

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/04-01/05
Date: 17 November 2025

PRE-TRIAL CHAMBER III

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

SITUATION IN THE REPUBLIC OF UGANDA

IN THE CASE OF THE PROSECUTOR v. JOSEPH KONY

Public

**Victims' Response to the
"Defence Request for Leave to Appeal the 'Decision on the confirmation of
charges *in absentia* against Joseph Kony pursuant to articles 61(2)(b) and 61(7) of
the Rome Statute' (ICC-02/04-01/05-633)"**

Source: Common Legal Representatives of Victims

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I. INTRODUCTION

1. Counsel appointed to represent the Victims in the present case (the “Common Legal Representatives”)¹ hereby submit their response to the Defence’s request for leave to appeal (the “Request”)² the “Decision on the confirmation of charges *in absentia* against Joseph Kony pursuant to articles 61(2)(b) and 61(7) of the Rome Statute”(the “Impugned Decision”).³

2. Victims take note of the Pre-Trial Chamber’s (the “Chamber”) instruction that the time limit for filing an application for leave to appeal the Decision Confirming the Charges “*shall be suspended until Mr Kony is notified of [said] decision upon his surrender to the Court*”.⁴ However, the Common Legal Representatives respectfully submit that the interests of Victims, judicial economy, and the interests of justice more generally, would be served by definitively completing the *in absentia* confirmation process.⁵ Victims have waited 20 years for these proceedings. Many are vulnerable and elderly, and some have passed away while waiting for reparations in the *Ongwen* case.⁶ The charges against Mr Kony have been confirmed and he has been committed to trial.⁷ Should he appear, his trial should commence expeditiously.

¹ See the “Decision on victim applications for participation in the proceedings” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-624](#), 12 August 2025 adjudicating the applications referred to in the Registry’s reports on Group A and Group B applications (no group C applications were identified in this case). The decision implemented the Chamber’s previous “Decision on victim participation, legal representation, and on the OPCV’s Application for recognition of the status of victims in the Kony case to the victims participating in the Ongwen case”, [No. ICC-02/04-01/05-540](#), 13 December 2024.

² See the “Defence Request for Leave to Appeal the ‘Decision on the confirmation of charges in absentia against Joseph Kony pursuant to articles 61(2)(b) and 61(7) of the Rome Statute’ (ICC-02/04-01/05-633)”, [No. ICC-02/04-01/05-635](#), 12 November 2025 (the “Request”).

³ See the “Decision on the confirmation of charges *in absentia* against Joseph Kony pursuant to articles 61(2)(b) and 61(7) of the Rome Statute” (Pre-Trial Chamber III), [No. ICC-02/04-01/05-633](#), 6 November 2025 (the “Impugned Decision”).

⁴ *Idem*, p. 103.

⁵ See the “Decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-466](#), 23 November 2023, para. 64 (where, as part of its ‘interests of justice’ assessment, the Chamber considered the potential impact on Victims when deciding to hold the *in absentia* confirmation proceeding).

⁶ See the “Reparations Order” (Trial Chamber IX), [No. ICC-02/04-01/15-2074](#), 28 February 2024, paras. 511-512.

⁷ See the Impugned Decision, *supra* note 3.

3. Disposing of the Request would allow the confirmation process to be fully completed in the normal course⁸ and render the *Kony* case file trial-ready,⁹ consistent with the conduct of *in absentia* confirmation proceedings under article 61(2) of the Rome Statute (the “Statute”).

4. Therefore, the Chamber should, in the exercise of discretion, consider the merits of the Request and dismiss it – because neither of the two Issues satisfy the requirements under article 82(1)(d) of the Statute.¹⁰ By considering the substance of the Request, sub-Issue 1 within the First Issue becomes moot, while sub-Issue 2 otherwise misrepresents the dispositive text of the Impugned Decision. The Second Issue effectively raises mere disagreement with the substantive outcome to confirm charges, which is not appealable.

