

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

**No.: ICC-02/04-01/15
Date: 8 February 2024**

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 redacted version of “Registry’s submission on the financial situation of Mr Ongwen”, 8 February 2024, ICC-02/04-01/15-2070-Conf-Exp

Source: The Registry

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

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Mr Colin Black

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Unrepresented Victims

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Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. Introduction

1. Pursuant to Trial Chamber IX's ("Chamber") "Order for a Request for cooperation to the Republic of Uganda for the identification, tracing, freezing, or seizing of assets and properties of Mr Dominic Ongwen" ("Order") issued on 15 November 2021,¹ and the Chamber's instructions,² the Registry refers to its submission dated 11 May 2022,³ and hereby reports to the Chamber that no additional information is available to the Registry on the financial situation of Mr Dominic Ongwen ("Mr Ongwen").

II. Procedural history

2. On 6 May 2021, the Chamber issued its Order for Submissions on Reparations, by which it, *inter alia*, instructed the Registrar, assisted by the information that may be provided by the Prosecutor, to review the current financial situation of Mr Ongwen and report back to the Chamber.⁴
3. On 15 October 2021, the Registry filed its submissions on the financial situation of Mr Ongwen, whereby it informed the Chamber that no information was currently available to the Registry on the financial situation of Mr Ongwen.⁵ The Registry submitted that, in the absence of a decision for the identification, tracing, freezing, and seizing of assets and property of Mr Ongwen, either in the Ongwen case or previously in the case of *The Prosecutor v. Joseph Kony, Vincent Otti, Raska Lukwiya, Okot Odhiambo and Dominic Ongwen* (ICC-02/04-01/05), no State had been requested to investigate into the assets and property of Mr Ongwen and to provide the Registry with information in this regard.⁶ The

¹ Trial Chamber IX, "Order for a Request for cooperation to the Republic of Uganda for the identification, tracing, freezing, or seizing of assets and properties of Mr Dominic Ongwen", 15 November 2021, ICC-02/04-01/15-1898.

² Email from Trial Chamber IX to the Registry on 29 January 2024 at 13.54.

³ Registry, "Transmission of the Republic of Uganda's submission on tracing, freezing, or seizing of assets and properties of Mr Dominic Ongwen", 11 May 2022, ICC-02/04-01/15-1994.

⁴ Appeals Chamber, "Order for Submissions on Reparations", 6 May 2021, ICC-02/04-01/05-1820.

⁵ Registry, "Registry submissions on the financial situation of Mr Dominic Ongwen", ICC-02/04-01/15-1877-Red, 15 October 2021, para. 1.

⁶ *Ibid.*, para. 4.

Registry also informed the Chamber that the Office of the Prosecutor had indicated that it did not have any information in relation to Mr Ongwen's current financial situation.⁷

4. The Registry's submissions further informed the Chamber that in Mr Ongwen's application for legal assistance paid by the Court he was assessed as indigent.⁸ [REDACTED],⁹ but that it had no information as to their value or reasons to believe that they were of great value.¹⁰
5. On 15 November 2021, the Chamber issued its Order for a Request for cooperation to the Republic of Uganda ("Uganda") for the identification, tracing, freezing, or seizing of assets and properties of Mr Dominic Ongwen, ordering the Registry to prepare and transmit a request for cooperation to the competent authorities of Uganda to take all necessary measures, in accordance with the procedures provided in their national law, for the purposes of identifying, tracing, freezing or seizing any property and assets belonging to or under the direct or indirect control of Mr Ongwen on its territory, including his movable and immovable property, bank accounts or shares, without prejudice to the rights of bona fide third parties.¹¹
6. On 11 May 2022, the Registry transmitted,¹² the Note Verbale received on 10 May 2022 from the competent authorities of Uganda.¹³ [REDACTED].

III. Classification

⁷ *Ibid.*, para. 4.

⁸ *Ibid.*, para. 5.

⁹ [REDACTED].

¹⁰ *Ibid.*, para. 5.

¹¹ Trial Chamber IX, "Order for a Request for cooperation to the Republic of Uganda for the identification, tracing, freezing, or seizing of assets and properties of Mr Dominic Ongwen", 15 November 2021, ICC-02/04-01/15-1898.


¹² Registry, "Transmission of the Republic of Uganda's submission on tracing, freezing, or seizing of assets and properties of Mr Dominic Ongwen", 11 May 2022, ICC-02/04-01/15-1994.

¹³ [REDACTED].

7. Pursuant to regulation 23 *bis* (2) of the Regulations of the Court (“RoC”), the Registry submits the present report as confidential *ex parte* only available to the Registry and the Office of the Prosecutor as it refers to documents under this level of classification. A public redacted version of this document will be submitted.

IV. Submission

8. The Registry hereby reports to the Chamber that no additional information is available to the Registry on the financial situation of Mr Dominic Ongwen.



Marc Dubuisson
Director, Division of Judicial Services on behalf of
Osvaldo Zavala Giler, Registrar

Dated this 8 February 2024

At The Hague, the Netherlands