

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **French**

No.: ICC-02/04-01/05
Date: 2 November 2006

PRE-TRIAL CHAMBER II

Before: Judge Mauro Politi, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Ekaterina Trendafilova

Registrar: Mr Bruno Cathala

**SITUATION IN UGANDA
IN THE CASE OF
*THE PROSECUTOR v. JOSEPH KONY, VINCENT OTTI, OKOT ODHIAMBO,
RASKA LUKWIYA AND DOMINIC ONGWEN***

Under Seal

INFORMATION ON THE DEATH OF RASKA LUKWIYA

The Office of the Prosecutor

Mr Luis Moreno Ocampo, Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor

Ms Christine Chung, Senior Trial Lawyer

The Registrar of the International Criminal Court (“the Court”);

NOTING the decisions of Pre-Trial Chamber II of 8 July and 27 September 2005 entitled, respectively, *Decision on the prosecutor’s application for the warrants of arrest under Article 58*¹ and *Decision on the Prosecutor’s urgent application dated 26 September 2005*;²

NOTING the warrant of arrest for Joseph Kony, issued on 8 July 2005 and amended on 27 September 2005,³ and the warrants of arrest for Vincent Otti, Raska Lukwiya, Okot Odhiambo and Dominic Ongwen, issued on 8 July 2005;⁴

CONSIDERING that the Registry, having been informed of the death of Raska Lukwiya by public sources, has requested the Government of Uganda, on several occasions and as recently as early October 2006, to transmit to it a death certificate in order to confirm this information;

CONSIDERING that the Ugandan authorities have not yet transmitted said certificate;

NOTING rule 176(2) of the Rules of Procedure and Evidence;

SUBMITS a letter marked “privileged and confidential”, received on 1 November 2006 from the Solicitor General of the Republic of Uganda, Mr Tibaruha, reporting the death of Raska Lukwiya and the checks carried out;

¹ ICC-02/04-01/05-1-US-Exp.

² ICC-02/04-01/05-27-US-Exp.

³ ICC-02/04-01/05-28-US-Exp.

⁴ ICC-02/04-01/05-4-US-Exp; ICC-02/04-01/05-6-US-Exp; ICC-02/04-01/05-8-US-Exp; ICC-02/04-01/05-10-US-Exp.

SUBMITS, further, the DNA report of the Netherlands Forensic Institute to which Mr Tibaruha refers in his letter.

The report was provided to the Registry by the Office of the Prosecutor on 1 November 2006, as it was not enclosed with Mr Tibaruha's letter. Ambassador Blaak confirmed by telephone the same day that the Registry could consider the report, as provided by the Office of the Prosecutor, to be the enclosure to which Mr Tibaruha referred and could, accordingly, transmit it to the Chamber.

[signed]

On behalf of the Registrar
Marc Dubuisson
Director
Division of Court Services

Dated this Thursday, 2 November 2006

At The Hague, The Netherlands