

Public redacted version of
ICC-02/04-01/05-473-Conf-AnxI

PROPOSED PLAN OF OUTREACH ACTIVITIES TO NOTIFY MR JOSEPH KONY (MR KONY) OF THE CHARGES AGAINST HIM AT THE INTERNATIONAL CRIMINAL COURT ("ICC" or "Court")

I. INTRODUCTION

1. According to the information in possession of the Registry, Mr Kony is currently located in the tri-border region of CAR, South Sudan and the Democratic Republic of the Congo (the "tri-border region") as detailed in Annex II. While there is no indication of Mr Kony's presence in Uganda, he has solid ties and networks in northern Uganda, [REDACTED].
2. The Registry hereby submits the present Proposed Plan for Outreach to the Chamber ("Proposed Plan"), which is intended to convey and disseminate information about the charges against Mr Kony, in targeted efforts aimed at reaching out to him in countries where he is believed to have been and/or to be located.
3. The Proposed Plan draws on different approaches and tools aiming to enhance the likelihood that the information is transmitted directly to Mr Kony, and/or through affiliated networks and intermediaries who are likely in communication with him, including but not limited to [REDACTED].
4. The budget required for the implementation of this Proposed Plan would be absorbed in the Registry's budget.

II. OBJECTIVE

5. The overarching objective of the Proposed Plan is to inform/ notify Mr Kony of the charges described in the Document Containing the Charges (DCC) against him before the Court.

III. TIMELINE

6. The Registry could start the implementation of the Proposed Plan as soon as the Prosecution presents the charges it seeks to have confirmed. The Proposed Plan would last for two months. Should the Chamber authorise holding of the confirmation hearing *in absentia*, the Proposed Plan could be extended for a period of two more months or as long as necessary to explain the decision taken by the Chamber and the procedures of the Confirmation of Charges hearing.

IV. APPROACH

7. The Registry has designed the Proposed Plan based on the information available [REDACTED].
8. The proposed activities are further shaped by the assumption that while Mr Kony may not be physically reachable by the Registry, he may be following the news through some local media outlets. In addition, there are various intermediaries in and around the specified areas that will receive the key messages disseminated through the numerous proposed channels; it is believed that these intermediaries will communicate the messages to Mr Kony effectively.
9. The Registry proposes to use the Acholi language, being Mr Kony's native tongue, predominantly in the implementation of the Proposed Plan. English will also be used as there are indications that he understands and speaks English.

10. As instructed by the Chamber, the Proposed Plan focuses primarily on the steps the Registry will undertake to inform Mr Kony of the charges described in the DCC, if submitted by the Prosecution.

V. PROPOSED ACTIVITIES

11. The proposed activities will be conducted under four pillars:

- i) media campaign through traditional mass media such as radio, TV and newspapers;
- ii) engagement with key stakeholders and communities;
- iii) social media; and
- iv) ICC website

12. For operational purposes, a detailed table with concrete dates, frequency of broadcasts, advertisement and budget, would be developed prior to the implementation.

1. Media campaign, traditional mass media

1.1. Radio broadcasts of spot messages

13. Mass media, such as community/local radio, has been identified as one of the effective channels to potentially reach out to Mr Kony to inform and notify him of the charges against him. A series of pre-recorded key messages, of a maximum of 45 seconds each, will be produced in Acholi with the intention of explaining the charges against him. The messages will be broadcasted in strategic local and community radio stations to which Mr Kony may listen directly in the tri-border region as detailed in Annex II. The campaign is proposed to run concurrently on the selected radio stations for eight weeks, with three daily messages broadcast during peak listening hours.

- i) *Uganda*: FM 102 Mega FM is located in Gulu City, Northern Uganda and broadcasts 24 hours daily. It airs programmes predominantly in the Acholi language, which is Mr Kony's mother tongue. It has a broader reach, covering the Acholi sub-region, West Nile and extending to parts of neighbouring countries in South Sudan, CAR and the Democratic Republic of Congo ("DRC"). According to [REDACTED] sources familiar with Mr Kony's media consumption, interests and preferences, Mr Kony listens to this media outlet regularly because it provides information on current affairs in Uganda, particularly the northern region. Mr Kony is also more inclined to follow this media because most programmes are aired in his native language, Acholi. An additional advantage of using Mega FM radio is that it live streams all its programmes on the internet, catering to the diaspora audience with a likelihood of Mr Kony listening. In essence, the content that is broadcast on the radio is also aired online. The spot messages would be complemented by one-hour weekly interactive radio panel discussions/talk shows, with the participation of ICC Registry Staff to inform of the charges and of the possibility of holding a confirmation of charges hearing against Mr Kony *in absentia*.
- ii) *Tri-border region*: as the information currently available to the Registry suggests that Mr. Kony is located in the tri-border region as detailed in Annex II, the Registry will engage with the appropriate local radio station(s) to broadcast spot messages in Acholi (already produced for Uganda radio stations) in a culturally sensitive approach, together with the information about the charges and the ICC judicial proceedings in other languages of the region as appropriate.