⁸ See the “Decision on the Defence request for leave to appeal the decision on the confirmation of charges” (Pre-Trial Chamber II), [No. ICC-02/04-01/15-428](#), 29 April 2016, para. 40 (noting that the rejection of leave to appeal marked the conclusion of the proceedings). See also, the “Decision on the Prosecutor’s request for reconsideration or, in the alternative, leave to appeal the ‘Decision on the confirmation of charges against Alfred Yekatom and Patrice- Edouard Ngaïssona” (Pre-Trial Chamber II), [No. ICC-01/14-01/18-447](#), 11 March 2020, para. 35; and the “Decision on the Defence request for leave to appeal the “Decision on the Confirmation of Charges against Laurent Gbagbo” (Pre-Trial Chamber I), [No. ICC-02/11-01/11-680](#), 11 September 2014, para. 53.

⁹ See the “Decision constituting Trial Chamber X and referring to it the case of The Prosecutor v. *Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*” (Presidency), [No. ICC-01/12-01/18-501](#), 21 November 2019, p.3 (where the Presidency also noted the rejection of leave to appeal as marking the conclusion of proceedings). See also, the “Decision constituting Trial Chambers VIII and IX and referring to them the cases of The Prosecutor v. Ahmad Al Faqi Al Mahdi and The Prosecutor v. Dominic Ongwen” (Presidency), [No. ICC-01/12-01/15-86](#), 2 May 2016, p. 3; and the “Decision constituting Trial Chamber V and referring to it the case of The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona” (Presidency), [No. ICC-01/14-01/18-451](#), 16 March 2020, p. 3.

¹⁰ See the Request, *supra* note 2.

II. PROCEDURAL BACKGROUND

5. On 24 November 2022, the Prosecution submitted a request to hold a hearing on the confirmation of charges against Mr Kony in his absence.¹¹

6. 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”.¹²

7. On 19 January 2024, the Prosecution submitted the concise document containing the charges for the purposes of notifying the charges to the suspect.¹³

8. On 27 February 2024, the OPCV submitted the “Victims’ Concerns on the Document Containing the Charges”.¹⁴

9. On 4 March 2024, Pre-Trial Chamber II issued the “Second Decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence” *inter alia*: (i) finding “*that all reasonable steps to inform Mr Kony of the charges against him as set out in the First DCC ha[d] been taken, within the meaning of article 61(2)(b) of the Statute*”; (ii) deciding “*that the confirmation of charges hearing, to be held in Kony’s absence should he not appear, [would] commence on 15 October 2024*”.¹⁵

¹¹ See the “Prosecution Request to Hold a Hearing on the Confirmation of Charges against Joseph Kony in his Absence”, No. ICC-02/04-01/05-446-Conf, 24 November 2022. A public redacted version was notified on the same day, [No. ICC-02/04-01/05-446-Red](#).

¹² See the “Decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-466](#), 23 November 2023.

¹³ See the “Document Containing the Charges”, [No. ICC-02/04-01/05-474](#), 19 January 2024.

¹⁴ See the “Victims’ Concerns on the Document Containing the Charges”, [No. ICC-02/04-01/05-480](#), 27 February 2024.

¹⁵ See the “Second decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-481](#), 4 March 2024.

10. On 21 June 2024, Mr Peter Haynes was appointed as counsel to Mr Kony.¹⁶
11. On 23 July 2024, pursuant to the Single Judge “Decision on the ‘Defence Request for Variation of Deadlines and for a Status Conference’” dated 5 July 2024,¹⁷ a status conference was held.¹⁸
12. On 12 September 2024, the Chamber issued the “Decision Postponing the Confirmation of Charges Hearing”, vacating the 15 October 2024 date and postponing the confirmation of charges hearing until further notice pursuant to rule 121(7) of the Rules.¹⁹
13. On 29 October 2024, the Chamber issued the “Decision on the criteria for holding confirmation of charges proceedings in absentia”,²⁰ determining *inter alia* that all requirements set forth in article 61(2)(b) of the Statute to hold a confirmation of charges hearing in the absence of the suspect were met.
14. On 12 August 2025, the Chamber issued the “Decision on victim applications for participation in the proceedings”,²¹ authorising the participation of 5,795 victims and giving effect to the mandate of Mr Manoba, Mr Cox, Mr Bradfield, Ms Massidda and Ms Pellet to act as a single team of common legal representatives.

