

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 12 May 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**

**Registrar's report on the notification of the Republic of Uganda of "Prosecution  
Response to Defence Appeal against "Decision on the admissibility of the case  
under article 19(1) of the Statute""**

**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**

**REGISTRY**

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**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 2005<sup>1</sup>, and the warrants of arrest issued for Vincent OTTI,<sup>2</sup> Okot ODHIAMBO,<sup>3</sup> and Dominic ONGWEN<sup>4</sup> on 8 July 2005;

**NOTING** the request for arrest and surrender of Joseph KONY, dated 8 July 2005, as amended on 27 September 2005,<sup>5</sup> and the requests for arrest and surrender of Vincent OTTI,<sup>6</sup> Okot ODHIAMBO<sup>7</sup> and Dominic ONGWEN<sup>8</sup> 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"<sup>9</sup>, 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;<sup>10</sup>

**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;<sup>11</sup>

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<sup>1</sup> ICC-02/04-01/05-53.

<sup>2</sup> ICC-02/04-01/05-54.

<sup>3</sup> ICC-02/04-01/05-56.

<sup>4</sup> ICC-02/04-01/05-57.

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

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

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

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

<sup>9</sup> ICC-02/04-01/05-320.

<sup>10</sup> ICC-02/04-01/05-377.

<sup>11</sup> 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;<sup>12</sup>

**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;<sup>13</sup>

**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;<sup>14</sup>

**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;<sup>15</sup>

**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;<sup>16</sup>

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

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<sup>12</sup> ICC-02/04-01/05-390

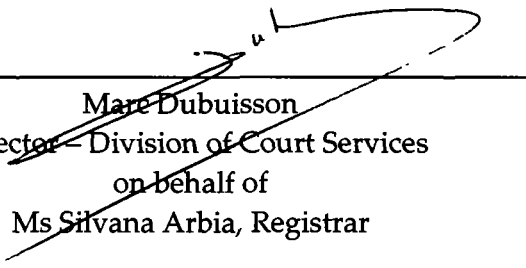
<sup>13</sup> ICC-02/04-01/05-391

<sup>14</sup> ICC-02/04-01/05-393

<sup>15</sup> ICC-02/04-01/05-394

<sup>16</sup> ICC-02/04-01/05-401

**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 Prosecution response to the Defence Appeal;



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

Dated this 12 May 2009

At The Hague, The Netherlands