

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-02/04-01/05

Date: 26 March 2007

PRE-TRIAL CHAMBER II

Before: Judge Mauro Politi, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Ekaterina Trendafilova

Registrar: Mr Bruno Cathala

**SITUATION IN UGANDA
IN THE CASE OF
THE PROSECUTOR**

*vs. JOSEPH KONY, VINCENT OTTI, RASKA LUKWIYA, OKOT
ODHIAMBO and DOMINIC ONGWEN*

Confidential

Ex Parte, Prosecutor only

**SUBMISSION OF ADDITIONAL INFORMATION ON THE REPORTED
MOVEMENT OF PERSONS WHOSE ARREST HAS BEEN SOUGHT**

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor

Ms Christine Chung, Senior Trial Lawyer

Mr Eric MacDonald, Trial Lawyer

Preliminary Statement

The Office of the Prosecutor ("OTP") respectfully submits additional information on the reported movement of persons whose arrest is sought. This submission responds to an order issued on 20 March 2007 by this Chamber.¹

Request for Confidential, *Ex parte* Treatment

The OTP respectfully requests that this submission be received as confidential and *ex parte* to the Prosecutor only. This is the same level of confidentiality under which the Chamber issued its 20 March 2007 Order.

Information on the Reported Movement of Persons Whose Arrest Is Sought

1. The OTP has not received information from any source that the persons whose arrests have been sought, or any LRA members, have ever moved to Chad. The Registry's filing stated that it had received information that members of LRA "s'achemineraient vers la République Centrafricaine et le Tchad" It is one possibility that the sources referenced by the Registry were referring to direction, because moving from the Democratic Republic of Congo to the Central African Republic necessarily means moving in the direction of Chad.

¹ See "Order to the Prosecutor for the Submission of Additional Information on the Movement of Persons Whose Arrest Is Sought," ICC-02/04-01/05-223-Conf-Exp, 20 March 2007

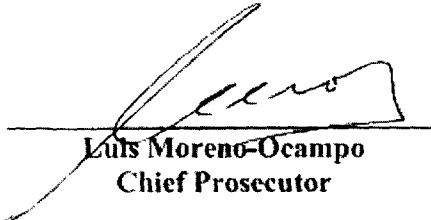
2. In addition, it should be noted that the Registry's mission of 27 and 28 February 2007² during which it received the information reported to the Chamber, occurred at a time when it was being reported by some media that Joseph KONY and Vincent OTTI were moving towards, or had already entered, the Central African Republic. It was subsequently confirmed, however, through the 1 March 2007 meeting among Joaquim Chissano (Special Envoy of the United Nations Secretary General for the LRA-Affected Areas), Joseph KONY, and Vincent OTTI, that those LRA leaders were in fact located to the west of Garamba Park, in the Democratic Republic of Congo.

3. If and when the Chamber determines that it is appropriate to make public the order to transmit to the Central African Republic the requests for arrest and surrender, it may be appropriate for the Chamber to consider re-classifying as public all of the documents relating to the Chamber's inquiry about the reported movement of persons whose arrest has been sought, including this document.

² See "Rapport du greffier sur les déplacements effectués par les personnes dont l'arrestation est demandée," ICC-02/04-01/05-217-Conf-Exp, 6 March 2007, p. 3.

Conclusion

The OTP respectfully submits this additional information on the reported movement of persons whose arrest is sought.



Luis Moreno-Ocampo
Chief Prosecutor

Dated this 26th day of March 2007
At The Hague, The Netherlands