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**LRA Commander Ongwen Transferred to ICC***Hope for Ugandan victims as justice catches up with ICC fugitive*

**New York/The Hague**—Ugandan militia leader Dominic Ongwen's surrender and transfer to the International Criminal Court (ICC) gives hope to victims of the Lord's Resistance Army (LRA) and sends a message to ICC fugitives that justice will catch up with them, the Coalition for the ICC said today.

Ongwen, an alleged LRA brigade commander wanted by the ICC for crimes against humanity and war crimes in northern Uganda in 2004, was transferred to ICC custody in The Hague early in morning of 21 January.

"Ongwen's arrival in The Hague is a major development for the ICC and its efforts to bring the LRA to book. Uganda was the first situation opened by the Court 10 years ago, but the lack of progress in arresting suspects, including Joseph Kony, has been a source of increasing frustration for victims of the LRA - they now have a chance at justice. Seeing Ongwen at the ICC gives hope that the alleged author of some of the worst atrocities in recent memory will at last be held accountable," said **Stephen Lamony, senior adviser for AU, UN and Africa situations for the Coalition for the ICC**. "This is also a clear message to other alleged perpetrators of grave crimes: justice will eventually catch up with you. As the ICC has no police force, states must now redouble their efforts to arrest other ICC fugitives so that other victims do not have to wait so long."

"Ugandan civil society welcomes the transfer of Dominic Ongwen to ICC. The significance of handing over Ongwen to the ICC cannot be over-emphasized," said **Mohammed Ndifuna, chief executive officer of Human Rights Network-Uganda, which hosts the Ugandan Coalition for the ICC**. "Firstly, it will enable this case that has stalled to begin in earnest and for the victims of the crimes allegedly committed by him to receive justice. Secondly, it sends a signal to all that there will be no room for impunity with respect of international crimes. Thirdly, it is a good testament that state parties to the Rome Statute and the members of the international community are supportive of the ICC and that their strength can ultimately deliver the badly needed results."

Ongwen had been taken into custody by United States (US) military stationed in the Central African Republic (CAR) after surrendering in early January 2015. Following talks between the US, CAR and Uganda, he was transferred to ICC custody in The Hague.

Upon arrival in the Netherlands, Ongwen will be transferred by the Dutch authorities to the ICC's detention facility in The Hague, where he will be medically assessed. As soon as possible, Ongwen will appear before ICC judges during an 'initial appearance' hearing, during which ICC judges will verify the identity of the suspect and the language in which he is able to follow the proceedings, as well as informing Ongwen of the charges against him. Prior to and during this initial appearance, Ongwen will be given full access to a defense lawyer. The judges are also likely to set a schedule or date for the confirmation of charges hearing, which will determine whether Ongwen will face trial, taking into account his right to be tried with undue delay.

"It is important to recall that the ICC embodies the highest legal standards. Before an ICC trial can take place, the prosecutor must first convince judges that there are substantial grounds to

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believe that the Ongwen committed the crimes with which he is charged and that there is sufficient evidence to proceed to trial. The Office of the Prosecutor will also likely have to take time to revive its long dormant case against Ongwen, which is sure to throw up challenges, including in terms of resources. The suspect is presumed innocent and the ICC has strict provisions, including the right to a robust defence, to ensure that his fair trial rights are respected at the Court," **said Lamony.**

The ICC's outreach office in the country ceased regular activities in December 2014. With Ongwen's transfer, it is imperative that the Court's Public Information and Documentation Section resume outreach and the dissemination of information.

"Justice will not truly be done in this case if the victims and affected communities far away from The Hague are unable to see it done. The Court must make sure that the Ugandan people are kept informed about its proceedings against Ongwen by reinstating outreach activities in the country," **continued Lamony.**

Uganda referred its conflict with the LRA to the ICC in December 2003 and the prosecutor opened a full investigation into the situation in July 2004. A sealed arrest warrant was issued for Ongwen in 2005.

**Background:** The ICC is the world's first permanent international court to have jurisdiction over war crimes, crimes against humanity, and genocide. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unable or unwilling to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes.

There are currently nine active investigations before the Court: the Central African Republic I & II; the Democratic Republic of the Congo; Darfur, Sudan; Kenya; Libya; Uganda; Côte d'Ivoire and Mali. The ICC has publicly issued 31 arrest warrants and nine summonses to appear. Two trials are ongoing. The OTP has made public that it is examining 10 situations on four continents, including Afghanistan, Colombia; the registered vessels of the Comoros, Greece and Cambodia; Georgia, Guinea, Honduras, Iraq (examination re-opened in 2014), Nigeria, Palestine and Ukraine. The Office of the Prosecutor has concluded preliminary examinations relating to Iraq, Venezuela, Palestine and the Republic of Korea, declining in each case to open an investigation.

The Coalition for the International Criminal Court is a global network of civil society organizations in over 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide.

[www.coalitionfortheicc.org](http://www.coalitionfortheicc.org)

Experts from human rights organizations members of the Coalition are available for background information and comment. Contact: [communications@coalitionfortheicc.org](mailto:communications@coalitionfortheicc.org)