

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-02/04
Date: 17 January 2019

PRE-TRIAL CHAMBER II

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala

SITUATION IN UGANDA

Public

Prosecution's Observations on the "Notification of the Board of Directors in accordance with Regulation 50(a) of the Regulations of the Trust Fund for Victims of its conclusion to undertake further activities in Uganda"

Source: The Office of the Prosecutor

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

The Office of the Prosecutor

Ms Fatou Bensouda
Mr James Stewart
Mr Benjamin Gumpert

Counsel for Dominic Ongwen

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**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the
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Mr Xavier-Jean Keita

Amicus Curiae

States Representatives

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Section

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

Background

1. On 19 December 2018, the Board of Directors of the Trust Fund for Victims (the “Board of Directors”) filed the “Notification of the Board of Directors in accordance with Regulation 50(a) of the Regulations of the Trust Fund for Victims of its conclusion to undertake further activities in Uganda” (the “Notification”).¹ The Board of Directors identified six assistance projects to be implemented by the Trust Fund for Victims.²

2. On 24 December 2018, the Chamber invited the OPCD, the Defence for Dominic Ongwen, the OPCV, the legal representative of victims in the *Ongwen* case and the Prosecutor to submit observations on the Notification no later than 25 January 2019.³

Submission

3. The Office of the Prosecutor (the “Prosecution”) notes that the assistance projects presented in the confidential annex to the Notification were outlined in broad and general terms, targeting groups of individuals who were identified by the Trust Fund of Victims as having suffered harm as a result of the commission of crimes within the jurisdiction of the Court.

4. The projects are aimed at benefiting general groups of victims and not specific victims participating in the case of the *Prosecutor v Dominic Ongwen*. Analysis of the information available to the Prosecution does not suggest that the projects would pre-determine any issue to be decided by the Court, or be prejudicial to or inconsistent with the rights of Mr Ongwen and/or a fair and impartial trial.

¹ ICC-02/04-229.

² ICC-02/04-229-Conf-AnxI.

³ ICC-02/04-230, p. 4.

5. The Prosecution supports the undertaking of the six assistance projects identified by the Trust Fund for Victims in Uganda for the benefit of victims and their families.



Fatou Bensouda, Prosecutor

Dated this 17th day of January 2019
At The Hague, The Netherlands