

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/04-01/05
Date: 3 February 2009

PRE-TRIAL CHAMBER II

Before: Judge Mauro Politi, Presiding Judge
Judge Hans-Peter Kaul
Judge Ekaterina Trendafilova

**SITUATION IN UGANDA
IN THE CASE OF
THE PROSECUTOR
*v. JOSEPH KONY, VINCENT OTTL, OKOT ODHIAMBO, DOMINIC ONGWEN***

Public Document

Decision on request for extension of time limit by the Republic of Uganda

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

The Office of the Prosecutor

Mr Luis Moreno Ocampo

Ms Fatou Bensouda

Counsel for the Defence

Mr Jens Dieckmann

Legal Representatives of Victim

a/0119/06

Ms Paolina Massidda

Legal Representatives of Victims

a/0090/06, a/0098/06, a/0112/06, a/0118/06
and a/0112/06

Ms Adesola Adeboyejo

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

Ms Sarah Pellet

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

States Representatives

The Government of the Republic of
Uganda

Amici Curiae

The Uganda Victims' Foundation
Redress Trust

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Judges of Pre-Trial Chamber II (the “Chamber”) of the International Criminal Court (the “Court”);

1. **NOTING** the “Decision assigning the situation in Uganda” to Pre-Trial Chamber II issued by the Presidency on 5 July 2004;¹
2. **NOTING** the “Decision initiating proceedings under article 19, requesting observations and appointing counsel for the Defence”² dated 21 October 2008, whereby the Chamber decided to initiate proceedings under article 19(1) of the Statute of the Court (the “Proceedings”) and invited the Republic of Uganda, the Prosecutor, the counsel for the Defence (the “Defence”) and victims having already communicated with the Court with respect to the case of *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen* (the “Case”), or their legal representatives, to submit their observations on the admissibility of the case by 10 November 2008;
3. **NOTING** the “Decision on Defence Counsel’s ‘Request for conditional stay of proceedings’”³ dated 31 October 2008, whereby the Chamber *inter alia* granted the Republic of Uganda, the Prosecutor, the Defence and the victims having communicated with the Court with respect to the Case until 18 November 2008 to submit observations in the Proceedings;
4. **NOTING** the “Application by the Uganda Victims’ Foundation and the Redress Trust for leave to submit observations to the Pre-Trial Chamber II of the

¹ ICC-02/04-1.

² ICC-02/04-01/05-320.

³ ICC-02/04-01/05-328.

International Criminal Court, pursuant to Rule 103 of the Rules of Procedure and Evidence"⁴ dated 31 October 2008, whereby the Uganda Victims' Foundation (the "UVF") and the Redress Trust ("Redress") requested leave to submit written observations in the Proceedings under rule 103(1) of the Rules of Procedure and Evidence (the "Rules");

5. **NOTING** the "Decision on application for leave to submit observations under Rule 103(1)" dated 5 November 2008⁵, whereby the Chamber granted the UVF and Redress leave to submit observations under rule 103(1) of the Rules;
6. **NOTING** the "Amicus Curiae submitted pursuant to Pre-Trial Chamber II 'Decision on application for leave to submit observations under Rule 103' dated 5 November 2008"⁶ by UVF and Redress (the "Observations by UVF and Redress");
7. **NOTING** the "Decision on responses to observations submitted under Rule 103" dated 21 November 2008⁷, whereby the Chamber granted the Prosecutor, the Defence and the Republic of Uganda until 15 December 2008 to respond to the Observations by UVF and Redress;
8. **NOTING** the "Report of the Registrar on the execution of the 'Decision on responses to observations submitted under Rule 103'"⁸, dated 15 December 2008, whereby the Registrar informed the Chamber that she had not received any report from the Republic of Uganda;

⁴ ICC-02/04-01/05-330.

⁵ ICC-02/04-01/05-333.

⁶ ICC-02/04-01/05-353.

⁷ ICC-02/04-01/05-357.

⁸ ICC-02/04-01/05-362.

9. **NOTING** the "Second report of the Registrar on the execution of the 'Decision on responses to observations submitted under Rule 103'"⁹, dated 16 December 2008 (the Registrar's Second Report");
10. **NOTING** the Annex to the Registrar's Second Report, whereby the Republic of Uganda requested a two-week extension of the deadline to respond to the Observations by UVF and Redress;¹⁰
11. **NOTING** regulation 35(2) of the Regulations of the Court;
12. **CONSIDERING** that, in light of the time elapsed since the submission of the request for a two-week extension to the Chamber, it appears that the Republic of Uganda should now be in a position to submit its observations;

FOR THESE REASONS, HEREBY

GRANTS the Republic of Uganda until Wednesday, 18 February 2009 to respond to the Observations by UVF and Redress.

⁹ ICC-02/04-01/05-363.

¹⁰ ICC-02/04-01/05-363-Anx.

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

Mauro Politi

Judge Mauro Politi
Presiding Judge

Kaul 3/2/09

Judge Hans-Peter Kaul

E. Ekaterina Trendafilova

Judge Ekaterina Trendafilova

Dated this Tuesday, 3 February 2009

At The Hague, The Netherlands.