

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 15 December 2022

**PRE-TRIAL CHAMBER II**

**Before:** Judge Rosario Salvatore Aitala, Presiding Judge  
Judge Antoine Kesia-Mbe Mindua  
Judge Tomoko Akane

**SITUATION IN UGANDA**

**IN THE CASE OF THE PROSECUTOR vs. JOSEPH KONY AND VINCENT OTTI**

**Confidential**

***EX PARTE* only available to the Prosecution and the Victims and Witness's Unit**

**Victims and Witnesses Unit's Observations on the Prosecution's "Request for  
lifting of certain redactions in the Arrest Warrant against Joseph Kony"  
(ICC-02/04-01/05-445-Conf-Exp)**

**Source:** The Registry

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

**The Office of the Prosecutor**

Mr Karim A.A. Khan KC

Mr Mame Mandiaye Niang

**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 Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

## **I. Introduction**

1. In accordance with Pre-Trial Chamber II's instruction,<sup>1</sup> the Registry hereby provides its observations on the Office of the Prosecutor's ("Prosecution") "Request for lifting of certain redactions in the Arrest Warrant against Joseph Kony" ("Request").<sup>2</sup>

## **II. Level of classification**

2. In accordance with regulation 23 *bis*(2) of the Regulations of the Court, the present report is classified as confidential *ex parte* only available to the Prosecution and the Victims and Witnesses Unit ("VWU") because it refers to a filing with that same classification.

## **III. Submissions**

3. The VWU agrees with the Prosecution's proposal to lift all redactions in the Arrest Warrant with the exception of some specific redactions relating to sexual and gender based crimes.
4. It is the view of the VWU that is important for the well-being of victims and witnesses to pursue maximum transparency about the grounds of the Warrant of Arrest. At the same time, the VWU agrees with the Prosecution that is important to maintain specific redactions relating to sexual and gender based crimes in order to protect the privacy, dignity and well-being of the victims of these crimes as well as their families. Any unwanted disclosure of detailed information about these crimes may trigger further stigmatisation of the victims. In addition, any need for additional protective measures in response to a heightened risk to victims of sexual and gender crimes may isolate them in their communities and potentially harm them.

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<sup>1</sup> Email from Pre-Trial Chamber II Communications to the Registry, 23 November 2022 at 18:20.

<sup>2</sup> Prosecution, "Request for lifting of certain redactions in the Arrest Warrant against Joseph Kony", 23 November 2022, ICC-02/04-01/05-445-Conf-Exp.

#### IV. Conclusion

5. The VWU agrees with the Prosecution's proposal in the Request, and does not anticipate any security issues for witnesses and victims should the Chamber grant this Request.



Marc Dubuisson, Director , Judicial Services  
on behalf of Peter Lewis, Registrar

Dated this 15 December 2022

At The Hague, the Netherlands