



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 Observations of the Registrar of 10 November 2008 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:

Counsel for the Defence
Mr Jens Dieckmann

REGISTRY

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” filed as a public document;¹

Noting its “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” of 7 November 2008, filed with a public classification (“Order”), pursuant to which the Registrar was ordered to “describe the consultative role played by [her] in the instant appointment [...]”;²

Noting that, pursuant to the Order, the Registrar provided the requested Observations on 10 November 2008 with a classification of “Confidential *ex parte* only available to the Registry” (“Observations”),³ without specifying the reasons for the chosen classification in accordance with regulation 23*bis* of the Regulations of the Court;

Considering that the present order is necessary for the Presidency to determine what information, if any, contained in the Observations should be kept confidential;

Hereby

Orders the Registrar to indicate, and to provide reasons for, what information, if any, contained within the Observations she submits should be kept confidential by 4pm on 4 March 2009.

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

¹ ICC-02/04-01/05-326.

² ICC-02/04-01/05-337-Corr.

³ ICC-02/04-01/05-341-Conf-Exp.