

ANNEX 3

PUBLIC

From: Pre-Trial Chamber II communications <[REDACTED]>
Sent: 06 April 2023 12:49
To: Office of the Director DJSS; [REDACTED]
Cc: [REDACTED]
Subject: ICC-02/04-01/05-459-SECRET-Exp: instruction to provide an amended report by 26 April

Dear Registry,

Further to the Registry's Report on the Measures to Locate Joseph Kony (ICC-02/04-01/05-459-SECRET-Exp) filed on 30 March, the Chamber notes that the report does not comply with the instructions in the Chamber's order of 7 February 2023. The report mostly concerns measures to identify the whereabouts of Mr Kony, with the aim to facilitate his arrest, since the year 2020. The report fails to provide a detailed account of the state of the Registry's activities to locate the suspect and the Registry's efforts to inform Mr Kony of the arrest warrant and the allegations against him, since the issuance of the Court's arrest warrant in 2005.

The Chamber's reminds the Registry of its duty to fully inform the Chamber of its activities to execute the Court's arrest warrant against Mr Kony and inform him of the allegations contained therein. In its order of 7 February 2023 (ICC-02/04-01/05-453), the Chamber clearly requested the Registry to 'provide all information concerning the efforts to locate Mr Kony, notify him of the allegations contained in the Arrest Warrant, and secure his arrest or otherwise secure his appearance before the Court' (para. 10). Consequently, the Chamber expects to receive from the Registry an amended report, including a complete and detailed account of all relevant efforts, since the issuance of the arrest warrant against Mr Kony in 2005, to notify him of the charges and secure his appearance before the Court.

In regard to the Registry's efforts to notify Mr Kony, the Chamber expects a detailed explanation of the measures undertaken to inform Mr Kony of the charges against him and/or any information that may suggest that he is aware of the existence or the warrant and the allegations contained therein. Such measures may include, for instance, cooperation requests transmitted to States to notify Mr Kony of the charges in the arrest warrant; efforts to personally notify Mr Kony or inform him through others; or measures to publicise the arrest warrant via media outlets and the internet.

Accordingly, the Chamber instructs the Registry to submit an amended report by 26 April 2023, at the latest.

Kind regards,

[REDACTED], on behalf of Pre-Trial Chamber II