

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 10 June 2009

THE APPEALS CHAMBER

Before: Judge Daniel David Ntanda Nsereko , Presiding Judge
Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Anita Ušacka

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

Public Document

**Report of the Registrar on the notification of the Republic of Uganda of the
Defence Response to the Observations of victims and on the Prosecution
Response**

Source: The Registrar

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

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

Counsel for the Defence

Mr Jens Dieckmann

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States Representatives

Amicus Curiae

The Uganda Victims' Foundation
Redress Trust

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registrar of the International Criminal Court (the "Court")

NOTING the warrant of arrest for Joseph KONY, issued by the Chamber on 8 July 2005, as amended on 27 September 2005¹, and the warrants of arrest issued for Vincent OTTI,² Okot ODHIAMBO,³ and Dominic ONGWEN⁴ on 8 July 2005;

NOTING the request for arrest and surrender of Joseph KONY, dated 8 July 2005, as amended on 27 September 2005,⁵ and the requests for arrest and surrender of Vincent OTTI,⁶ Okot ODHIAMBO⁷ and Dominic ONGWEN⁸ to the Republic of Uganda, dated 8 July 2005;

NOTING the "Decision initiating proceedings under article 19, requesting observations and appointing counsel for the Defence"⁹, issued by the Pre-Trial Chamber II (the "Chamber") on 21 October 2008;

NOTING the "Decision on the admissibility of the case under article 19(1) of the Statute", issued by the Chamber on 10 March 2009;¹⁰

NOTING the "Defence Appeal against "Decision on the admissibility of the case under article 19 (1) of the Statute" dated 10 March 2009", submitted on 16 March 2009;¹¹

¹ ICC-02/04-01/05-53.

² ICC-02/04-01/05-54.

³ ICC-02/04-01/05-56.

⁴ ICC-02/04-01/05-57.

⁵ ICC-02/04-01/05-29-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁶ ICC-02/04-01/05-13-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁷ ICC-02/04-01/05-15-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁸ ICC-02/04-01/05-16-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁹ ICC-02/04-01/05-320.

¹⁰ ICC-02/04-01/05-377.

¹¹ ICC-02-04/01-05-379

NOTING the “Document in support of 'Defence Appeal against 'Decision on the admissibility of the case under article 19(1) of the Statute' dated 10 March 2009”, submitted by the Defence on 31 March 2009;¹²

NOTING the “Decision on the Presiding Judge of the Appeals Chamber in the 'Defence Appeal against 'Decision on the admissibility of the case under article 19(1) of the Statute' dated 10 March 2009”, rendered by the Appeals Chamber on 3 April 2009;¹³

NOTING the “Order on the re-filing of the document in support of the appeal and Directions on the filing of observations” rendered by the Appeals Chamber on 8 April 2009;¹⁴

NOTING the “Refiled document in support of “Defence appeal against ‘Decision on the admissibility of the case under article 19(1) of the statute’ dated 10 March 2009””, submitted by the Defence on 15 April 2009;¹⁵

NOTING the “Prosecution Response to Defence appeal against “Decision on the admissibility of the case under article 19(1) of the Statute””, submitted by the Office of the Prosecutor on 7 May 2009;¹⁶

NOTING the ““Observations of victims on the refiled document in support of “Defence Appeal against ‘Decision on the admissibility of the case under article 19(1) of the Statute’ dated 10 March 2009” filed on 15 April 2009 and on the Prosecution

¹² ICC-02/04-01/05-390

¹³ ICC-02/04-01/05-391

¹⁴ ICC-02/04-01/05-393

¹⁵ ICC-02/04-01/05-394

¹⁶ ICC-02/04-01/05-401

Response thereto filed on 7 May 2009", submitted by the Office of Public Counsel for Victims on 28 May 2009;¹⁷

NOTING the "Response to "Observations of victims on the refiled document in support of 'Defence Appeal against 'Decision on the admissibility of the case under article 19 (1) of the Statute' dated 10 March 2009' filed on 15 April 2009 and on the Prosecution Response thereto filed on 7 May 2009"¹⁸

NOTING Regulation 24*bis* of the Regulations of the Court;

TRANSMITS, respectfully, in Annex 1 hereto attached, the Memorandum of Service and the Note Verbale related to the notification of the Solicitor General of the Republic of Uganda of the Defence response to the observations of victims and the Prosecution response;



 Marc Dubuisson
 Director – Division of Court Services
 on behalf of
 Ms Silvana Arbia, Registrar

Dated this 10 June 2009

At The Hague, The Netherlands

¹⁷ ICC-02/04-01/05-403

¹⁸ ICC-02/04-01/05-404