

ANNEX 22

PUBLIC

From: Trial Chamber IX Communications
Sent: 14 September 2016 14:25
To: [REDACTED]
Cc: [REDACTED]
Subject: Detention Visits; Trial Chamber IX Communications
 RE: Request related to [REDACTED]
Follow Up Flag: Follow up
Flag Status: Flagged

Dear all,

The Chamber authorises that [REDACTED] visit Dominic Ongwen in a confidential setting and without monitoring, as applicable to [REDACTED] in the past and reiterated in decision #450 f 30 May 2016, this is only a measure in the interest of the Defence work and is unrelated to any patient-doctor privilege – which is not applicable to the present circumstances.

The Chamber also authorises [REDACTED] to use an audio recording device, for the limited purpose of their work as Defence expert [REDACTED] minic Ongwen.

[REDACTED] (on behalf of Trial Chamber IX)

From: [REDACTED]
Sent: 14 September 2016 13:36
To: [REDACTED]
Cc: [REDACTED]
 [REDACTED] Detention Visits

Please excuse this again, but I meant to write that the Detention Centre will not schedule any visits for the experts without the express authorisation of the Chamber.

Many apologies.

Best regards,

[REDACTED]
 Assistant to Counsel
 Defence Team for Dominic Ongwen
 I Criminal Court
 [REDACTED]

From: [REDACTED]
Sent: Wednesday, September 14, 2016 1:34 PM
To: [REDACTED] Trial Chamber IX Communications
Cc: [REDACTED]
Subject: RE: Request related to [REDACTED]

Dear Trial Chamber IX,

Please excuse this email, but the Defence has just been informed that it will not schedule any visits for [REDACTED] or [REDACTED] without the express authorisation of the Chamber.

Should the Experts not be able to visit Mr Ongwen as scheduled, it shall delay this entire endeavour for at least a month. [REDACTED]'s Visa expires on 25 September 2016, and must leave the Netherlands no later than the 24th.

Thank you very much for your time and considerations.

Best regards,

[REDACTED] (on behalf of Counsel)

Assistant to Counsel
Defence Team for Dominic Ongwen
International Criminal Court
[REDACTED]

From: [REDACTED]
Sent: Tuesday, September 13, 2016 12:43 PM
To: [REDACTED] Trial Chamber IX Communications

Subject: RE: Request related to [REDACTED]

Dear Trial Chamber IX,

In furtherance of the request below [REDACTED] have requested to bring with them an audio recording device for their examinations.

On 1 February 2016, Judge Tarfusser granted a request for [REDACTED] to use an audio recording in the ICC-DC (even though he never brought it in with him). The Defence merely asks that this courtesy extends to the upcoming visits. The Defence would say this is implied by paragraph 8 of Decision 450, but we want to make sure.

The Defence and Experts understand the directions given in relation to the granting of the previous request, specifically, "It goes without saying that Judge Tarfusser expects that the recordings will not be used to circumvent the restrictions on Dominic Ongwen's communications with the outside world, which are currently in place." The recordings will only be used to assist the Experts in their work.

Thank you in advance.

Very best,

[REDACTED] (on behalf of Counsel)

Assistant to Counsel
Defence Team for Dominic Ongwen
International Criminal Court
[REDACTED]

From: [REDACTED]
Sent: Friday, September 09, 2016 3:29 PM
To: Trial Chamber IX Communications
Cc: [REDACTED]

[REDACTED] related to [REDACTED]

Dear Trial Chamber,

I am writing on behalf of Counsels Odongo and Chief Taku to request that [REDACTED] be granted the same rights to visit Dominic Ongwen confidentiality as was granted to [REDACTED] earlier this year.

[REDACTED] is an expert for the Defence with regards to the Article 31 defences and the Prosecution is aware that it is expected that [REDACTED] will provide a report and may give expert evidence. To this end, [REDACTED] needs to conduct his final visit to see Dominic and he is scheduled to be in the Hague between 15 – 24 September.

Until Wednesday night [REDACTED] had not yet received his visa to the Netherlands which had complicated planning, notwithstanding this, I have been asked to extend our regrets for the hurry that this request may cause.

Kind regards,

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