

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original:

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

Date: 17 April 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

Notification of Amendment of Charges

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

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. NOTIFICATION

1. Pursuant to article 61(4), the Prosecution hereby notifies Pre-Trial Chamber III (“Chamber”), the Parties and Participants of the amendment of the charges. The amendments are contained in the revised document containing the charges (“DCC”), filed today by order of the Chamber.¹
2. The amendment to the charges relates to Mr Kony’s direct perpetration and consists of:
 - a. the addition of three new counts (Counts 37-39); and
 - b. the addition of one victim to existing Counts 30-36.
3. While finalising its investigation and review of the evidence, the Prosecution has identified an additional witness allegedly directly victimised by Mr Kony (referred to as “Victim 1”). The material facts of Mr Kony’s alleged conduct against Victim 1 are summarised in paragraph 128 of the DCC.
4. The Prosecution has therefore added additional Counts 37 and 38 (forced pregnancy, as a crime against humanity and as a war crime, respectively) in relation to Victim 1.
5. The Prosecution has further added Count 39 (persecution as a crime against humanity), in relation to Victims 1 and 2.²
6. Moreover, the Prosecution has added Victim 1 to the existing Counts 30-36. Since in case of direct perpetration details about underlying acts and incidents

¹ ICC-02/04-01/05-538, paras. 21-26.

² Victim 2 was referred to in the previous version of the DCC, but the crimes allegedly committed against Victim 2 were not legally qualified as persecution.

must be pled with greater precision,³ the Prosecution provides notice also of these additions.

7. The amendments as notified are provided within a reasonable period – more than five months – prior to the hearing on the confirmation of charges, scheduled to start on 9 September 2025. The amendments to the material facts are limited, and – as apparent from the accompanying Pre-Confirmation Brief⁴ – are based in large part on the witness statement given by Victim 1.
8. The Prosecution finally notes that the revised DCC also provides further particulars in terms of victim numbers across various counts. These particulars are intended to provide greater accuracy and to avoid overlap in victim counting across the charges.

II. CONCLUSION

9. The Prosecution respectfully requests the Chamber, Parties and Participants to take notice of the amendments as outlined in this Notification.



Karim A. A. Khan KC, Prosecutor

Dated this 17th day of April 2024
At The Hague, The Netherlands

³ ICC-01/04-01/06-3121-Red, para. 122; ICC-01/04-02/06-2666-Red, paras. 326.

⁴ See para 166 of the Prosecution's Pre-Confirmation Brief.