¹⁶ See the “Notification of the Appointment of Mr Peter Haynes KC as Counsel for Mr Joseph Kony”, [No. ICC-02/04-01/05-503](#), with Confidential Annex II and Public Annexes I, III and IV, 21 June 2024. See also, the “Decision on the Procedure for Appointing Counsel” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-499](#), 2 May 2024.

¹⁷ See the “Decision on the ‘Defence Request for Variation of Deadlines and for a Status Conference’” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-508](#), 5 July 2024.

¹⁸ See the Transcript of the hearing held on 23 July 2024, [No. ICC-02/04-01/05-T-012-Red-ENG](#).

¹⁹ See the “Decision Postponing the Confirmation of Charges Hearing” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-526](#), 12 September 2024.

²⁰ See the “Decision on the criteria for holding confirmation of charges proceedings *in absentia*” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-532](#), 29 October 2024.

²¹ See the “Decision on victim applications for participation in the proceedings” implementing the “Decision on victim participation, legal representation, and on the OPCV’s Application for recognition of the status of victims in the Kony case to the victims participating in the Ongwen case”, *supra* note 1.

15. The confirmation hearing took place on 9 and 10 September 2025.²²

16. On 6 November 2025, the Pre-Trial Chamber issued its Decision on the confirmation of charges *in absentia* against Joseph Kony.²³

17. On 11 November 2025, the Defence filed the Request.²⁴

III. SUBMISSIONS

1. Applicable law

18. Article 82(1)(d) of the Statute sets out the criteria for granting a request for leave to appeal as follows: (a) the decision shall involve an issue that would significantly affect: (i) the fair and expeditious conduct of proceedings; or (ii) the outcome of the trial; and (b) for which, in the opinion of the relevant Chamber, an immediate resolution by the Appeals Chamber may materially advance the proceedings.

19. For the purposes of the first prong of this test, the Appeals Chamber defined an “issue” as “an identifiable subject or topic requiring a decision for its resolution, not merely a question over which there is disagreement or conflicting opinion”.²⁵ Accordingly, the mere dispute over the correctness of a Chamber’s reasoning does not constitute sufficient reason to be granted leave to appeal an interlocutory decision.²⁶ Moreover, the Appeals

²² See the Transcript of the hearing held on 9 September 2025, [No. ICC-02/04-01/05-T-015-ENG](#) and on 10 September 2025, [No. ICC-02/04-01/05-T-016-ENG](#). The hearing took place in accordance with the “Order setting the schedule and directions for the confirmation of charges hearing” (Pre-Trial Chamber II), [No. ICC-02/04-01/05-619](#), 17 July 2025.

²³ See the Impugned Decision, *supra* note 3.

²⁴ See the Request, *supra* note 2.

²⁵ See the “Judgement on the Prosecutor’s Application for Extraordinary Review of Pre-Trial Chamber I’s 31 March 2006 Decision Denying Leave to Appeal” (Appeals Chamber), [No. ICC-01/04-168 OA3](#), 13 July 2006, para. 9.

²⁶ See the “Decision on the joint defence request for leave to appeal the decision on witness preparation” (Trial Chamber V), [No. ICC-01/09-01/11-596](#), 11 February 2013, para. 6. See also, the “Decision on Prosecution’s Application for Leave to Appeal the ‘Decision on Mr Ruto’s Request for Excusal from Continuous Presence at Trial’” (Trial Chamber V(a)), [No. ICC-01/09-01/11-817](#), 18 July 2013, para. 12.

Chamber ruled that *“the Pre-Trial or Trial Chamber is vested with power to state, or more accurately still, to certify the existence of an appealable issue”*.²⁷

20. The Appeals Chamber also considered that *“[n]ot every issue may constitute the subject of an appeal. It must be one apt to ‘significantly affect’, i.e. in a material way, either a) ‘the fair and expeditious conduct of the proceedings’ or b) ‘the outcome of the trial’”*.²⁸ According to established jurisprudence, in analysing whether an appealable issue would ‘significantly affect’ the fair and expeditious conduct of the proceedings under article 82(1)(d) of the Statute, the notion of ‘fairness’ must be understood as making reference to situations *“when a party is provided with the genuine opportunity to present its case – under conditions that do not place it at a substantial disadvantage vis-à-vis its opponent – and to be appraised of and comment on the observations and evidence submitted to the Court that might influence its decision”*.²⁹ In turn, ‘expeditiousness’ must be read as *“closely linked to the concept of proceedings ‘within a reasonable time’, namely the speedy conduct of proceedings, without prejudice to the rights of the parties concerned”*.³⁰

