

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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No.: ICC-02/04-01/05
Date: 14 February 2025

PRE-TRIAL CHAMBER III

Before: Judge Althea Violet Alexis-Windsor, Presiding Judge
Judge Iulia Motoc
Judge Haykel Ben Mahfoudh

SITUATION IN UGANDA

IN THE CASE OF THE PROSECUTOR v. JOSEPH KONY

Public Document

**With Annex I Confidential and Annex II Confidential *EX PARTE* only available to
the Registry and the Office of the Prosecutor**

**Registry's Report on the implementation of Pre-Trial Chamber III's
"Decision Setting the Date of the Confirmation of Charges Hearing and Related
Time Limits" dated 12 December 2024 (ICC-02/04-01/05-539)**

Source: The Registry

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

☒ The Office of the Prosecutor

☒ Counsel for the Defence

☐ Legal Representatives of the Victims

☐ Legal Representatives of the Applicants

☐ Unrepresented Victims

☐ Unrepresented Applicants
(Participation/Reparation)

☒ The Office of Public Counsel for Victims

☐ The Office of Public Counsel for the Defence

☐ States' Representatives

☐ Amicus Curiae

REGISTRY

Registrar

M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. Introduction

1. Pursuant to the “Decision Setting the Date of the Confirmation of Charges Hearing and Related Time Limits” (“Decision”),¹ the Registry hereby submits its report on the outreach and notification activities regarding the date of the commencement of the confirmation of charges hearing.

II. Procedural history

2. On 23 November 2023, Pre-Trial Chamber II issued its “Decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence”, in which it instructed the Registry to submit a plan indicating the outreach activities and notification efforts it would pursue to inform Mr Kony of the charges against him.²
3. On 19 December 2023, the Registry presented a plan on proposed outreach activities and a course of action to notify the suspect of the document containing the charges (“DCC”).³
4. On 19 January 2024, the Prosecution submitted the DCC.⁴
5. On 26 January 2024, Pre-Trial Chamber II issued the “Order to initiate notification efforts and related outreach activities” in which it instructed the Registry to take all reasonable steps to inform Mr Kony of the charges as described in the DCC.⁵

¹ Pre-Trial Chamber III, “Decision Setting the Date of the Confirmation of Charges Hearing and Related Time Limits”, 12 December 2024, ICC-02/04-01/05-539.

² Pre-Trial Chamber II, “Decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence”, 23 November 2023, ICC-02/04-01/05-466.

³ Registry, “Registry’s Proposed Plan on Outreach Activities and Notification Efforts”, 19 December 2023, ICC-02/04-01/05-473 + Anxs.

⁴ Office of the Prosecutor, “Document Containing the Charges”, 19 January 2024, ICC-02/04-01/05-474.

⁵ Pre-Trial Chamber II, “Order to initiate notification efforts and related outreach activities”, 26 January 2024, ICC-02/04-01/05-475.

6. On 23 February 2024, the Registry reported on the implementation of its notification efforts and outreach activities.⁶
7. On 4 March 2024, Pre-Trial Chamber II issued its “Second decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence” in which it decided that the confirmation of charges hearing would commence on 15 October 2024, and instructed the Registry to initiate notification efforts and outreach activities in respect of the date for the commencement of the confirmation of charges hearing.⁷
8. On 28 March 2024, the Registry reported on the implementation of its notification efforts and outreach activities.⁸
9. On 12 September 2024, Pre-Trial Chamber III (“Chamber”) vacated the date of the confirmation of charges hearing and postponed the hearing until further notice.⁹
10. On 29 October 2024, the Chamber issued its “Decision on the criteria for holding confirmation of charges proceedings in absentia”, instructing the Registry that once a new date for the confirmation of charges hearing is set, to immediately undertake notification and outreach activities of the same nature, variety and range as the ones carried out in respect of the date initially set.¹⁰
11. On 12 December 2024, the Chamber decided that the confirmation of charges hearing shall commence on 9 September 2025 and ordered the Registry to

⁶ Registry, “Registry’s Report on the implementation of Pre-Trial Chamber II’s “Order to initiate notification efforts and related outreach activities” dated 26 January 2024 (ICC-02/04-01/05-475)” dated 23 February 2024 ICC-02/04-01/05-479 + Anxs.

⁷ Pre-Trial Chamber II, “Second decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence”, 4 March 2024, ICC-02/04-01/05-481.

⁸ Registry, “Registry’s Report on the implementation of the “Second decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence” dated 4 March 2024 (ICC-02/04-01/05-481)”, 28 March 2024, ICC-02/04-01/05-491 + Anxs.

⁹ Pre-Trial Chamber III, “Decision Postponing the Confirmation of Charges Hearing”, 12 September 2024, ICC-02/04-01/05-526.

¹⁰ Pre-Trial Chamber III, “Decision on the criteria for holding confirmation of charges proceedings *in absentia*”, 29 October 2024, ICC-02/04-01/05-532.

commence its outreach and notification activities regarding the date of the commencement of the confirmation of charges hearing, as of 6 January 2025; to complete these activities by no later than 7 February 2025; and to report to the Chamber by no later than 14 February 2025.¹¹

III. Classification

12. Pursuant to regulation 23 *bis* (1) of the Regulations of the Court ("RoC"), the Registry submits the present report as public in line with the classification of the Decision. Annex I is classified confidential as it contains sensitive information regarding persons contacted and locations identified by the Registry for its outreach activities, and Annex II is classified as confidential *ex parte* only available to the Registry and the Prosecution as it contains sensitive and detailed information on possible whereabouts and personal data of Mr Kony. A public redacted version of Annex I and II will follow.

IV. Applicable Law

13. The following provisions are of particular relevance to the present submission: articles 61 (2) and 67 of the Rome Statute and regulation 14 of the Regulations of the Registry.

¹¹ Pre-Trial Chamber III, "Decision Setting the Date of the Confirmation of Charges Hearing and Related Time Limits", 12 December 2024, ICC-02/04-01/05-539.

V. Submissions

14. The Registry submits its reports on the implementation of its outreach activities and notification activities in respect of the date for the commencement of the confirmation of charges hearing of the present case in two different Annexes. Annex I contains the report on the outreach activities.¹² Annex II contains the report on the notification efforts.¹³



Marc Dubuisson, Director of the Division of Judicial Services,
on behalf of
Osvaldo Zavala Giler, Registrar

Dated this 14 February 2025

At The Hague, Netherlands

¹² Annex I.

¹³ Annex II.