

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/04-01/05 OA 3

Date: 1 October 2009

THE APPEALS CHAMBER

Before: Judge Daniel David Ntanda Nsereko , Presiding Judge
Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Anita Ušacka

**SITUATION IN UGANDA
IN THE CASE OF
THE PROSECUTOR *v.* JOSEPH KONY, VINCENT OTTL, OKOT ODHIAMBO,
DOMINIC ONGWEN**

Public Document

**Report of the Registrar on the notification of the Republic of Uganda of the
"Judgment on the appeal of the Defence against the "Decision on the admissibility
of the case under article 19 (1) of the Statute" of 10 March 2009"**

Source: The Registrar

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

The Office of the Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor
Mr. Fabricio Guariglia, Senior appeals
Counsel

Counsel for the Defence

Mr Jens Dieckmann

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Deputy Registrar

Mr. Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registrar of the International Criminal Court (the "Court")

NOTING the warrant of arrest for Joseph KONY, issued by the Chamber on 8 July 2005, as amended on 27 September 2005¹, and the warrants of arrest issued for Vincent OTTI,² Okot ODHIAMBO,³ and Dominic ONGWEN⁴ on 8 July 2005;

NOTING the request for arrest and surrender of Joseph KONY, dated 8 July 2005, as amended on 27 September 2005,⁵ and the requests for arrest and surrender of Vincent OTTI,⁶ Okot ODHIAMBO⁷ and Dominic ONGWEN⁸ to the Republic of Uganda, dated 8 July 2005;

NOTING the "Decision initiating proceedings under article 19, requesting observations and appointing counsel for the Defence"⁹, issued by the Pre-Trial Chamber II (the "Chamber") on 21 October 2008;

NOTING the "Decision on the admissibility of the case under article 19(1) of the Statute", issued by the Chamber on 10 March 2009;¹⁰

NOTING the "Defence Appeal against "Decision on the admissibility of the case under article 19 (1) of the Statute" dated 10 March 2009", submitted on 16 March 2009;¹¹

¹ ICC-02/04-01/05-53.

² ICC-02/04-01/05-54.

³ ICC-02/04-01/05-56.

⁴ ICC-02/04-01/05-57.

⁵ ICC-02/04-01/05-29-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁶ ICC-02/04-01/05-13-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁷ ICC-02/04-01/05-15-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁸ ICC-02/04-01/05-16-US-Exp, reclassified as public pursuant to Decision ICC-02/04-01/05-135.

⁹ ICC-02/04-01/05-320.

¹⁰ ICC-02/04-01/05-377.

¹¹ ICC-02-04/01-05-379

NOTING the "Document in support of 'Defence Appeal against 'Decision on the admissibility of the case under article 19(1) of the Statute' dated 10 March 2009", submitted by the Defence on 31 March 2009;¹²

NOTING the "Refiled document in support of "Defence appeal against 'Decision on the admissibility of the case under article 19(1) of the statute' dated 10 March 2009"", submitted by the Defence on 15 April 2009;¹³

NOTING the "Prosecution Response to Defence appeal against "Decision on the admissibility of the case under article 19(1) of the Statute"", submitted by the Office of the Prosecutor on 7 May 2009;¹⁴

NOTING the ""Observations of victims on the refiled document in support of "Defence Appeal against 'Decision on the admissibility of the case under article 19(1) of the Statute' dated 10 March 2009" filed on 15 April 2009 and on the Prosecution Response thereto filed on 7 May 2009", submitted by the Office of Public Counsel for Victims on 28 May 2009;¹⁵

NOTING the "Response to "Observations of victims on the refiled document in support of 'Defence Appeal against 'Decision on the admissibility of the case under article 19 (1) of the Statute' dated 10 March 2009' filed on 15 April 2009 and on the Prosecution Response thereto filed on 7 May 2009", submitted by the Counsel for the Defence on 3 June 2009¹⁶;

NOTING the "Scheduling Order for the judgment on the appeal of the Defence against the "Decision on the admissibility of the case under article 19 (1) of the

¹² ICC-02/04-01/05-390

¹³ ICC-02/04-01/05-394

¹⁴ ICC-02/04-01/05-401

¹⁵ ICC-02/04-01/05-403

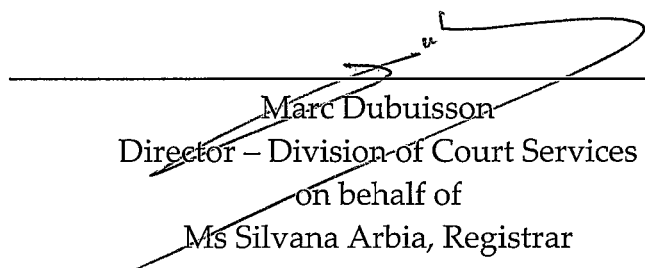
¹⁶ ICC-02/04-01/05-404

Statute" of 10 March 2009", rendered by the Appeals Chamber on 11 September 2009¹⁷;

NOTING the "Judgment on the appeal of the Defence against the "Decision on the admissibility of the case under article 19 (1) of the Statute" of 10 March 2009", rendered by the Appeals Chamber on 16 September 2009;¹⁸

NOTING Regulation 24*bis* of the Regulations of the Court;

TRANSMITS, respectfully, in Annex 1 hereto attached, the Memorandum of Service and the Note Verbale related to the notification of the Solicitor General of the Republic of Uganda of the judgment on the appeal of the Defence;



Marc Dubuisson
Director – Division of Court Services
on behalf of
Ms Silvana Arbia, Registrar

Dated this 01 October 2009

At The Hague, The Netherlands

¹⁷ ICC-02/04-01/05-407

¹⁸ ICC-02/04-01/05-408