

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 19 May 2017

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

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

Confidential

Order Inviting Observations on a Judicial Site Visit

To be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Fatou Bensouda
James Stewart
Benjamin Gumpert

Counsel for the Defence

Krispus Ayena Odongo

Legal Representatives of Victims

Joseph Akwenyu Manoba
Francisco Cox
Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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

Detention Section

**Victims Participation and Reparations
Section**

Others

Judge Bertram Schmitt, acting as Single Judge on behalf of Trial Chamber IX ('Single Judge' and 'Chamber', respectively) of the International Criminal Court, in the case of *The Prosecutor v. Dominic Ongwen*, having regard to Regulation 28(2) of the Regulations of the Court, issues the following 'Order Inviting Observations on a Judicial Site Visit'.

1. On 18 July 2016, following a request by the Office of the Prosecutor ('Prosecution') to conduct a judicial site visit before the trial commencement, the Chamber considered that 'a determination of whether a judicial site visit in northern Uganda would be of material assistance to its evaluation of the evidence should be made at a later stage of the proceedings, after having heard, at least in part, the evidence to be presented at trial'.¹
2. In light of the evidence received to date, the Chamber is inclined to visit the sites of the Pajule, Odek, Lukodi and Abok IDP camps soon after the Prosecution's evidence presentation concludes. The Single Judge invites the parties, participants and Registry to make any observations on a prospective judicial site visit by the deadline indicated below.
3. For the time being, the Chamber's inclination to conduct a site visit must be kept strictly confidential. In particular, should the legal representatives of victims wish to discuss information arising from the present order or subsequent site visit preparations with their clients, they must first request permission from the Chamber to do so.²


¹ Decision Concerning the Requests to Recommend Holding Proceedings *In Situ* and to Conduct a Judicial Site Visit in Northern Uganda, ICC-02/04-01/15-499, para. 4.

² If permission is granted, the procedure governing use of confidential information with participating victims would still apply. *See* Decision on contested victims' applications for participation, legal representation of victims and their procedural rights, 27 November 2015, ICC-02/04-01/15-350, para. 31, *maintained at trial by virtue of* Decision on Requests Concerning Organisation of Victim Representation, 17 June 2016, ICC-02/04-01/15-476, para. 11.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

INVITES the parties, participants and Registry to provide any submissions on a prospective judicial site visit by 16:00 on Friday, 16 June 2017.

Done in both English and French, the English version being authoritative.



Judge Bertram Schmitt, Single Judge

Dated 19 May 2017

At The Hague, The Netherlands