

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: **28 April 2021**

**TRIAL CHAMBER IX**

**Before:**

**Judge Bertram Schmitt, Presiding Judge  
Judge Péter Kovács  
Judge Raul C. Pangalangan**

**SITUATION IN UGANDA**

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

**PUBLIC  
with Confidential Annexes A-E**

**Public Redacted Version of “Defence Request for Redactions to Statements Submitted into Evidence for Sentencing”, filed on 28 April 2021**

**Source: Defence for Dominic Ongwen**

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

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James Stewart, Deputy Prosecutor

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Section****Other**

## I. INTRODUCTION

1. Pursuant to the policy of publicity of the case in Articles 64(7) and 67(1) of the Rome Statute, to protect witnesses pursuant to Article 68 of the Rome Statute and the need to protect the integrity of defence investigations, the Defence for Dominic Ongwen ('Defence') hereby submits public redacted versions of statements given for sentencing. The Defence requests Trial Chamber IX ('Chamber') to grant the proposed redactions from the public copies of the evidence.
2. The Defence makes these requests for UGA-D26-0015-1851, UGA-D26-0015-1855, UGA-D26-0015-1858, UGA-D26-0015-1861 and UGA-D26-0015-1864. These statements are attached as Confidential Annexes A-E.

## II. CONFIDENTIALITY

3. Pursuant to Regulations 23bis of the Regulations of the Court, this submission is filed as confidential as it names persons whose names are not known to the public. A public redacted version shall be filed contemporaneously.

## III. SUBMISSIONS

4. The Defence requests the redaction of the name of its resource person in Uganda. The Defence argues that such redactions are still necessary as its resource person still contacts witnesses granted protective measures. [REDACTED].
5. The Defence further requests the redaction of the location of the interview conducted with Mr Ongwen's family members. [REDACTED].
6. Finally, the Defence requests one redaction to the statement of UGA-D26-P-0009. [REDACTED].
7. The Defence notes that the requested redactions in paragraph 4 were previously granted to the Defence.<sup>1</sup> Furthermore, the requested redactions in paragraph 5 are not a general reference to

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<sup>1</sup> Trial Chamber IX, *Decision on Defence Request for Redactions to Witness Statements*, [ICC-02/04-01/15-1498-Corr](#), para. 10.

a place or town, [REDACTED].<sup>2</sup> [REDACTED]. Specific references to interview locations are routinely redacted from the public redacted versions of statements.<sup>3</sup>

8. Finally, [REDACTED].

#### IV. RELIEF

9. For the reasons stated above, the Defence respectfully requests Trial Chamber IX to grant the redactions found in the annexes to the public redacted versions of the Rule 68(2)(b) statements used for sentencing.

Respectfully submitted,



.....  
Hon. Krispus Ayena Odongo  
On behalf of Dominic Ongwen

Dated this 28<sup>th</sup> day of April, 2021

At The Hague, Netherlands

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<sup>2</sup> See Trial Chamber IX, *Decision on Defence Request for Redactions to Witness Statements*, [ICC-02/04-01/15-1498-Corr](#), para. 10.

<sup>3</sup> *Ibid.*