

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/04-01/15

Date: 08 May 2015

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN UGANDA

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

Public Document

**Public Redacted Version of « REGISTRAR'S RESPONSE TO THE ORDER FOR
ADDITIONAL INFORMATION RELATING TO THE PROSECUTOR'S
APPLICATION FOR UNSEALING OF WARRANTS OF ARREST ISSUED ON 8
JULY 2005, AND OTHER RELATED RELIEF »**

Source: Registrar

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

The Office of the Prosecutor
Fatou Bensouda

Counsel for the Defence
Krispus Ayena Odongo

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar
Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit
Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

In response to the Order of the Pre-Trial Chamber II, dated 21 September 2005, the VWU respectfully submits its answers to the questions posed by the Pre-Trial Chamber.

I. The impact on the overall plan for protective measures

1. The unsealing of the Warrants of Arrest would have no significant impact on the overall plan for protective measures. The VWU believes that the unsealing of other related documents in unredacted form, such as the Prosecutor's Applications for Warrants of Arrest, would affect the safety of the individuals identified by those documents. If the related documents were to be unsealed in unredacted form, this would require sufficient time for the implementation of appropriate preventative protective measures.

2. The systems for protection [REDACTED] are already in place. These systems have been tested, are considered to be functioning properly and will be able to address protection issues arising from the possible unsealing of the Warrants of Arrest.

II. The impact on the overall safety of the population at risk from LRA attacks in Uganda

3. Based on the current information provided by the OTP and the Ugandan Ministry of Defence regarding LRA capability, it appears that the LRA is under severe pressure from the UPDF, and that their ability to react or retaliate is diminished.

4. Furthermore, the Ugandan Ministry of Defence has indicated its preparedness to avert any stepped up operations by the LRA in response to the possible unsealing of the Warrants of Arrest. However, in the absence of any insight into the intentions of the LRA leadership, it is impossible to evaluate accurately the impact of the unsealing of the Warrants of Arrest on the overall safety of the population.

III. The impact on the ability of the Chamber to take measures for the purpose of forfeiture pursuant to article 57, paragraph 3(e) of the Statute

6. The VWU respectfully submit that the purpose of article 57, paragraph 3 (e) of the Statute, namely "... to take protective measures for the purpose of forfeiture, in particular for the ultimate benefit of victims" falls outside the scope of its mandate as defined in article 43, paragraph 6 of the Rome Statute and rules 16 to 19 of the Rules of Procedure and Evidence.



Marc Dubuisson, Director, Division of Court Services
on behalf of
Herman von Hebel, Registrar

Dated this 08 May 2015

At The Hague in The Netherlands.