

ANNEX VI

PUBLIC

From: Trial Chamber IX Communications
Sent: 08 June 2017 09:43
To:

Cc:
Subject: RE: In-court protective measures for UGA-OTP-P-0280
Follow Up Flag: Follow up
Flag Status: Flagged

Dear parties and participants,

Having considered the case record, the VWU's recommendation and the submissions of the parties and participants, the Chamber is of the view that in-court protective measures is justified for Witness P-280. In particular, the Chamber notes that P-280 was victimised [REDACTED], a young age; is expected to provide testimony of a specific nature, including testimony of [REDACTED]; expressed specific security concerns to both the VWU and his legal representative; and the VWU's analysis that the witness 'may be identified by potential threat actors if he testifies without in court protective measures'.

In light of the above, the Chamber grants P-280 image distortion, use of pseudonyms, use of closed and/or private session when needed, and redaction of any identifying information from the Court's records before dissemination to the public.

Best,

Trial Chamber IX

From: [REDACTED]
Sent: 07 June 2017 16:32
To: Trial Chamber IX Communications: [REDACTED]

Subject: RE: In-court protective measures for UGA-OTP-P-0280

Dear Trial Chamber,

I conveying the message below on behalf of Counsel for Mr Ongwen.

The assessment from the VWU does not indicate any specific risk to witness P-280. According to the witnesses statement, he was peripheral and spent a limited amount of time in the LRA. Furthermore, there are no members of

the LRA from [REDACTED] being prosecuted, and there are assurances from government of Uganda, therefore his testimony poses no threat to him.

What LRA presence that still exists is not in Uganda, and since he does not see a security threat in his village the measures requested are not justified.

Kind regards,

[REDACTED]

From: Trial Chamber IX Communications [REDACTED]

Sent: 07 June 2017 14:14

To: [REDACTED]

Subject: RE: In-court protective measures for UGA-OTP-P-0280

Dear parties and participants,

In view of the below, and noting that the Prosecution has not previously requested in-court protective measures for dual status Witness P-280, the Chamber invites the parties and participants to state their views as to the in-court protective measures recommended by the VWU for P-280. Any views must be communicated to the Chamber by 16.30 today.

Best,

Trial Chamber IX

From: [REDACTED]

Sent: 06 June 2017 14:17

To: Trial Chamber IX Communications

Cc: [REDACTED]

Subject: In-court protective measures for UGA-OTP-P-0280

Dear colleagues,
Dear counsels,

Please find below the report of the assessment for in-court protective measures conducted by VWU concerning UGA-OTP-P-0280:

Background

██
██
██

Witness's concern

The VWU met with the witness on 5 June 2017, for the purpose of in-court protection measures assessment. ██████████
██ He stated that he does have some security concerns regarding his safety, from people outside his village; and in particular former and current members of the LRA should they know that he testified in Court. The witness added that he is aware that some members of the LRA are still at large, and that they may harm him if they learn that he cooperated with the Court. For these reasons, he requests that the Court grants him in court protection measures to suppress his identity.

Protection Analysis

The VWU is aware that the evidence that will be elicited from the witness is of a specific nature, and that he may be identified by potential threat actors if he testifies without in court protective measures. Consequently, the VWU considers it prudent that the witness testifies with risk mitigation measures to ensure that he will not be identified as a result of his testimony before the Court.

Recommendations

The VWU recommends that the Court grants the witness the following in court protection measures: image distortion, use of pseudonyms, use of closed and/or private session when needed, and redaction of any identifying information from the Court's records before dissemination to the public.

Kind regards,

████████████████████