



Original: **English**

No.: **ICC-01/04-02/06**

Date: **1 May 2019**

**THE PRESIDENCY**

**Before:** Judge Chile Eboe-Osuji, President  
Judge Marc Perrin de Brichambaut, Second Vice-President  
Judge Howard Morrison

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO  
IN THE CASE OF  
*THE PROSECUTOR V. BOSCO NTAGANDA***

**Public**

**Notification concerning Judge Kuniko Ozaki**

**Decision to be notified in accordance with regulation 31 of the *Regulations of the Court*****to:****The Office of the Prosecutor**

Ms Fatou Bensouda

Mr James Stewart

**Counsel for the Defence**

Mr Stéphane Bourgon

Mr Christopher Gosnell

**Legal Representatives of Victims**

Ms Sarah Pellet

Mr Dmytro Suprun

**Legal Representatives of 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****REGISTRY****Registrar**

Mr Peter Lewis

**Others**

Trial Chamber VI

**Victims and Witness Unit****Victims Participation and Reparations  
Section**

1. The Presidency of the International Criminal Court (the 'Court') notes that on 18 February 2019 Judge Kuniko Ozaki informed the judges of the Court that she had been appointed as the Japanese Ambassador to the Republic of Estonia and requested that the judges of the Court consider the application of article 40 of the Rome Statute (the 'Statute') in this regard.<sup>1</sup>
2. A plenary of judges was convened on 4 March 2019 to consider Judge Ozaki's request, pursuant to article 40(4) of the Statute. On 22 March 2019, the Presidency notified the parties and participants that on 4 March 2019 an absolute majority of 14 judges of the Court decided in plenary that the assumption by Judge Ozaki of the role of Ambassador of Japan to Estonia while she continues to serve as a non-full-time judge of the Court does not violate any aspect of article 40 of the Statute.<sup>2</sup>
3. The Presidency hereby notifies the parties and participants that, on 23 April 2019, the Director of the International Judicial Proceedings Division of the Ministry of Foreign Affairs of Japan confirmed the following by email:

the resignation of Judge Ozaki as Japanese Ambassador to Estonia was officially accepted by the Government of Japan on 18 April 2019.

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



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**Judge Chile Eboe-Osuji**

**President**

Dated this 1 May 2019

At The Hague, The Netherlands

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<sup>1</sup> 2019/PRES/00003-5.

<sup>2</sup> ICC-01/04-02/06-2326.