21. Finally, the Appeals Chamber stated that to determine whether an issue would significantly affect the “outcome of the trial” under article 82(1)(d) of the Statute, *“[t]he Pre-Trial or Trial Chamber must ponder the possible implications of a given issue being wrongly decided on the outcome of the case. The exercise involves a forecast of the consequences of such an occurrence”*.³¹

²⁷ *Idem*, para. 20.

²⁸ See the “Judgement on the Prosecutor's Application for Extraordinary Review of Pre-Trial Chamber I's 31 March 2006 Decision Denying Leave to Appeal”, *supra* note 25, para. 10.

²⁹ See e.g. the “Decision on the Prosecutor's application for leave to appeal Pre-Trial Chamber III's decision on disclosure” (Pre-Trial Chamber III, Single Judge), [No. ICC-01/05-01/08-75](#), 25 August 2008, para. 14.

³⁰ *Idem*, para. 18.

³¹ See the “Judgement on the Prosecutor's Application for Extraordinary Review of Pre-Trial Chamber I's 31 March 2006 Decision Denying Leave to Appeal”, *supra* note 25, para. 13.

2. The Request does not meet the criteria of article 82(1)(d) of the Statute

a) The First Issue is not appealable

(i) Sub-issue 1 is moot

22. In examining the substance of the Request, the Defence's sub-Issue 1 – which relates to the alleged *ultra vires* nature of the Impugned Decision to suspend the time-limit prescribed in rule 155 of the Rules – necessarily becomes moot.³²

(ii) Sub-Issue 2 misrepresents the disposition of the Impugned Decision

23. With respect to sub-Issue 2, the Defence misrepresents and otherwise misconstrues the import of the relevant dispositive parts of the Impugned Decision, which should be carefully read, having regard to the obvious context of each paragraph and the precise language employed therein. The relevant part reads:

“COMMITTS Mr Kony to a Trial Chamber for trial on the charges as confirmed upon his surrender to and appearance before the Court, pursuant to article 61(11) of the Statute and rule 126(3) of the Rules;

*ORDERS the Registrar to transmit this decision and the record of these proceedings to the Presidency, for it to take all necessary subsequent steps pursuant to article 61(11) of the Statute and rule 126(3) of the Rules”.*³³

24. The Defence contends that the Chamber “overstepped its authority” by referencing article 61(11) of the Statute and rule 126(3) of the Rules, thereby allegedly usurping the powers of the Presidency.³⁴ The paragraphs quoted *supra* demonstrate no such overreach. First, the very function of the Pre-Trial Chamber is to commit the suspect to trial, once charges have been confirmed.³⁵ Upon committal, the constitution of a trial chamber is necessarily required, and the reference to article 61(11) and

³² See the Request, *supra* note 2, paras. 23-28.

³³ See the Impugned Decision, *supra* note 3, p.103 (emphasis added).

³⁴ See the Request, *supra* note 2, paras. 29-32.

³⁵ Article 61(7)(a) of the Statute.

rule 126(3) reflects an acknowledgment of the applicable procedural framework, rather than an usurpation or misapplication of the Presidency's powers.

25. Second, the Chamber does not, at any stage, encroach upon the functions of the Presidency. On the contrary, the Impugned Decision expressly affirms that it is for the Presidency to exercise the powers inherent in article 61(11) of the Statute and rule 126(3) of the Rules.³⁶

26. As the Defence misrepresents the disposition of the Impugned Decision, sub-Issue 2 does not arise therefrom and is therefore not appealable.

