



Original: English

No.: ICC-02/04-01/15

Date: 15 April 2015

**PRE-TRIAL CHAMBER II**

**Before: Judge Cuno Tarfusser, Single Judge**

**SITUATION IN UGANDA**

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

**Public**

**Decision on an application by the Uganda Victims Foundation to submit  
*amicus curiae* observations**

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

**The Office of the Prosecutor**

Fatou Bensouda

James Stewart

Benjamin Gumpert

**Counsel for the Defence**

Krispus Ayena Odongo

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for  
Victims**

Paolina Massidda

Sarah Pellet

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

**States Representatives**

**Applicant under rule 103(1) of the Rules  
Uganda Victims Foundation**

**REGISTRY**

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**Registrar**

Herman von Hebel

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

**Judge Cuno Tarfusser**, Single Judge exercising the functions of Pre-Trial Chamber II in the present case, issues this decision on the “Application by the Uganda Victims Foundation to Submit Amicus Curie Observations pursuant to Rule 103 of the Rules of Procedure and Evidence” (ICC-02/04-01/15-211), filed on 19 March 2015.

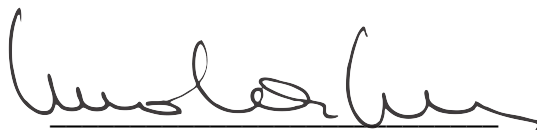
1. The applicant, apparently claiming to be acting in the interest and on behalf of persons asserting to be victims of crimes allegedly committed by Dominic Ongwen, proposes to make observations under rule 103(1) of the Rules of Procedure and Evidence (the “Rules) on (i) the “lack of proper and effective legal representation that they have received from the OPCV thus far” (paras 11-13), and (ii) the “narrowness of the scope of the charges” (paras 14-15).

2. Considering that (i) no victims are currently participating in the present case, and victims’ applications for participation will be considered, and participatory rights accorded to the victims admitted to participate, in due course (cf. ICC-02/04-01/15-205); and (ii) prosecution, including the identification of which crimes to charge, is exclusively in the hands of the Prosecutor, the Single Judge concludes that, as the issues raised by the applicant are not live issues in the case, the observations proposed are not “desirable for the proper determination of the case” within the meaning of rule 103(1) of the Rules.

**FOR THESE REASONS, THE SINGLE JUDGE**

**REJECTS** the application.

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

A handwritten signature in black ink, appearing to read 'Cuno Tarfusser', written over a horizontal line.

**Judge Cuno Tarfusser**  
**Single Judge**

Dated this 15 April 2015

At The Hague, The Netherlands