

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-02/04-01/05**  
Date: **10 September 2015**

**PRE-TRIAL CHAMBER II**

**Before:** Judge Cuno Tarfusser, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Chang-ho Chung

**SITUATION IN UGANDA**  
**IN THE CASE OF *THE PROSECUTOR v. JOSEPH KONY, VINCENT OTTI***  
***AND OKOT ODHIAMBO***

**Public**

**Decision terminating proceedings against Okot Odhiambo**

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**

**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**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Herman von Hebel

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

**Pre-Trial Chamber II** issues the present decision terminating proceedings against Okot Odhiambo.

1. On 8 July 2005, the Chamber issued a warrant of arrest for Okot Odhiambo (ICC-02/04-01/05-8-US-Exp, public redacted version at ICC-02/04-01/05-56). Request for arrest and surrender of were sent to several States.

2. On 27 July 2015, the Prosecutor filed the "Prosecution's request to withdraw the warrant of arrest issued against Okot Odhiambo on 8 July 2015" (ICC-02/04-01/15-430-US-Exp), submitting that she had collected conclusive evidence that Okot Odhiambo was dead, and that therefore proceedings against him should be terminated.

3. The Chamber notes the information and material provided by the Prosecutor, which establishes that a corpse exhumed by the Ugandan authorities in March 2015 following information provided by a defector from the Lord's Resistance Army was identified, through DNA testing, as that of Okot Odhiambo, and that subsequently the Ugandan authorities issued a death certificate, certifying that Okot Odhiambo died on 27 October 2013, 50 kilometres northeast of Djemah, Central African Republic.

4. Considering that the person for whom an arrest warrant has been issued has died, it is appropriate to terminate the proceedings. The warrant of arrest is no longer in effect (cf. article 58(4) of the Rome Statute), and the outstanding requests for arrest and surrender must be withdrawn.

**FOR THESE REASONS, THE CHAMBER**

**TERMINATES** proceedings against Okot Odhiambo;

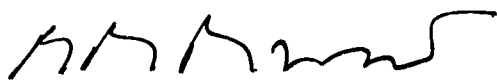
**ORDERS** the Registrar to inform all States which were notified of the warrant of arrest against Okot Odhiambo that the warrant of arrest is no longer in effect and to withdraw the requests for arrest and surrender; and

**DECIDES** that the present case shall henceforth be referred to as "*The Prosecutor v. Joseph Kony and Vincent Otti*".

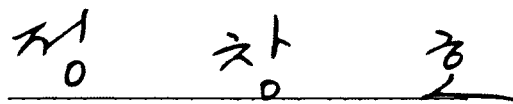
Done in both English and French, the English version being authoritative.



**Judge Cuno Tarfusser**  
**Presiding Judge**



**Judge Marc Perrin de Brichambaut**



**Judge Chang-ho Chung**

Dated this 7 September 2015

At The Hague, The Netherlands