



Original: **English**

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

Date: **27 February 2009**

**THE PRESIDENCY**

**Before:**                    **Judge Philippe Kirsch, President**  
                                 **Judge Akua Kuenyehia, First Vice-President**  
                                 **Judge René Blattmann, Second Vice-President**

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

**Public**

**Order concerning the issuance of corrigenda in the Application of Mr Jens Dieckmann of 28 October 2008 for judicial review of his appointment by the Registrar as defence counsel, in accordance with the decision of Pre-Trial Chamber II of 21 October 2008**

**Order 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**

Mr Jens Dieckmann

**The Office of Public Counsel for****Victims**

Ms Paolina Massidda

**States Representatives**

The Government of the Republic of  
Uganda

**REGISTRY**

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**Registrar**

Ms Silvana Arbia

**Defence Support Section**

Mr Esteban Peralta Losilla

**Deputy Registrar**

Mr Didier Preira

The Presidency of the International Criminal Court;

In the application of Mr Jens Dieckmann of 28 October 2008 for judicial review entitled: “Request for review of Counsel’s appointment by the Registrar in accordance with Pre-Trial Chamber’s Decision of 21 October 2008 and request for conditional stay/suspension of the proceedings”,<sup>1</sup>

Noting its “Order concerning the Application of Mr Jens Dieckmann of 28 October 2008 for judicial review of the decision of Pre-Trial Chamber II of 21 October 2008 and the conditional stay/suspension of the proceedings” of 7 November 2008 (“Order”);<sup>2</sup>

Noting its “Decision on the Application of Mr Jens Dieckmann of 28 October 2008 for judicial review of the decision of Pre-Trial Chamber II of 21 October 2008 and the conditional stay/suspension of the proceedings” of 11 November 2008 (“Decision”);<sup>3</sup>

Noting that the Order and the Decision are erroneously entitled and should read, respectively, “Order concerning the Application of Mr Jens Dieckmann of 28 October 2008 for judicial review of his appointment by the Registrar as defence counsel, in accordance with the decision of Pre-Trial Chamber II of 21 October 2008” and “Decision on the Application of Mr Jens Dieckmann of 28 October 2008 for judicial review of his appointment by the Registrar as defence counsel, in accordance with the decision of Pre-Trial Chamber II of 21 October 2008” and, noting further, that the Order erroneously refers to “Monday, 17 November 2008” as the date for the submission of observations on the proceedings as opposed to “Tuesday, 18 November 2008”;

*Hereby*

Orders the Registrar to file Annexes I and II to the present order as corrigenda to the Order (ICC-02/04-01/05-337) and the Decision (ICC-02/04-01/05-344).

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



**Judge Philippe Kirsch**  
**President**

Dated this 27 February 2009  
At The Hague, The Netherlands

<sup>1</sup> ICC-02/04-01/05-326.

<sup>2</sup> ICC-02/04-01/05-337.

<sup>3</sup> ICC-02/04-01/05-344.

# **ANNEX I**

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/04-01/05  
Date: 7 November 2008

**THE PRESIDENCY**

**Before: Judge Philippe Kirsch, President  
Judge Akua Kuenyehia, First Vice-President  
Judge René Blattmann, Second Vice-President**

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

**Public**

**URGENT**

**Order concerning the Application of Mr Jens Dieckmann of 28 October 2008  
for judicial review of his appointment by the Registrar as defence counsel, in  
accordance with the decision of Pre-Trial Chamber II of 21 October 2008**

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

**Counsel for the Defence**  
Mr Jens Dieckmann

**REGISTRY**

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**Registrar**  
Ms Silvana Arbia

**Defence Support Section**  
Mr Esteban Peralta Losilla

**Deputy Registrar**  
Mr Didier Preira

The Presidency of the International Criminal Court;

