



Original: English

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

Date: 15 June 2016

**TRIAL CHAMBER IX**

**Before: Judge Bertram Schmitt, Single Judge**

**SITUATION IN UGANDA**

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

**Public**

**Order requesting observations from relevant States on interim release**

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 the Victims**

Joseph Akwenyu Manoba and  
Francisco Cox  
Paolina Massidda

**Legal Representatives of the 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**

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**REGISTRY**

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**Registrar**

Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

**Judge Bertram Schmitt**, acting as Single Judge on behalf of Trial Chamber IX ('Single Judge' and 'Chamber', respectively) of the International Criminal Court, issues the following 'Order requesting observations from relevant States on interim release', in the case of *The Prosecutor v. Dominic Ongwen*, having regard to Articles 60(3) and 61(11) of the Rome Statute and Regulation 51 of the Regulations of the Court.

1. On 23 May 2016, the Single Judge ordered the defence for Dominic Ongwen ('Defence') to submit any submissions on Mr Ongwen's continued detention or release by 13 June 2016.<sup>1</sup>
2. On 13 June 2016, the Defence filed its 'Defence Request for Conditional Release, or in the Alternative, the Restoration of Mr Ongwen's Communication Privileges',<sup>2</sup> in which it requests, *inter alia*, that the Chamber grant Mr Ongwen interim release pending trial to the Republic of Uganda, with or without conditions.<sup>3</sup>
3. For the purposes of the upcoming decision on interim release, the Single Judge seeks observations from the Host State and from the Republic of Uganda. The Chamber will decide if any further responses to these observations are necessary once they have been received.

**FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY**

4. **ORDERS** the Registry to invite the Kingdom of the Netherlands and the Republic of Uganda to submit any observations on the interim release of Dominic Ongwen by 7 July 2016.

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<sup>1</sup> Transcript of hearing on 23 May 2016, ICC-02/04-01/15-T-25-ENG-ET, page 6, lines 6 to 14.

<sup>2</sup> Defence Request for Conditional Release, or in the Alternative, the Restoration of Mr Ongwen's Communication Privileges, 13 June 2016, ICC-02/04-01/15-461.

<sup>3</sup> ICC-02/04-01/15-461, para. 73.

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



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**Judge Bertram Schmitt**  
**Single Judge**

Dated 15 June 2016

At The Hague, The Netherlands