

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

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

Date: 18 June 2008

PRE-TRIAL CHAMBER II

Before: Judge Mauro Politi, Presiding Judge
Judge Fatoumata Dembele Diarra
Judge Ekaterina Trendafilova

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

Public Document

**Request for Further Information from the Republic of Uganda on the Status of
Execution of the Warrants of Arrest**

Decision/Order/Judgment to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor
Mr Luis Moreno Ocampo
Ms Fatou Bensouda

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**

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

States Representatives
The Government of the Republic of
Uganda

Amicus Curiae

REGISTRY

Registrar
Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

PRE-TRIAL CHAMBER II (the “Chamber”) of the International Criminal Court (the “Court”);

RECALLING the warrant of arrest for Joseph KONY, issued by the Chamber on 8 July 2005, as amended on 27 September 2005,¹ and the warrants of arrest issued for Vincent OTTI,² Okot ODHIAMBO,³ and Dominic ONGWEN⁴ on 8 July 2005 (the “Warrants”);

RECALLING 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 ODHIAMBO,⁷ Dominic ONGWEN⁸ to the Republic of Uganda, dated 8 July 2005;

NOTING the “Agreement on Accountability and Reconciliation Between the Government of the Republic of Uganda and the Lord Resistance Army/Movement Juba, Sudan” signed on 29 June 2007;

NOTING the “Annexure to the Agreement on Accountability and Reconciliation signed between the Government of the Republic of Uganda and the Lord Resistance Army” on 19 February 2008;

NOTING the “Request for Information from the Republic of Uganda on the Status of Execution of the Warrants of Arrest”, dated 29 February 2008;⁹

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-02/04-01/05-274.

NOTING the “Report by the Registrar on the Execution of the ‘Request for Information from the Republic of Uganda on the Status of Execution of the Warrants of Arrest’”, dated 28 March 2008 (the “Report”),¹⁰ and the response of the Acting Solicitor General of the Republic of Uganda annexed to the Report (the “Ugandan Response”);¹¹

NOTING articles 86, 87 and 93 of the Statute of the Court (the “Statute”), setting forth the obligation of States Parties to cooperate fully with the Court in any matter related to the investigation and prosecution of crimes within its jurisdiction and the modalities for such cooperation;

NOTING rule 176(2) of the Rules of Procedure and Evidence of the Court and regulation 46(2) of the Regulations of the Court, which respectively deal with, *inter alia*, communication with requesting States concerning requests for cooperation and the responsibility of the Pre-Trial Chamber for any matter, request or information arising out of a situation;

CONSIDERING that since the Ugandan Response several developments have taken place, in particular the reported failure to sign the final peace agreement;

CONSIDERING therefore that it is necessary for the Chamber to receive information from the Republic of Uganda on the impact of such latest developments on Uganda’s cooperation with respect to the execution of the Warrants;

FOR THESE REASONS,

¹⁰ ICC-02/04-01/05-286.

¹¹ ICC-02/04-01/05-286-Anx2.

REQUESTS the Republic of Uganda to provide the Chamber, at the earliest opportunity, preferably no later than 9 July 2008, with detailed information on the following:

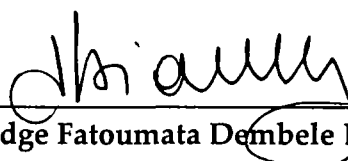
- a) The impact of latest developments on the cooperation provided by the Republic of Uganda in order to execute the Warrants.
- b) The steps currently undertaken by the Republic of Uganda with the view to executing the Warrants.

ORDERS the Registrar to transmit promptly this request to the Government of the Republic of Uganda.

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



Judge Mauro Politi
Presiding Judge



Judge Fatoumata Dembele Diarra



Judge Ekaterina Trendafilova

Dated this Wednesday, 18 June 2008

At The Hague, The Netherlands