

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-02/04-01/15
Date: **29 November 2016**

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN UGANDA

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

Public

**Decision on Child Soldiers International's Request for Leave to Submit Amicus
Curiae Observations**

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

Joseph Akwenyu Manoba
Francisco Cox
Paolina Massidda

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Steven Powles

Judge Bertram Schmitt, acting as Single Judge on behalf of Trial Chamber IX ('Single Judge' and 'Chamber', respectively) of the International Criminal Court, in the case of *The Prosecutor v. Dominic Ongwen*, having regard to Rule 103(1) of the Rules of Procedure and Evidence, issues the following 'Decision on Child Soldiers International's Request for Leave to Submit Amicus Curiae Observations'.

1. On 24 November 2016, Child Soldiers International sought leave to submit an amicus curiae brief highlighting: (i) why a perpetrator's status as a former child soldier is generally of more relevance at the sentencing stage (if convicted); and (ii) when and under what circumstances an individual's past experience as a child soldier may have a bearing on their criminal responsibility.¹
2. The Single Judge is not persuaded that the proposed amicus curiae submission would assist the Chamber with the proper determination of the issues which may arise as a result of the accused's background as a former child soldier.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY:

REJECTS the relief sought in the request.

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


Judge Bertram Schmitt, Single Judge

Dated 29 November 2016

At The Hague, The Netherlands

¹ Application by Child Soldiers International for Leave to Submit an Amicus Curiae Brief Pursuant to Rule 103 of the Rules of Procedure and Evidence, 24 November 2016, ICC-02/04-01/15-605 (with annex).