



Original: **English**

No.: ICC-02/04-01/15
Date: 15 September 2021

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung

SITUATION IN UGANDA

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

Public

Registry Request for Access to Prosecution Documents

Source: Registry

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

Office of the Prosecutor

Mr Karim A. A. Khan
Mr James Stewart

Counsel for the Defence

Mr Krispus Ayena Odongo

Legal Representatives of Victims

Mr Joseph Akwenyu Manoba
Mr Francisco Cox

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

Office of Public Counsel for Victims

Ms Paolina Massidda

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States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Section

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

I. Introduction

1. Pursuant to Trial Chamber IX's ("Chamber") instruction conveyed by email of 14 September 2021 ("Instruction"),¹ the Registry hereby submits a request for access to a number of Prosecution documents deemed relevant for the Registry's mapping exercise ("Mapping exercise") ordered by the Chamber on 6 May 2021 ("Order")² in the present case of *The Prosecutor v. Dominic Ongwen* ("Case").

II. Procedural History

2. On 6 May 2021, the Chamber issued its Order by which it, *inter alia*, instructed the Registry, with the assistance and cooperation of the Legal Representatives of Victims as appropriate, to undertake a comprehensive mapping of direct and indirect victims potentially eligible for reparations in the Case, identifying: *i*) the main categories of victims; *ii*) their current location; and *iii*) all data that it may be able to obtain regarding the victims' gender, age group, and particular vulnerabilities which may need to be taken into account by the Chamber when deciding on the reparations to be awarded.³
3. By email of 10 September 2021, the Registry's Victims Participation and Reparations Section ("VPRS") requested authorization from the Chamber to have access to a number of documents from the Office of the Prosecutor ("OTP"), considered relevant for the Mapping exercise; it also sought guidance from the Chamber on whether a formal request should be submitted on the record of the Case ("Request").⁴

¹ Email from Chamber to VPRS on 14 September 2021 at 11h13.

² Trial Chamber IX, "Order for Submissions on Reparations", 6 May 2021, ICC-02/04-01/15-1820.

³ Order, para. 5(iv).

⁴ Email from VPRS to Chamber on 10 September 2021, at 16h42.

4. On 14 September 2021, the Chamber instructed the Registry to file the Request by way of a formal filing. It directed the parties and participants to file their responses, if any, within five days of notification of the Request.⁵

II. Applicable Law

5. The present filing is submitted in accordance with the Instruction.

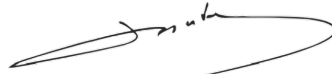
III. Request

6. In August 2021, the VPRS met with the OTP who identified a series of documents on the record of the Case potentially containing information relevant for the Mapping exercise. According to the OTP, not all of these materials were previously submitted into evidence in the record of the Case, but they were included in the OTP disclosure to the Defence.
7. The Registry respectfully seeks authorisation from the Chamber for the OTP to be allowed to share with the VPRS the documents listed below:
 -) UGA-OTP-0059-0071;
 -) UGA-OTP-0059-0072;
 -) UGA-OTP-0116-0002 to UGA-OTP-0116-0445;
 -) UGA-OTP-0117-0002 to UGA-OTP-0117-0430;
 -) UGA-OTP-0118-0002 to UGA-OTP-0118-0485;
 -) UGA-OTP-0119-0002 to UGA-OTP-0119-0445;
 -) UGA-OTP-0120-0002 to UGA-OTP-0120-0380;
 -) UGA-OTP-0121-0002 to UGA-OTP-0121-0408;
 -) UGA-OTP-0122-0002 to UGA-OTP-0122-0412;
 -) UGA-OTP-0123-0002 to UGA-OTP-0123-0416;
 -) UGA-OTP-0124-0002 to UGA-OTP-0124-0404;
 -) UGA-OTP-0125-0002 to UGA-OTP-0125-0375;
 -) UGA-OTP-0126-0002 to UGA-OTP-0126-0391;
 -) UGA-OTP-0127-0002 to UGA-OTP-0127-3783;

⁵ *Supra*, fn. 1.

-) UGA-OTP-0127-3830 to UGA-OTP-0127-3857;
-) UGA-OTP-0132-0621;
-) UGA-OTP-0132-0647;
-) UGA-OTP-0132-0653;
-) UGA-OTP-0139-0231;
-) UGA-OTP-0139-0237;
-) UGA-OTP-0139-0246;
-) UGA-OTP-0165-0124;
-) UGA-OTP-0233-0472 ;
-) UGA-OTP-0233-0476 to UGA-OTP-0233-1018; and
-) UGA-OTP-0244-0909.

8. Should any other relevant documents be identified in the future, the Registry will file similar requests to the Chamber, unless the Chamber deems it more appropriate to authorise the OTP to share such documents directly with the Registry.



Marc Dubuisson, Director, Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 15 September 2021

At The Hague, The Netherlands