

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/04-01/15 A A2

Date: 21 January 2022

**THE APPEALS CHAMBER**

**Before:** Judge Luz del Carmen Ibáñez Carranza, Presiding Judge  
Judge Piotr Hofmański  
Judge Solomy Balungi Bossa  
Judge Reine Alapini-Gansou  
Judge Gocha Lordkipanidze

**SITUATION IN UGANDA**

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

**Public**

**CLR V Response to the “Defence Correction to a Serious Error in the Common  
Legal Representative for Victims Observations on the Amici Curiae”**

**Source:** Office of Public Counsel for Victims

**Document to be notified in accordance with regulation 31 of the Regulations of the Court to:**

**The Office of the Prosecutor**

Mr Karim A. A. Khan  
Ms Helen Brady

**Counsel for the Defence**

Mr Krispus Ayena Odongo  
Mr Charles Achaleke Taku  
Ms Beth Lyons

**Legal Representatives of the Victims**

Mr Joseph Akwenyu Manoba  
Mr Francisco Cox

**Common Legal Representatives for Victims**

Ms Paolina Massidda  
Mr Orchlón Narantsetseg  
Ms Caroline Walter

**Amicus Curiae**

Dr. Mohammad Hadi Zakerhossein

Professor Bonita Meyersfeld and the Southern African Litigation Centre Trust

Felicity Gerry QC, Wayne Jordash QC, Ben Douglas-Jones QC, Anna McNeil, Philippa Southwell, Dr. Beatrice Krebs and Jennifer Keene-McCann

Ms Ardila, Mariana; Ms Fernández-Paredes, Teresa; Ms Ibáñez, María Cecilia; Ms Kravetz, Daniela; Ms SáCouto, Susana; Ms Seoane, Dalila

Erin Baines, Anne-Marie de Brouwer, Annie Bunting, Eefje de Volder, Kathleen M. Maloney, Melanie O'Brien, Osai Ojigho, Valerie Oosterveld, Indira Rosenthal

Dr. Rosemary Grey, Global Justice Center (GJC); Amnesty International (AI), Women's Initiatives for Gender Justice (WIGJ)

NIMJ - National Institute of Military Justice

Louise Arimatsu, Adejoké Babington-Ashaye, Kirsten Campbell, Danya Chaikel, Christine Chinkin; Carolyn Edgerton, Priya Gopalan; Gorana Mlinarević, Angela Mudukuti, Cynthia T. Tai

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Sareta Ashraph, Stephanie Barbour, Kirsten Campbell, Alexandra Lily Kather, Jocelyn Getgen Kestenbaum, Maxine Marcus, Gorana Mlinarević, Valerie Oosterveld, Kathleen Roberts, Susana SáCouto, Jelia Sané, Hyunah Yang

Dr. Ayodele Akenroye, Professor Erin Baines, Professor Kamari M. Clarke, Professor Mark A. Drumbl

Dr. Paul Behrens, University of Edinburgh

Professor Jean Allain, Monash University, Castan Centre for Human Rights Law

Association of Defence Counsel Practising before the International Courts and Tribunals (ADC-ICT)

Prof. Dr. Mario H. Braakman

Mr. Arpit Batra

**REGISTRY**

**Registrar**

Mr Peter Lewis

1. The Common Legal Representative of Victims (the “CLR V”), having been notified of the “Defence Correction to a Serious Error in the Common Legal Representative for Victims Observations on the Amici Curiae”,<sup>1</sup> informs the Appeals Chamber (the “Chamber”) that the document referred to by the Defence and containing the explanation of the expertise of the concerned *Amicus Curiae*<sup>2</sup> was inadvertently overlooked in the midst of documents filed for the purpose of Rule 103 of the Rules of Procedure and Evidence proceedings. Said information, originally not provided by the applicant, appears indeed to have been filed in the record of the case subsequently to a request by the Chamber, of which the CLR V was not notified, to provide information as to the background and expertise of the *Amicus Curiae*.<sup>3</sup>

2. In any case, the issue does not affect the substance of the CLR V submission. In this regard, she reiterates the observations contained in her Response to the *Amici*,<sup>4</sup> underlining that the opinions presented by *Amicus* 1926 show a misinterpretation of its role, and an erroneous reading of the legal framework of the Court.

Respectfully submitted.



**Paolina Massidda**  
**Principal Counsel**

Dated this 21<sup>st</sup> day of January 2022

At The Hague (The Netherlands)

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<sup>1</sup> See the “Defence Correction to a Serious Error in the Common Legal Representative for Victims Observations on the Amici Curiae”, [No. ICC-02/04-01/15-1956](#), 20 January 2022.

<sup>2</sup> See “Request to Submit an Amicus Curiae pursuant to Rule 103(1) of the Rules of Procedure and Evidence”, [No. ICC-02/04-01/15-1912](#), 23 November 2021.

<sup>3</sup> See the “Decision on the requests for leave to file observations pursuant to rule 103 of the Rules of Procedure and Evidence”, (Appeals Chamber), [No. ICC-02/04-01/15-1914 A A2](#), 24 November 2021, footnote 16.

<sup>4</sup> See the “CLR V consolidated response to the Amici Curiae observations in the Defence’s Appeals against the Conviction and the Sentence”, [No. ICC-02/04-01/15-1951](#), 17 January 2022.