

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/22**
Date: **5 November 2024**

**THE PLENARY OF JUDGES
OF THE INTERNATIONAL CRIMINAL COURT**

SITUATION IN UKRAINE

Public

**Order concerning the ‘Application for the Disqualification of Judges’ filed on
31 October 2024 (ICC-01/22-92-Anx)**

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

The Office of the Prosecutor

Mr Karim A. A. Khan

Ms Brenda J. Hollis

Counsel for the Defence

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants

The Office of Public Counsel for Victims

**The Office of Public Counsel for the
Defence**

States' Representatives

Mongolia

Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other
All Judges

The plenary of judges of the International Criminal Court (the ‘Court’), with the exception of Judge Tomoko Akane, Judge Rosario Salvatore Aitala and Judge Gerardo Ugalde Godínez

In the *Situation in Ukraine*,

NOTING the ‘Application for the Disqualification of Judges’ made by Mongolia referring to article 41(2)(a) of the Rome Statute (the ‘Application’), seeking that Judge Aitala and Judge Ugalde be disqualified from Pre-Trial Chamber II from adjudicating on Mongolia’s request for leave to appeal the finding of non-compliance by Mongolia entered by Pre-Trial Chamber II on 24 October 2024,¹ and that Judge Akane and Judge Aitala be disqualified from the Presidency in connection with the present Application;²

RECALLING that pursuant to article 41(2)(c) of the Rome Statute and rule 34(2) of the Rules of Procedure and Evidence, the challenged judges shall be entitled to present written observations on the Application;

REQUESTS that Judge Akane, Judge Aitala and Judge Ugalde present any written observations by 16:00 on 8 November 2024;

NOTIFIES that a plenary session will thereafter be convened to address the Application; and

ORDERS the Registry to notify to all judges of the Application.

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

¹ [Request to leave to appeal](#), dated 29 October 2024 and notified on 31 October 2024, ICC-01/22-91-Anx, *annexed to Registry, Situation in Ukraine*, Registry transmission of communication received from Mongolia in relation to Pre-Trial Chamber II’s “Finding under article 87(7) of the Rome Statute on the non-compliance by Mongolia with the request by the Court to cooperate in the arrest and surrender of Vladimir Vladimirovich Putin and referral to the Assembly of States Parties” of 24 October 2024, 31 October 2024, ICC-01/22-91.

² [Application for the disqualification of Judges](#), dated 29 October 2024 and notified on 31 October 2024, ICC-01/22-92-Anx, *annexed to Registry, Situation in Ukraine*, Registry transmission of communication received from Mongolia in relation to Pre-Trial Chamber II’s “Finding under article 87(7) of the Rome Statute on the non-compliance by Mongolia with the request by the Court to cooperate in the arrest and surrender of Vladimir Vladimirovich Putin and referral to the Assembly of States Parties” of 24 October 2024, 31 October 2024, ICC-01/22-92.



Judge Reine Alapini-Gansou
Acting President

Dated this 5 November 2024

At The Hague, The Netherlands