



Original: **English**

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

Date: **21 March 2025**

PRE-TRIAL CHAMBER III

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

**SITUATION IN UGANDA
IN THE CASE OF *THE PROSECUTOR v. JOSEPH KONY***

**Public
with Confidential Annexes A and B**

**Corrected version of “Prosecution’s Fifteenth Communication of the Disclosure of
Evidence”, ICC-02/04-01/05-574, 14 March 2025**

Source: Office of the Prosecutor

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

☐ Victims and Witnesses Unit

☒ Victims Participation and
Reparations Section

☐ Counsel Support Section

☐ Detention Section

☐ Other

I. NOTIFICATION

1. The Prosecution submits this communication regarding the disclosure of evidence to the Defence, in compliance with Pre-Trial Chamber III's orders¹ and pursuant to articles 61(3)(b) and 67(1)(a) and (b) of the Statute, and rules 76(3) and 77 of the Rules of Procedure and Evidence.

II. CONFIDENTIALITY

2. The Annexes, appended to this filing, are classified as "Confidential" as they refer to evidence disclosed *inter partes* that should not be released to the public.

III. DISCLOSURE OF EVIDENCE

3. On 13 March 2025, the Prosecution disclosed to the Defence 438 items.

4. The items are organised under the following disclosures:

- a. Pre-Confirmation Responsibility under Art. 25(3)(a) - Indirect Co-perpetration – Intercept Evidence IV INCRIM package 017, containing 301 items, listed in Confidential Annex A; and
- b. Pre-Confirmation Responsibility under Art. 25(3)(a) - Indirect Co-perpetration – Intercept Evidence V INCRIM package 018, containing 137 items, listed in Confidential Annex B.

5. As indicated in the disclosure titles, these items comprise the evidence pertaining primarily to article 25(3)(a) Indirect Co-perpetration, specifically items of evidence which are categorised as recordings of intercepted communications of the Lord's Resistance Army ("Intercept Evidence"). Due to the large amount of relevant items in this category of evidence and mindful of the Defence's resources, the Prosecution will disclose further packages of Intercept Evidence next week.

¹ ICC-02/04-01/05-537; ICC-02/04-01/05-548.

6. The Prosecution has organised the Intercept Evidence according to categories for better understanding.

7. In short, Intercept IV INCRIM package 017 contains 301 items, which are intelligence reports. As part of their interception processes the UPDF (285) and the Ugandan Police (16) compiled such typed reports. They contain summaries from the logbooks, human intelligence reports from UPDF units stationed in the field and geographic coordinates pinpointed by UPDF direction finding equipment. The police intelligence reports were based on the summaries of LRA communications that one of the interceptors sent from a Police post (P-0125). The 301 reports are disclosed as INCRIM for the sake of completeness as they relate directly to the interception process and represent another iteration of the LRA commander's communication.

8. Intercept V INCRIM package 018 contains materials related to interceptor witnesses. The Prosecution interviewed a number of witnesses who were conducting the intercept processes and who describe in detail how they operated and created the logbooks and other materials. Where they testified in the *Ongwen* trial, the transcripts are included.



Karim A. A. Khan KC, Prosecutor

Dated this 21st day of March 2025

At The Hague, The Netherlands