

ANNEX 5

PUBLIC

From: Pre-Trial Chamber III Communications
Sent: 10 December 2024 14:35
To: Office of the Director DJSS
Cc: OTP Kony Communications; D35 Kony Defence team; Kony LRV Team OPCV;
 Chamber Decisions Communication; Pre-Trial Chamber III Communications
Subject: ICC-02/04-01/05 - Order to the Registry requesting assessment for in situ
 confirmation hearing - public

[ICC] RESTRICTED

Dear Registry,

Noting the Prosecution request to hold the confirmation of charges hearing in Uganda (ICC-02/04-01/05-490) (the 'Request'), the OPCV's response (ICC-02/04-01/05-494) and the related Defence's observations (ICC-02/04-01/05-525), the Chamber observes that the Request raises issues pertaining to the security situation in Uganda and the additional Court resources required for holding such a hearing in Uganda. The Chamber considers it necessary to obtain further detailed information on these matters before making its final decision on the Request.

For that purpose, the Chamber considers it necessary to be able to rely on an assessment focussed on the ongoing security risks and threats faced by the Court, its elected officials, and staff, along with any broader security concerns that may affect victims, witnesses, and affected communities. A risk assessment is essential to ensure the safety of all parties involved and to maintain the integrity of the proceedings. The Registry shall also assess the impact of an in situ hearing on the Court's available financial resources, including in light of the newly adopted 2025 budget.

Accordingly, the Registry is instructed to conduct a detailed assessment and submit a report within **seven days** from the date of issuance of this Order, addressing the following:

1. security and safety, with a focus on identifying potential risks and evaluating local security measures, including:
 - a. Identifying potential risks to Judges, OTP personnel, court staff, defence counsel, witnesses, victims, and other participants,
 - b. Examining the adequacy of existing resources and protocols to address the identified risks and ensure safety; and,
2. Financial implications, including a breakdown of projected costs for conducting proceedings in situ and an analysis of the impact on the 2025 budget.

Additionally, the Registry shall include a summary of findings on both issues, along with any recommendations or adjustments needed for the successful execution of the proceedings.

Thank you and kind regards.

On behalf of Pre-Trial Chamber III