



Original: English

No.: ICC-02/04-01/15
Date: 18 September 2015

PRE-TRIAL CHAMBER II

Before: Judge CunoTarfusser, Single Judge

SITUATION IN UGANDA

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

PUBLIC

With 209 Confidential annexes available to the Defence and the Prosecutor

First Transmission to the Defence of redacted versions of 209 applications for participation in the proceedings

Source: Registry

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

The Office of the Prosecutor

Ms. Fatou Bensouda, Prosecutor

Mr. James Stewart

Mr. Benjamin Gumpert

Counsel for the Defence

Mr. Krispus Ayena Odongo

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms. Paolina Massidda

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Herman von Hebel

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms. Fiona McKay

Other

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

NOTING the decision of the Single Judge of Pre-Trial Chamber II notified on 4 March 2015, establishing principles on the victims’ application process in the pre-trial proceedings in the case *The Prosecutor v. Dominic Ongwen* (the “Case”);¹

NOTING the decision of the Single Judge of Pre-Trial Chamber II (the “Single Judge”) notified on 3 September 2015 (the “Decision of 3 September 2015”),² concerning the procedure for admission of victims to participate in the proceedings in the Case, ordering the Registry to, *inter alia*, assess and transmit to the Chamber, the Prosecutor and to the Defence,³ by 18 September 2015, all complete victim applications received and collected as of 3 September 2015 which have been assessed by the Registry against the factual parameters of the Case as set out in the warrant of arrest against Dominic Ongwen;⁴⁵

NOTING that the Single Judge instructed the Registry in the Decision of 3 September 2015 to transmit the applications to the Defence in redacted form, expunging the applicants’ identifying information if the latter have expressed security concerns in case their identity and involvement with the Court were to be known to the Defence;⁶

NOTING articles 68(1) and (3) of the Rome Statute, rules 16, 85 and 89 of the Rules of Procedure and Evidence, and regulations 23*bis* and 86(5) of the Regulations of the Court;

¹ICC-02/04-01/15-205.

²ICC-02/04-01/15-299.

³Redacted, as appropriate.

⁴ICC-02/04-01/05-10.

⁵ICC-02/04-01/15-299, para. 10.

⁶ICC-02/04-01/15-299, para. 6

CONSIDERING that to date, the Registry has received 905 applications for participation in the proceedings, of which 209 have so far been assessed by the Registry and appear to be complete and linked to the Case;

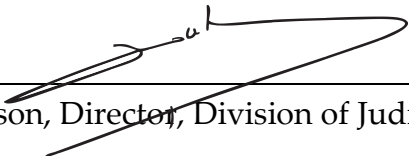
CONSIDERING that at this early stage in the proceedings, and taking into account that some applicants have raised concerns about their security, the Registry recommends that a cautious approach should be taken and that the identities of the applicants not be disclosed to the Defence at this stage, and that therefore all the applications have been redacted only to the extent strictly necessary for non-disclosure of the applicants' identities;⁷

CONSIDERING that, pursuant to regulation 23*bis* (1) of the Regulations, the annexes to the present document which contain redacted versions of the 209 applications for participation, are notified with the status "Confidential, available to the Defence and the Prosecutor", in accordance with the Decision of 3 September 2015;

⁷ See Registry's First Report on applications to participate in the proceedings, dated 18 September 2015, para. 18-20.

TRANSMITS to the Defence redacted versions of the 209 applications for participation in the proceedings, in compliance with the Decision of 3 September 2015.

RESPECTFULLY SUBMITTED,



Marc Dubuisson, Director, Division of Judicial Services
per delegation of
Herman von Hebel, Registrar

Dated this 18 September 2015

At The Hague, The Netherlands