

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: **28 July 2021**

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung

SITUATION IN UGANDA

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

PUBLIC

**Public Redacted Version of “Defence Response to Request ICC-02/04-01/15-1867”, filed
28 July 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

Karim A.A. Khan, QC, Prosecutor
James Stewart, Deputy Prosecutor
Colin Black

Counsel for the Defence

Krispus Ayena Odongo
Chief Charles Achaleke Taku
Beth Lyons

Legal Representatives of the Victims

Joseph Akwenyu Manoba
Francisco Cox

Common Legal Representative for Victims

Paolina Massidda

The Office of Public Counsel for Victims

Paolina Massidda
Caroline Walter
Orchlon Narantsetseg

The Office of Public Counsel for the Defence

Xavier-Jean Keita

REGISTRY

Registrar

Peter Lewis

Victims and Witnesses Unit

Nigel Verrill

VPRS

Philipp Ambach

I. INTRODUCTION

1. The Defence for Dominic Ongwen (‘Defence’) hereby responds to the Legal Representatives for Victims (‘LRV’) filing *Victims’ Request for Authorisation to Disclose Confidential Information in the Record of the Case to the Registry for the Purpose of Mapping of Potential Victims Eligible for Reparations* (‘Request’).¹

II. CONFIDENTIALITY

2. Pursuant to Regulation 23 *bis*(1) of the Regulations of the Court, the Defence files this response as CONFIDENTIAL as the footnotes lists names of persons whose names are to be redacted from public filings per the “Counsel Exception Rule” of the disclosure of names. A public redacted version is filed concurrently.

III. PROCEDURAL HISTORY

3. On 27 July 2021, the LRV filed the Request.
4. On 27 July 2021, Trial Chamber IX extended the deadline for the Parties, Participants and other responses until 20 August 2021.²
5. On 28 July 2021, the Prosecution replied to Trial Chamber IX’s message noting that the LRV “consulted with the Prosecution prior to making their request, and the Prosecution has no concerns with the referenced materials being shared with VPRS.”³

¹ Trial Chamber IX, *Victims’ Request for Authorisation to Disclose Confidential Information in the Record of the Case to the Registry for the Purpose of Mapping of Potential Victims Eligible for Reparations*, ICC-02/04-01/15-1867.

² Email from [REDACTED] on behalf of Trial Chamber IX to Defence, Prosecution, LRV, Paolina Massidda, Philipp Ambach, Office of the Director of DJSS, [REDACTED], *FW: The Prosecutor v. Dominic Ongwen: ICC-02/04-01/15-1867 – Victims’ Request for Authorisation to Disclose Confidential Information in the Record of the Case to the Registry for the Purpose of Mapping of Potential Victims Eligible for Reparations*, received on 27 July 2021 at 18h57 CET.

³ Email from Colin Black of the Prosecution to Defence, Prosecution, LRV, Paolina Massidda, Philipp Ambach, Office of the Director of DJSS, [REDACTED], *RE: The Prosecutor v. Dominic Ongwen: ICC-02/04-01/15-1867 – Victims’ Request for Authorisation to Disclose Confidential Information in the Record of the Case to the Registry for the Purpose of Mapping of Potential Victims Eligible for Reparations*, received on 28 July 2021 at 16h59 CET.

IV. SUBMISSIONS

6. The Defence has reviewed the Request and has no substantive submissions. The Defence leaves the decision to Trial Chamber IX and the submissions of the LRV in conjunction with the advice it received from the Office of the Prosecutor.

Respectfully submitted,



Hon. Krispus Ayena Odongo
On behalf of Dominic Ongwen

Dated this 28th day of July, 2021

At Kampala, Uganda