27. As to the remaining criteria, the Defence addresses these only in the context of sub-Issue 1 (*i.e.* the effect of suspending a rule 155 request).³⁷ As submitted *supra*, by considering the substance of the Request, these submissions fall away and become redundant. The fact that the Defence does not directly address the remaining criteria in respect of sub-Issue 2 (*i.e.* the alleged usurpation of powers *vis-à-vis* the Presidency) further underlines the lack of merit to sub-Issue 2 and warrants its rejection.

b) The Second Issue is a mere disagreement with the finding in the Impugned Decision

28. Under the Second Issue, the Defence claims that the Impugned Decision is insufficiently reasoned.³⁸ A close review of the ruling demonstrates the contrary. Indeed, for each charge – whether systemic or location-specific – the Chamber identified the relevant facts as well as the nature of the evidence relied upon, including specified witnesses and other types of evidence, such as intercepted radio communications.³⁹ The Impugned Decision is sufficiently clear and reasoned, and the

³⁶ See the Impugned Decision, *supra* note 3, p.103.

³⁷ See the Request, *supra* note 2, paras. 33-37.

³⁸ *Idem*, paras. 29-39.

³⁹ See the Impugned Decision, *supra* note 3, paras. 64-257.

Defence's position reflects mere disagreement. Similar arguments alleging undue brevity were also advanced post-confirmation in the *Ongwen* case,⁴⁰ and were rightly rejected.⁴¹ Concision does not amount to legal error. Disagreeing with threshold findings, particularly at the confirmation stage, does not render a decision appealable.⁴²

29. By seeking more "*rigorous scrutiny*",⁴³ the Defence effectively seeks the imposition of an elevated evidentiary standard than that applicable at confirmation stage. In any event, neither the Statute nor the Rules prescribe the analytical structure of a decision confirming the charges, or of a judicial decision more generally. What essentially matters is that clear and sufficient reasons are provided.⁴⁴ The fact that other Pre-Trial Chambers have taken different methodological approaches to the drafting of confirmation decisions is materially irrelevant⁴⁵ and does not render the Impugned Decision legally deficient.

⁴⁰ See the "Defence Request for Leave to Appeal Issues in Confirmation of Charges Decision", [No. ICC-02/04-01/15-423](#), 29 March 2016, paras. 25-35.

⁴¹ See the "Decision on the Defence request for leave to appeal the decision on the confirmation of charges", *supra* note 8, paras. 21-27.

⁴² See e.g., the "Decision on the 'Prosecution's Application for Leave to Appeal the 'Decision on the Confirmation of Charges'", [No. ICC-02/05-02/09-267](#) (Pre-Trial Chamber I), 23 April 2010, paras. 10-12. See also, the "Decision on the 'Requête de la Défense sollicitant l'autorisation d'interjeter appel de la Décision sur la confirmation des charges datée du 9 juin 2014'" (Pre-Trial Chamber II), [No. ICC-01/04-02/06-322](#), 4 July 2014, para. 25; and the "Decision on the Defence request for leave to appeal the 'Decision on the Confirmation of Charges against Laurent Gbagbo'" (Pre-Trial Chamber I), [No. ICC-02/11-01/11-680](#), 11 September 2014, para. 31.

⁴³ See the Request, *supra* note 2, paras. 39, 45, 48-50.

⁴⁴ See the "Judgment on the appeal of Mr Ali Muhammad Ali Abd-Al-Rahman against two oral decisions of the Pre-Trial Chamber and the decision entitled 'Decision on the Defence Request to provide written reasoning for two oral decisions'" (Appeals Chamber) [No. ICC-02/05-01/20-236 OA5](#), 18 December 2020, para.14 ("*There is no prescribed formula for what is or is not sufficient, and the extent to which the duty to provide reasons applies may vary according to the nature of the decision*"). See also, the "Judgment on the appeals of Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu and Mr Narcisse Arido against the decision of Trial Chamber VII entitled "Judgment pursuant to Article 74 of the Statute" (Appeals Chamber), [No. ICC-01/05-01/13-2275-Red A A2 A3 A4 A5](#), 8 March 2018, para. 105 ("*[t]o fulfil its obligation to provide a reasoned opinion, a trial chamber is not required to address all the arguments raised by the parties, or every item of evidence relevant to a particular factual finding, provided that it indicates with sufficient clarity the basis for its decision*").

