

Legal Notice No. 10 of 2011.

**THE HIGH COURT (INTERNATIONAL CRIMES DIVISION) PRACTICE
DIRECTIONS, 2011**

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THE CONSTITUTION

The High Court (International Crimes Division) Practice Direction, 2011.
(Under article 133(1)(a) and (b) of the Constitution of the Republic of Uganda)

IN EXERCISE of the powers conferred on the Chief Justice by Article 133(1) (a) and (b) of the Constitution, this Practice Direction is issued this 17th day of May, 2011.

1. Title.

This Practice Direction may be cited as the High Court (International Crimes Division) Practice Direction, 2011.

2. Interpretation.

In this Practice Direction, unless the context requires otherwise -
“*Court*” means the High Court of Uganda;

“*Division*” means the International Crimes Division of the High Court as established in paragraph 3 of this Practice Direction;

“*Judge*” means a Judge of the Division or any Judge designated by the Principal Judge;

“*Registrar*” means a Registrar of the High Court designated to the Division and shall include a Deputy Registrar and an Assistant Registrar.

3. Establishment of the Division.

The Division established in 2008 as the War Crimes Division is hereby redesignated as the International Crimes Division.

4. Composition.

(1) The Division shall have a minimum of three Judges.

(2) Subject to section 20 of the Judicature Act, Cap 13, the Division may sit as a panel of up to three judges, as may be designated by the Head of the Division.

5. Administration.

(1) The Principal Judge shall in consultation with the Chief Justice designate the Head, Deputy Head, Judges and Registrar of the Division.

(2) The Head of the Division shall be responsible for the administration and supervision of the Division.

(3) The Registrar shall be in charge of the Registry and the day to day operations of the Division.

6. Jurisdiction.

- (1) Without prejudice to Article 139 of the Constitution, the Division shall try any offence relating to genocide, crimes against humanity, war crimes, terrorism, human trafficking, piracy and any other international crime as may be provided for under the Penal Code Act, Cap 120, the Geneva Conventions Act, Cap 363, the International Criminal Court Act, No. 11 of 2010 or under any other penal enactment;
- (2) Where under the International Criminal Court Act, No. 11 of 2010, a National Judge or the High Court is required to carry out any function, a Judge of the Division may perform the function.

7. Prosecution of cases in the Division.

Prosecution of cases in the Division shall be in accordance with the provisions of article 120 of the Constitution.

8. Rules of Procedure.

- (1) The Division shall apply rules of procedure and evidence applicable to criminal trials in Uganda.
- (2) Where no express provision is made under any written law, the Court shall adopt such other procedure as it considers to be justifiable and appropriate in all the circumstances, taking into account the provisions of section 141 of the Trial on Indictments Act, Cap 23 and section 39 of the Judicature Act, Cap 13, and having regard to rights and views of the parties.
- (3) Subject to any law for the time being in force, the Division may from time to time adopt practice directions for the better management of cases and for the orderly and timely disposal of cases.

9. Court Users' Committee.

- (1) A Court Users' Committee is established comprising the following -
 - (a) the Head of the International Crimes Division who shall be the Chairperson;
 - (b) the Judges of the Division;
 - (c) the Attorney General or his or her representative;
 - (d) the Director of Public Prosecutions or his or her representative;
 - (e) the Director of Criminal Investigations Department of the Uganda Police Force or his or her representative;
 - (f) the President of the Uganda Law Society;
 - (g) the Commissioner General of Prisons or his or her representative;

- (h) the Registrar; and
 - (i) not more than seven members of the public appointed by the Principal Judge in consultation with the Head of Division, except that three of whom shall be women.
- (2) The seven members of the public appointed under paragraph 9(1)(i) shall hold office for a period of three years.
 - (3) The Committee may co-opt any person to be a member of the Committee.
 - (4) A person co-opted under sub-paragraph (3) shall have no voting rights in the proceedings of the Court Users' Committee.
 - (5) The Registrar of the Court shall be the Minute Secretary at the meetings of the Court Users' Committee.
 - (6) The Court Users' Committee shall be an advisory body to the Division.
 - (7) The Court Users' Committee shall meet at least once every quarter.
 - (8) The Court Users' Committee shall regulate its own procedure.

Cross References:

The Constitution of the Republic of Uganda, 1995.
The Trial on Indictments Act, Cap. 23.
The Penal Code Act, Cap. 120.
International Criminal Court Act, 2010 Act No. 11 of 2010.
Geneva Conventions Act, Cap. 363.

B. J. ODOKI,
Chief Justice.