



ANNEX II

Public

*Solemn undertakings executed pursuant to
Article 5 and 22(3) of the Code of Professional Conduct for Counsel*



Undertaking of counsel

as required under Article 5 of the Code of professional conduct for counsel

Name of counsel: Michiel Pestman

I solemnly declare that I will perform my duties and exercise my mission before the International Criminal Court with integrity and diligence, honourably, freely, independently, expeditiously and conscientiously, and that I will scrupulously respect professional secrecy and the other duties imposed by the Code of Professional Conduct for Counsel before the International Criminal Court.

Done at Los Angeles, USA

Date: .17 February 2022

Michiel Pestman

Signature of counsel

For the Registrar



Undertaking of Counsel

as required under article 22.3 of the Code of professional conduct for counsel

Name of counsel: Michiel Pestman

Hereby agree to be bound by the provisions of Article 22 of the Code of Professional Conduct for Counsel ("Code"), and undertake as follows:

- I will not accept remuneration for fees in cash or in kind from any other source other than the Registry of the Court having accepted the appointment to represent the above named client who is entitled to 'legal assistance' pursuant to Chapter 4, Section 4 of the Regulations of the Court;
- I will neither transfer nor lend all or part of the fees received for representation of the client or any other assets or monies to the client, his/her relatives, acquaintances, or any other third person or organization in relation to which the client has a personal interest, and
- If requested, induced or encouraged by the client to violate the obligations of Article 22 of the Code, I will advise the client accordingly of the prohibition against such conduct.

I acknowledge that a breach of this undertaking and the obligations imposed on me as counsel by Article 22 of the Code will constitute "misconduct" for the purposes of Article 31 of the Code, and is subject to a disciplinary procedure pursuant to the Code, which may lead:

1. to a permanent ban on practicing before the Court, and
2. being struck off the list of counsel, with transmission to the national authority where I hold professional membership.

I have read and fully understand this Undertaking of Counsel and Article 22 of the Code (reproduced overleaf), and I am fully aware of the conditions stipulated in the Article, including the consequences for breach of the provision.

Done at The Hague, Netherlands

Date: 17 February 2022

Michiel Pestman

Signature of counsel

For the Registrar

Article 22 of the Code

Remuneration of Counsel in the framework of legal assistance

1. The fees of counsel where his or her client benefits from legal assistance shall be paid exclusively by the Registry of the Court. Counsel shall not accept remuneration in cash or in kind from any other source.
2. Counsel shall neither transfer or lend all or part of the fees received for representation of a client or any other assets or monies to a client, his or her relatives, acquaintances, or any other third person or organization in relation to which the client has a personal interest.
3. Counsel shall sign an undertaking to respect the obligations under this article when accepting the appointment to provide legal assistance. The signed undertaking shall be sent to the Registry.
4. Where the counsel is requested, induced or encouraged to violate the obligations under this article, counsel shall advise the client of the prohibition of such conduct.
5. Breach of any obligations under this article by Counsel shall amount to misconduct and shall be subject to a disciplinary procedure pursuant to this Code. This may lead to a permanent ban on practicing before the Court and being struck off the list of counsel, with transmission to the respective national authority.