

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12 June 2018

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

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

Public

Order on Reclassification of Documents Relating to Judicial Site Visit

To be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Fatou Bensouda
James Stewart
Benjamin Gumpert

Counsel for the Defence

Krispus Ayena Odongo

Legal Representatives of Victims

Joseph Akwenyu Manoba and Francisco
Cox
Paolina Massidda

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

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Judge Bertram Schmitt, acting as Single Judge on behalf of Trial Chamber IX ('Single Judge') of the International Criminal Court ('Court') in the case of *The Prosecutor v. Dominic Ongwen*, having regard to Regulation 23 *bis*(3) of the Regulations of the Court ('Regulations'), issues the following 'Order on Reclassification of Documents Relating to Judicial Site Visit'.

1. On 13 October 2017, the Chamber decided that a judicial site visit shall be carried out at the four charged crime scenes (Pajule, Odek, Lukodi and Abok) ('Site Visit').¹ The Chamber had previously invited² and subsequently received observations from the parties, participants and Registry regarding the Site Visit.³
2. On 27 March 2018, the Chamber issued a decision providing further direction on the specific locations and conduct of the Site Visit ('27 March Decision').⁴ The Chamber emphasised that the primary purpose of the Site Visit was judicial (and not public outreach) and gave directions that confidentiality about the Site Visit must be maintained to the extent possible.⁵
3. From 3 to 9 June 2018, the Chamber conducted the Site Visit.
4. The Single Judge notes that filings related to the Site Visit were classified as 'confidential' and that these confidentiality measures were adopted for the sake of security during the Site Visit. Since the Site Visit is now complete and the information contained in related documents is no longer confidential, the Single Judge hereby orders that the documents listed in the disposition below be reclassified as 'public'.

¹ Decision on Judicial Site Visit to the Republic of Uganda, ICC-02/04-01/15-1020-Conf.

² Order Inviting Observations on a Judicial Site Visit, 19 May 2017, ICC-02/04-01/15-834-Conf.

³ Defence Observations on a Judicial Site Visit, 16 June 2017, ICC-02/04-01/15-879-Conf; Prosecution Observations on a Judicial Site Visit, 16 June 2017, ICC-02/04-01/15-877-Conf (with annex); Victims' Joint Submissions on Judicial Site Visit, 16 June 2017, ICC-02/04-01/15-878-Conf; and Registry's Observations on a Judicial Site Visit, 16 June 2017, ICC-02/04-01/15-881-Conf (with annexes).

⁴ Decision on Specific Locations and Further Directions for Judicial Site Visit, ICC-02/04-01/15-1211-Conf.

⁵ 27 March Decision, ICC-02/04-01/15-1211-Conf, para. 6.

5. For the same reason, the Single Judge orders the parties, participants and Registry to either request reclassification or file public redacted versions of the following documents by 22 June 2018, in line with Regulation 23 *bis*(3) of the Regulations:

- Prosecution Observations on a Judicial Site Visit, ICC-02/04-01/15-877-Conf and annex (ICC-02/04-01/15-877-Conf-AnxA);
- Defence Observations on a Judicial Site Visit, ICC-02/04-01/15-879-Conf;
- Victims' Joint Submissions on Judicial Site Visit, ICC-02/04-01/15-878-Conf; and
- Registry's Observations on a Judicial Site Visit, ICC-02/04-01/15-881-Conf and annexes (ICC-02/04-01/15-881-Conf-AnxI and ICC-02/04-01/15-881-Conf-AnxII).

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

ORDERS the Registry to reclassify as 'public' the following filings:

- Order Inviting Observations on a Judicial Site Visit, ICC-02/04-01/15-834-Conf;
- Decision on Judicial Site Visit to the Republic of Uganda, ICC-02/04-01/15-1020-Conf;
- Decision on Specific Locations and Further Directions for Judicial Site Visit, ICC-02/04-01/15-1211-Conf; and

ORDERS the parties, participants and Registry to request reclassification or file public redacted versions of the filings specified in paragraph 5 by 22 June 2018.

Done in both English and French, the English version being authoritative.

A handwritten signature in black ink, appearing to read 'Bertram Schmitt', is written over a horizontal line.

Judge Bertram Schmitt, Single Judge

Dated 12 June 2018

At The Hague, The Netherlands