

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-02/04-01/15
Date: **21 October 2016**

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Raul C. Pangalangan

SITUATION IN UGANDA

IN THE CASE OF

THE PROSECUTOR v. DOMINIC ONGWEN

Public

Prosecution's observations on Mr Ongwen's detention

Source: The Office of the Prosecutor

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 Dominic Ongwen

Mr Krispus Ayena Odongo
Mr Charles Taku

Legal Representatives of Victims

Mr Joseph Akwenyu Manoba
Mr Francisco Cox
Ms Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda
Ms Caroline Walter
Mr Orchlon Narantsetseg

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

Amicus Curiae

States Representatives

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Section

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 21 July 2016, Trial Chamber IX issued its second decision reviewing Dominic Ongwen's detention, finding that there had not been any change in circumstances requiring modification of its initial decision on interim release.¹
2. On 26 September 2016, the Single Judge issued the "Order Requesting Observations on Dominic Ongwen's Detention" ("Order").² The Single Judge, *inter alia*, ordered the Prosecution to submit any observations on Dominic Ongwen's detention by 21 October 2016.³
3. The Prosecution submits that Dominic Ongwen's detention and the existing communication restrictions remain warranted. There has been no change in circumstances that would require or justify a modification of the measures currently in place. In maintaining this position, the Prosecution makes reference to its two recent submissions on the issue.⁴



Fatou Bensouda
Prosecutor

Dated this 21st day of October 2016
At The Hague, The Netherlands

¹ ICC-02/04/-01/15-503, paras 10 and 15.

² ICC-02/04-01/15-541

³ ICC-02/04-01/15-541, para 8.

⁴ ICC-02/04/-01/15-483-Red; ICC-02/04/-01/15-542-Conf.