

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: **ICC-02/04-01/05**  
Date: **9 December 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**

**Request for Leave to Withdraw as Counsel and Ancillary Notification**

**Source:** Defence for Mr Joseph Kony

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**

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**Registrar**  
Mr Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and Reparations  
Section

☐ Other

1. 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 which the Registry was instructed “to commence the process of selection of counsel to represent the rights and interests of Mr Kony, and report to the Chamber within three weeks of the notification of the present decision”.<sup>1</sup>

2. On 21 June 2024, Peter Haynes KC was appointed as Counsel to represent the rights and interests of Joseph Kony during the confirmation proceedings.<sup>2</sup> On 27 August 2024, Kate Gibson was appointed as Associate Counsel.<sup>3</sup>

3. On 6 November 2025, Pre-Trial Chamber III issued the decision on the confirmation of charges and stated:

Finally, the Chamber recalls that Mr Peter Haynes was appointed until the end of the confirmation proceedings. Having decided to suspend the time limit for a request for leave to appeal until Mr Kony’s surrender, the Chamber considers that the issuance of this decision and the committal of Mr Kony to a Trial Chamber for trial on the charges as confirmed, upon his surrender to the Court, mark the end of the confirmation proceedings.<sup>4</sup>

4. Further, on 11 November 2025, the Registry notified Counsel representing the interests of Joseph Kony that his mandate will “come to an end and all assistance under the Court’s Legal Aid Policy [...] will cease to have effect as of 12 December 2025.”<sup>5</sup>

5. In light of the aforementioned and pursuant to Regulation 78 of the Regulations of the Court<sup>6</sup> and out of an abundance of caution, Counsel and Associate Counsel hereby seek leave of Pre-Trial Chamber III to withdraw from representing Mr Kony’s interests with effect from 12 December 2025.

6. Further, Article 19 of the Code of Professional Conduct for counsel having no application to the current situation, given the absence of any counsel-client relationship, Counsel hereby

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<sup>1</sup> [Second decision on the Prosecution’s request to hold a confirmation of charges hearing in the \*Kony\* case in the suspect’s absence](#), ICC-02/04-01/05-481, 4 March 2024, para. 15.

<sup>2</sup> [Notification of the Appointment of Mr Peter Haynes KC as Counsel for Mr Joseph Kony](#), ICC-02/04-01/05-503, 21 June 2024.

<sup>3</sup> [Notification of the Appointment of Ms Kate Gibson as Associate Counsel for Mr Joseph Kony](#), ICC-02/04-01/05-528, 27 September 2024, para. 4.

<sup>4</sup> [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, 6 November 2025, para. 259.

<sup>5</sup> Letter from CSS to Counsel, “End of mandate as Counsel – case of the Prosecutor v. Joseph Kony (ICC-02/04/01/05)”, CSS/2025/669, 11 November 2025.

<sup>6</sup> “Prior to withdrawal, defence counsel shall seek the leave of the Chamber.”

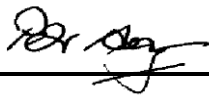
notifies Pre-Trial Chamber III and all parties that no record of the case, whether received or created, shall hereinafter be retained.

7. Counsel and Associate Counsel undertake to abide by all other relevant duties under the Code of Professional Conduct.

8. On this basis, Counsel asks that Pre-Trial Chamber III:

**GRANT** the present request for Counsel and Associate Counsel to withdraw from the case.

The whole respectfully submitted



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Peter Haynes, KC  
Counsel for Joseph Kony



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Kate Gibson  
Associate Counsel for Joseph Kony

Dated this 9 December 2025

At The Hague, Netherlands