

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: **6 July 2018**

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

**Public Redacted Version of “Defence Report on the Status towards the Completion of its
Witness VWU Forms”, filed on 2 July 2018**

Source: Defence for Dominic Ongwen

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

The Office of the Prosecutor

Fatou Bensouda, Prosecutor
James Stewart, Deputy Prosecutor
Benjamin Gumpert, QC

Counsel for the Defence

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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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**Victims Participation and Reparations Other
Section**

I. NOTIFICATION

1. As of 2 July 2018, the Defence has completed 52 VWU WIF and Security Concerns forms ('VWU Forms').¹

II. CONFIDENTIALITY

2. Pursuant to Regulation 23 *bis*(1) of the of the Regulations of the Court, the Defence files this submission as confidential as it deals with information about witnesses not known to the public. A public redacted version shall be filed in the coming days.

III. OUTSTANDING VWU FORMS

3. The Defence notifies Trial Chamber IX that the following VWU Forms have not been submitted for the following witnesses: D-0027, D-0035, D-0036, D-0056, D-0065, D-0066, D-0068, D-0080, D-0086, D-0105, D-0134, D-0135 and D-0139.
4. In relation to D-0027 and D-0086, [REDACTED]. The Defence already knows that D-0086 does not desire protective measures and has a valid passport for travel. These VWU Forms and associated material shall be conveyed to VWU on or before 6 July 2018.
5. In relation to D-0056, D-0065, D-0066, D-0068 and D-0105, the Defence has attempted to contact these witnesses and their phones have not been turned on. [REDACTED], they shall be going to their places of residence to conduct complete the VWU forms. With the collection of the prior 36 since 8 June 2018, the Defence made a calculated choice to get as many as possible.
6. In relation to D-0035, D-0036, D-0080, D-0134 and D-0135, [REDACTED].
7. In relation to D-0035, [REDACTED].
8. Finally, in relation to D-0139, the Defence is attempting to meet with this witness in two weeks-time, but it is calling the witness this week to complete the VWU Forms *via* telephone.

¹ The Defence notes that this number includes WVU forms for D-0034, D-0049 and D-0050. Their forms were filled out as a precaution during their latest meetings with the Defence.

The Defence has called this witness several times in the previous week, but the witness did not pick his phone or his phone was turned off.

IV. CONCLUSIONS

9. The Defence respectfully submits that it has worked tirelessly to attempt to complete all the VWU Forms by today, but can only certify that 52 have been completed, with another two expected in the next 48 hours and six within the next week. The remaining five who are subjects of the RFAs will be completed first when meeting with the witnesses.

Respectfully submitted,



.....
Hon. Krispus Ayena Odongo
On behalf of Dominic Ongwen

Dated this 6th day of July, 2018
At Kampala, Uganda