

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/04-01/15
Date: 9 December 2016

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Raul C. Pangalangan

SITUATION IN UGANDA

IN THE CASE OF *THE PROSECUTOR v. DOMINIC ONGWEN*

Public

Victims' joint submission on duplicate applications

Source: Legal Representatives of Victims
Office of Public Counsel for Victims

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

The Office of the Prosecutor

Ms Fatou Bensouda
Mr Benjamin Gumpert

Counsel for the Defence

Mr Krispus Ayena Odongo
Mr Charles Achaleke Taku

Legal Representatives of the Victims

Mr Joseph Akwenyu Manoba
Mr Francisco Cox
Ms Paolina Massidda
Ms Jane Adong

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda
Mr Orchlon Narantsetseg

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. INTRODUCTION

1. This filing is made in response to Trial Chamber IX's (the "Chamber") email notification of 2 December 2016.¹

II. PROCEDURAL HISTORY

2. On 4 November 2016 the Chamber ordered the Registry to file a consolidated list of victims admitted to participate in the proceedings, indicating each victim's legal representative.²
3. On 30 November 2016 the Registry filed the consolidated list of victims participating in the proceedings.³ It identified four participating victims whose legal representation was unclear.⁴
4. On 2 December 2016, by e-mail, the Chamber requested the Legal Representatives to consult with each other and to file a joint submission by 9 December 2016, indicating which of the counsel represent these four participating victims.⁵

III. SUBMISSIONS

5. As indicated by the Registry in the filing accompanying its consolidated list of victims participating in the proceedings, the four individuals in question have each submitted two separate application forms for participation and hence have been assigned two separate reference numbers. In each case, the person concerned appointed external counsel in one application, while in the other application he or she did not appoint counsel. The duplicate applications are:

- (i) a/05499/15 (appointing external counsel) and a/05525/15 (not naming counsel);
- (ii) a/02155/16 (appointing external counsel) and a/05713/15 (not naming counsel);

¹ Email from Trial Chamber IX, sent at 12:28 on 2 December 2016.

² Decision Concerning 610 Victim Applications (Registry Report ICC-02/04-01/15544) and 1183 Victim Applications (Registry Report ICC-02/04-01/15-556) (Trial Chamber IX), ICC-02/04-01/15-586, 4 November 2016.

³ Consolidated list of victims admitted to participate in the proceedings, ICC-02/04-01/15-614, 30 November 2016.

⁴ *Ibid.*, paras 10-12.

⁵ Email from Trial Chamber IX, sent at 12:28 on 2 December 2016.

- (iii) a/06250/15 (appointing external counsel) and a/05108/15 (not naming counsel);
 - (iv) a/01259/16 (appointing external counsel) and a/06910/15 (not naming counsel).
6. The Legal Representatives have reviewed the application forms and relevant powers of attorney. They are in agreement that, since the four individuals have expressly appointed Mr Manoba and Mr Cox, they should be represented by the latter.
 7. To avoid confusion, it is respectfully proposed that these victims should in future be referred to by the reference numbers attributed to their applications appointing external counsel, namely: a/05499/15, a/02155/16, a/06250/15 and a/01259/16 respectively.
 8. Accordingly, the Legal Representatives jointly and respectfully request the Chamber to:
 - (i) Acknowledge that victims a/05499/15, a/02155/16, a/06250/15 and a/01259/16 are represented by Mr Manoba and Mr Cox; and
 - (ii) Order the Registry to provide Mr Manoba and Mr Cox with access to the relevant application forms.

Respectfully submitted.



Joseph Manoba



Francisco Cox



Paolina Massidda

Dated this 9th day of December 2016

At The Hague, The Netherlands