen for interim release in Uganda.

7. On 8 July 2016, the Embassy of the Republic of Uganda informed the Registry that the observations of the State would be provided by the end of Monday, 11 July 2016.
8. On 11 July 2016, the Registry received the submissions of the Republic of Uganda.⁵

V. Conclusion

9. The Registry hereby transmits in annexes the:
 - Note verbale transmitted to the Kingdom of the Netherlands dated 16 June 2016 (Annex 1 - confidential);
 - Note verbale transmitted to the Republic of Uganda dated 16 June 2016 (Annex 2 - confidential);
 - Note verbale from the Kingdom of the Netherlands, dated 1 July 2016 (Annex 3 – confidential);
 - Note verbale from the Republic of Uganda dated 11 July 2016 (Annex 4 – confidential).

RESPECTFULLY SUBMITTED,



Marc Dubuisson

Director, Division of Judicial Services *per* delegation of
Herman von Hebel, the Registrar

Dated this 11 July 2016

At The Hague, the Netherlands

⁵ Annex 4 - confidential