1.2. Advertisements on national television

14. The Registry intends to make use of national television to advertise pre-recorded video messages on three TV stations in Uganda namely, the Uganda Broadcasting Cooperation (UBC), NBS and NTV. The stations mentioned above are on direct Digital Satellite

Television¹ (DSTV), and are viewed in neighbouring countries such as CAR, South Sudan and DRC, creating another possibility of pursuing the efforts to notify Mr Kony of the charges and of the prospect to hold a confirmation of charges hearing in absentia.

1.3. Publication of a Questions and Answer Paper (Q&A)

15. The Registry further envisions publishing a “Q&A Paper” in two leading daily national newspapers in Uganda, namely the Daily Monitor and New Vision, and one local/vernacular newspaper, Rupiny. The national newspapers have a nationwide circulation and would be published in English; the Rupiny newspaper is published in Acholi and read in the Acholi sub-region and other Luo-speaking locations in neighbouring countries where Mr Kony could be located.

16. The “Q&A” format is effective in simplifying the DCC while at the same time addressing misinformation and misperceptions that could be related to the judicial process. Beyond the print options, the two above-mentioned national dailies have a robust online and social media presence, potentially reaching across the Ugandan national borders.

2. Engagement with relevant stakeholders and communities

2.1. Engagement/dialogue with influential clan and community leaders and community outreach [REDACTED]

17. In mid-2023, there were extensive media reports of the repatriation of over one hundred former Lord’s Resistant Army (“LRA”) fighters and captives from CAR to Uganda.² Another batch of returnees consisted [REDACTED]. On 25 August 2023, the returnee [REDACTED].

¹ DSTV is a major satellite service watched in sub-Saharan Africa.

² <https://www.monitor.co.ug/uganda/news/national/museveni-meets-son-of-fugitive-warlord-kony-4348192>
https://www.newvision.co.ug/category/news/president-museveni-meets-joseph-konys-son-ple-NV_168500
<https://www.theafricareport.com/319450/uganda-end-of-konys-lra-as-rebels-return-home/>
<https://ugandaradionetwork.com/s/konys-son-explains-why-he-parted-way-with-father/>

Aside from targeting the leaders, the Registry proposes conducting outreach sessions with the general community in [REDACTED].

2.2. Stakeholders' meetings in Gulu city with key interlocutors, including [REDACTED].

18. Key actors in northern Uganda who remain active in the transitional justice discourse [REDACTED], and a network of interlocutors still present in the region. The relevance of these structures has remained strong, as they were during the 2006-2008 peace negotiations between the Government of Uganda and the LRA. [REDACTED]. Informing these [REDACTED] strategic groups could also lead to further dissemination of information about the DCC and clarify any misinformation or concerns about the judicial process.

3. Social media - Audio-visual materials and posts on Facebook, WhatsApp and Twitter

19. Leveraging the influence of social media is a necessity in any public information and outreach enterprise given the current global trends. In particular, it would complement the Registry's efforts of reaching out to Mr Kony directly. The Court and the Country Office can post audio-visual materials in Acholi and English on its existing social media platforms, such as Twitter, WhatsApp and Facebook which are widely used in the region.

4. ICC website

20. To ensure a wider dissemination a public version of the document containing the charges as well as any other relevant information and tools produced for the purpose of this Proposed Plan such as press release and videos would be timely published on the ICC website.

VIII. CONCLUSION

21. In summary, given the unprecedented circumstances and the complexity of locating Mr Kony, the Proposed Plan embodies a range of activities and initiatives to notify Mr Kony

of the charges and the fact that a confirmation of charges hearing could take place. The Plan takes into consideration the diversity of the various regions and audiences to target with a view to informing Mr Kony the charges described in the DCC against him before the Court. It employs tailored communication approaches, including the utilisation of traditional and social media and face-to-face meetings to ensure both a widespread and targeted dissemination of information to reach out to Mr Kony both directly and through intermediaries. Finally, should the Prosecution submit the DCC, the Registry would pursue these outreach activities and stands ready to provide more details in relation to the implementation of the Proposed Plan should the Chamber so wish.