



Original: English

No.: ICC-02/04-01/15
Date: 16 December 2016

TRIAL CHAMBER IX

Before: Judge Bertram Schmitt, Single Judge

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

Public

Order Concerning Four Victim Applications

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

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 Article 68(3) of the Rome Statute and Rule 90 of the Rules of Procedure and Evidence, issues the following 'Order Concerning Four Victim Applications'.

1. On 30 November 2016, the Registry filed a consolidated list of victims admitted to participate in the proceedings.¹ It identified four participating victims whose representation was unclear.² The four victims each submitted duplicate applications, appointing the Legal Representative of Victims in one application and no counsel in the other.³
2. On 2 December 2016, the Chamber instructed the Legal Representative of Victims and the Common Legal Representative of Victims (collectively 'LRVs') to consult with each other and file a joint submission by 9 December 2016, clarifying which of the counsel represents these four participating victims.⁴
3. On 9 December 2016, the LRVs filed a joint submission on the applications.⁵ The LRVs are in agreement that the four victims should be represented by Mr Manoba and Mr Cox and that the victims should be referred to by the reference numbers attributed to their applications appointing the Legal Representative of Victims⁶ as opposed to the 'original' reference number used by the Registry

¹ Consolidated list of victims admitted to participate in the proceedings, ICC-02/04-01/15-614, 30 November 2016.

² ICC-02/04-01/15-614, paras 10-12.

³ ICC-02/04-01/15-614, paras 10-12. The duplicate applications are: a/05499/15 (appointing external counsel) and a/05525/15 (not naming counsel); a/02155/16 (appointing external counsel) and a/05713/15 (not naming counsel); a/06250/15 (appointing external counsel) and a/05108/15 (not naming counsel); and a/01259/16 (appointing external counsel) and a/06910/15 (not naming counsel). *See also* ICC-02/04-01/15-629, para. 5.

⁴ Email from Chamber on 2 December 2016, at 12.28.

⁵ Victims' Joint Submission on Duplicate Applications, ICC-02/04-01/15-629.

⁶ *See* ICC-02/04-01/15-629, para. 6.

throughout the proceedings.⁷ The LRVs request that the Chamber: (i) acknowledge that these four victims are represented by Mr Manoba and Mr Cox and (ii) order the Registry to provide these two counsel with access to the relevant application forms.

4. On 15 November 2016, the Victims Participation and Reparations Section ('VPRS') informed the Chamber of its preference that the original reference numbers be retained, i.e. the victims should be referenced via application numbers a/05499/15, a/05713/15, a/06250/15 and a/06910/15.⁸ The VPRS notes that the original reference numbers have been used throughout the proceedings and that one of the duplicates⁹ was identified as such before transmission to the Chamber and the parties and therefore was not individually transmitted in the record of the case.¹⁰ The LRVs states that they have no objection to the approach suggested by the VPRS.¹¹
5. The Single Judge agrees to retain the original reference numbers and takes note that victims a/05499/15, a/05713/15, a/06250/15 and a/06910/15 are represented by Mr Manoba and Mr Cox.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

ORDERS the Registrar to notify the Mr Manoba and Mr Cox of the un-redacted applications for participation of the victims they represent, including the original and duplicate applications; and

⁷ This specifically affects two applications a/05713/15 (duplicate: a/02155/16) and a/06910/15 (duplicate: a/01259/16). For the other two applications, the original reference number referred to the application appointing external counsel.

⁸ Email from VPRS to the Chamber on 15 December 2016, at 18.11.

⁹ A/01259/16, duplicate to application a/06910/15.

¹⁰ Email from VPRS to the Chamber on 15 December 2016, at 18.11.

¹¹ Email from Legal Representatives of Victims to the Chamber on 16 December 2016, at 12.18.

ORDERS the Registry to, as soon as is practicable, file an updated consolidated list of victims admitted to participate in the present case which reflects the information contained in this order.

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



Judge Bertram Schmitt
Single Judge

Dated 16 December 2016

At The Hague, The Netherlands