



Original: English

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

Date: 16 August 2017

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

With 40 Confidential Redacted Annexes

**Transmission to the Defence of Lesser Redacted Versions of 40 Applications for
Participation in the Proceedings**

Source: Registry

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

Office of the Prosecutor

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Mr James Stewart
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Counsel for the Defence

Mr Krispus Ayena Odongo

Legal Representatives of Victims

Mr Joseph Akwenyu Manoba
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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

Office of Public Counsel for Victims

States' Representatives

**Office of Public Counsel for the
Defence**

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Section

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. Introduction

1. The Registry hereby files in the record of the case of *The Prosecutor v. Dominic Ongwen* (“Ongwen case”) the confidential lesser redacted versions of 40 victim applications for participation in the proceedings.

II. Procedural history

2. On 9 June 2017, the Office of the Prosecutor (“Prosecution”) filed a request to Trial Chamber IX (“Chamber”) to disclose to the Defence the lesser redacted versions of 43 victim applications for participation¹ in the proceedings (“Request”).²
3. On 12 June 2017, the Chamber granted the Request in respect of five applications³ for participation in the proceedings,⁴ which the Prosecution provided to the Defence and the Registry on the same date.⁵
4. On 6 July 2017, the Chamber granted the remainder of the Request, subject to a prior consultation between the Prosecution and the Legal Representatives of the Victims, and ordered the Registry to file the lesser redacted versions of the

¹ a/06643/15; a/05217/15; a/05295/15; a/05214/15; a/05226/15; a/05268/15; a/02032/16; a/02089/16; a/02085/16; a/05794/15; a/05491/15; a/05385/15; a/05387/15; a/05402/15; a/05545/15; a/05802/15; a/05883/15; a/06358/15; a/05881/15; a/05149/15; a/05632/15; a/01113/16; a/01118/16; a/06822/15; a/01205/16; a/01064/16; a/00820/16; a/01264/16; a/06902/15; a/01094/16; a/01130/16; a/00823/16; a/00918/16; a/01170/16; a/06786/15; a/00066/16; a/06717/15; a/00009/16; a/01239/16; a/00883/16; a/01470/16; a/06792/15; a/06714/15.

² Prosecution, “Prosecution’s request to disclose lesser redacted versions of 43 victims’ applications”, 9 June 2017, ICC-02/04-01/15-862.

³ a/01094/16 ; a/06902/15 ; a/00820/16 ; a/01064/16 ; a/01205/16.

⁴ Email from Trial Chamber IX to the parties and participants on 12 June 2017 at 14:17h, indicating that “the reasons for this decision will follow in the forthcoming decision on request 862”.

⁵ Email from the Prosecution to the Registry on 12 June 2017 at 15:41h.

applications identified in the Request in the case record, following the Prosecution's disclosure to the Defence ("Decision of 6 July 2017").⁶

5. On 7 July 2017, the Prosecution sent to the Defence and the Registry the lesser redacted versions of two applications⁷ for participation in the proceedings.⁸
6. On 28 July 2017, the Prosecution disclosed to the Defence the lesser redacted versions of 33 remaining applications for participation in the proceedings. It also informed the Chamber that the three remaining applications⁹ for participation initially identified by the Prosecution as part of the list of the 43 applications to be disclosed to the Defence, were eventually considered, after discussion with the Legal Representatives, not to have any link with the relevant Prosecution witnesses, and thus would not be disclosed to the Defence.¹⁰
7. On 10 August 2017, the Prosecution provided to the Registry the copies of the 33 remaining applications for participation in the proceedings disclosed to the Defence on 28 July 2017.¹¹

III. Classification

8. Pursuant to regulation 23*bis*(1) of the Regulations of the Court ("Regulations") and in accordance with the Decision of 6 July 2017, the annexes to this document are classified as "confidential".

⁶ Trial Chamber IX, "Decision on Prosecution's Request to Disclose Lesser Redacted Versions of 43 Victims' Applications", 6 July 2017, ICC-02/04-01/15-907, p. 12.

⁷ a/01113/16 ; a/01118/16.

⁸ Email from the Prosecution to the Registry on 7 July 2017 at 17:40h.

⁹ a/01130/16 ; a/00066/16 ; a/00009/16.

¹⁰ Prosecution, "Prosecution's Communication of the Disclosure of Evidence", 28 July 2017, ICC-02/04-01/15-929, para. 3.

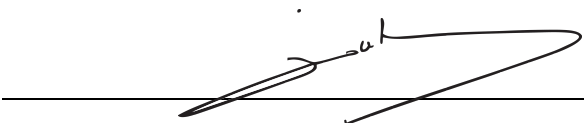
¹¹ Email from the Prosecution to the Registry on 10 August 2017 at 16:42h.

IV. Applicable Law

9. The Registry submits the present document in accordance with article 68(1) and (3) of the Rome Statute, rules 85 and 89(1) of the Rules of Procedure and Evidence, regulation 86 of the Regulations, and in accordance with the Decision of 6 July 2017.

V. Submission

10. The Registry hereby submits in the record of the *Ongwen* case the lesser redacted versions of 40 victim applications for participation in the proceedings, as received from the Prosecution between 12 June and 10 August 2017.¹²



Marc Dubuisson, Director, Division of Judicial Services
per delegation of Herman von Hebel, Registrar

Dated this 16 August 2017

At The Hague, The Netherlands

¹² The documents hereby submitted by the Registry in the record of the case are exactly those previously transmitted by the Prosecution to the Defence and the Chamber; the Registry cannot therefore take responsibility for the graphic quality and overall legibility of the documents.