In the application of Mr Jens Dieckmann of 28 October 2008 for judicial review entitled: "Request for review of Counsel's appointment by the Registrar in accordance with Pre-Trial Chamber's Decision of 21 October 2008 and request for conditional stay/suspension of the proceedings";<sup>1</sup>

Noting the decision of Pre-Trial Chamber II of 21 October 2008 entitled: "Decision initiating proceedings under article 19, requesting observations and appointing counsel for the Defence";<sup>2</sup>

Noting the decision of Pre-Trial Chamber II of 31 October 2008 entitled: "Decision on Defence Counsel's 'Request for conditional stay of proceeding'";<sup>3</sup> and

Considering the terms of regulation 76(1) of the Regulations of the Court, pursuant to which a Chamber, following consultation with the Registrar, may appoint counsel, inter alia, where the interests of justice so require;

*Hereby*

Orders the Registrar to describe the consultative role played by the Registrar in the instant appointment, in accordance with regulation 76(1) of the Regulations of the Court, by 4pm, on 10 November 2008.

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



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**Judge Philippe Kirsch**  
**President**

Dated this 7 November 2008  
At The Hague, The Netherlands

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<sup>1</sup> ICC-02/04-01/05-326.

<sup>2</sup> ICC-02/04-01/05-320.

<sup>3</sup> ICC-02/04-01/05-328.

## **ANNEX II**



**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/04-01/05  
Date: 11 November 2008

**THE PRESIDENCY**

**Before:** Judge Philippe Kirsch, President  
Judge Akua Kuenyehia, First Vice-President  
Judge René Blattmann, Second Vice-President

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

**Public**

**URGENT**

**Decision on the Application of Mr Jens Dieckmann of 28 October 2008  
for judicial review of his appointment by the Registrar as defence counsel, in  
accordance with the decision of Pre-Trial Chamber II of 21 October 2008**

**Decision 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**  
Mr Jens Dieckmann

**The Office of Public Counsel for  
Victims**  
Ms Paolina Massidda

**States Representatives**  
The Government of the Republic of  
Uganda

**REGISTRY**

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**Registrar**  
Ms Silvana Arbia

**Defence Support Section**  
Mr Esteban Peralta Losilla

**Deputy Registrar**  
Mr Didier Preira

The Presidency of the International Criminal Court;

In the application of Mr Jens Dieckmann (“applicant”) of 28 October 2008 for judicial review entitled: “Request for review of Counsel’s appointment by the Registrar in accordance with Pre-Trial Chamber’s Decision of 21 October 2008 and request for conditional stay/suspension of the proceedings” (“Application”);<sup>1</sup>

Noting the decision of Pre-Trial Chamber II of 21 October 2008 entitled: “Decision initiating proceedings under article 19, requesting observations and appointing counsel for the Defence”; whereby Pre-Trial Chamber II initiated proceedings, on its own motion, to determine the admissibility of the case of *the Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen*, pursuant to article 19(1) of the Rome Statute and invited the applicant, the Republic of Uganda, the Prosecutor and the victims<sup>2</sup> or their legal representatives, to submit written observations on the admissibility of the case;<sup>3</sup>

Noting the decision of Pre-Trial Chamber II of 31 October 2008 entitled: “Decision on Defence Counsel’s ‘Request for conditional stay of proceedings’”, granting the participants until Tuesday, 18 November 2008 to submit their observations;<sup>4</sup>

Considering that the decision on the Application should be communicated forthwith to the applicant, with reasons to follow, in view of that time limit;


*Renders* the following

### DECISION

The Application is dismissed.

The reasons for the decision will be given shortly.

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



**Judge Philippe Kirsch**  
**President**

Dated this 11 November 2008  
At The Hague, The Netherlands

<sup>1</sup> ICC-02/04-01/05-326.

<sup>2</sup> As defined on page 7 of ICC-02/04-01/05-320.

<sup>3</sup> ICC-02/04-01/05-320.

<sup>4</sup> ICC-02/04-01/05-328.