⁴⁵ See *contra* the Request, *supra* note 2, paras. 43-44.

30. A Chamber has discretion to determine the extent of the reasoning it provides, so long as the reasons given indicate with sufficient clarity the basis of its decision.⁴⁶ In fulfilling its filtering function, the Chamber was required to enter clear findings sufficient to establish “*substantial grounds to believe*” that Mr Kony committed the crimes charged. The Impugned Decision plainly satisfies this requirement.

31. Even assuming, *arguendo*, the four discrete examples identified at paragraph 47 of the Request were somehow deficient, the Defence fails to explain how such findings undermine the Chamber’s decision to confirm individual charges to which they relate. The confirmation stage is neither a “*mini-trial*” nor “*a trial before a trial*”;⁴⁷ its scope and purpose are limited.⁴⁸ As held by the Appeals Chamber, at the confirmation stage, the Pre-Trial Chamber need only be satisfied that the required threshold of “*substantial grounds to believe*” is met, and need not be convinced to any other standard.⁴⁹

32. More generally, the Second Issue is advanced in sweeping fashion and, in essence, reflects a disagreement with the Impugned Decision as a whole. As the article 82(1)(d) criteria are cumulative, the Chamber may dismiss the Second Issue on this basis alone. In any event, the Defence submissions as to the remaining criteria are conclusory, inapposite to the issue at hand,⁵⁰ and otherwise repeat and reformulate arguments previously made concerning alleged deficiencies in reasoning.⁵¹ Such submissions are insufficient to warrant leave to appeal.

⁴⁶ See the “Judgment on the appeal of Mr. Thomas Lubanga Dyilo against the decision of Pre-Trial Chamber I entitled “First Decision on the Prosecution Requests and Amended Requests for Redactions under Rule 81” (Appeals Chamber), [No. ICC-01/04-01/06-773 OA5](#), 14 December 2006, para. 20.

⁴⁷ See the Impugned Decision, *supra* note 3, para. 54.

⁴⁸ See the “Decision on the confirmation of charges”(Pre-Trial Chamber I), [No. ICC-01/04-01/07-717](#), 30 September 2008, para. 64.

⁴⁹ See the “Judgment on the appeal of the Prosecutor against the decision of Pre-Trial Chamber I of 16 December 2011 entitled “Decision on the confirmation of charges” (Appeals Chamber), [No. ICC-01/04-01/10-514 OA4](#), 30 May 2012, para. 47.

⁵⁰ See the Request, *supra* note 2, para. 51 (where the Defence alleges prejudice arising from the Chamber’s reference to the Defence observations on the logbooks, which is unrelated to the general sufficiency of the reasoning within the Decision Confirming the Charges).

⁵¹ *Idem*, paras. 50-52.

33. As to notice, in its operative part, the Impugned Decision delineates the facts and circumstances that form the charges for which Mr Kony is committed to trial, thereby providing him with adequate notice,⁵² and enabling him to prepare his defence.⁵³ The fairness of the proceedings is therefore not affected.

34. In the final analysis, the Chamber plainly discharged its statutory function in line with the standards inherent to article 61 of the Statute. Appellate review would not advance these proceedings in any material respect.

⁵² See the Decision on the Defence request for leave to appeal the decision on the confirmation of charges”, *supra* note 8, paras. 26-27.

⁵³ See the “Judgment on the appeal of Mr Alfred Yekatom against the decision of Trial Chamber V of 29 October 2020 entitled ‘Decision on motions on the Scope of the Charges and the Scope of Evidence at Trial’ (Appeals Chamber), [No. ICC-01/14-01/18-874 OA2](#), 5 February 2021, paras. 38-39.

FOR THE FOREGOING REASONS, the Common Legal Representatives respectfully request the Chamber to reject the Request in its entirety.

Paul Bradfield

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PAUL BRADFELD

Francisco Cox

.....
FRANCISCO COX

Joseph A. Manoba

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JOSEPH A. MANOBA

Paolina Massidda

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PAOLINA MASSIDDA

Sarah Pellet

.....
SARAH PELLET

Dated this 17th day of November 2025

At The Hague (The Netherlands), Kampala (Uganda), Santiago (Chile) and Cork (Ireland)