

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

*Original: English*

*No.: ICC-02/04-01/15  
Date: 07th June 2021*

**TRIAL CHAMBER IX**

**Before:** Judge Bertram Schmitt-----  
 Judge Péter Kovács, Judge  
 Judge Raul C. Pangalangan, Judge  
 Choose ICC Judge...Title  
 Choose ICC Judge...Title

**SITUATION IN UGANDA**

**IN THE CASE OF  
 THE PROSECUTOR *v.* DOMINIC ONGWEN**

**Public Document**

**Request for leave to submit Amicus Curie Observations for reparations, pursuant to article 75 of the Statute and Rule 103 of Rules.**

**Source: African Youth Initiative Network (AYINET)**

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

**The Office of the Prosecutor**

Ms. Fatou Bensouda

Mr. James Stewart

**Counsel for the Defence**

Mr. Krispus Ayena Odongo

**Legal Representatives of the Victims**

Mr. Joseph Manoba Akwenyu

Mr. Francisco Cox

**Legal Representatives of the Applicants**

[1 name per team maximum]

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

Ms. Paolina Massidda

**The Office of Public Counsel for the  
Defence**

[2 names maximum]

**States' Representatives**

Competent Authorities of the Republic of  
Uganda

**Amicus Curiae**

**REGISTRY**

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**Registrar**

M. Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

Mr. Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**

Mr. Philipp Ambach

**Other**

## **Introductiuon**

The African Youth Initiative Network (AYINET) respectfully, request pre-trial Chambers II (the Chamber) for leave to submit amiu curie observations pursuant to Rule 103 of the Rules of Procedure and Evidance (RPE) in the situation in the case of Preosecutor v. Dominic Ongwen

The African Youth Initiative Network (AYINET) is AYINET is a human rights NGO in Uganda, with her headquarters in Lira City; founded in 2005 by the group of youthful victims and survivors of the war between the Lord Resistance Army and Governmnet fo Uganda. It was founded with a mission as to mobilise youth and communnuty's participation in promoting peace and justice. AYINET's primary focus has been mobilisation and resettlement of former child soliders, providing medical and psycosocial rehabilitation to directly affected persons and promoting victims participation in perusit of justice.

**AYINET familiarity with ICC:** At the point when ICC issued the arrest warrant of LRA commanders, amidst tesned and scared atmosphere where the population had mixed feelings about the ICC arrest warrant againgst the LRA, it was AYINET that became the first NGO to openly promote the ICC across northern Uganda amidst threats of retaliations by LRA sympathisers. AYINET became the first orgnasation mobilised victims and sumit the first ever appications for victims who applied to participate as witnesses before the ICC. With consistent work on promoting the ICC, mobilising victims partcipation before the ICC, AYINET remains the lead intermediary organisation for the case of ICC Prosecutor v. LRA commanders

**AYINET familirty with ICC-TFV:** It was AYINET's Funder who volunteered and worked with the first ever Exective Director for Trust Fund for Victims to develop the Turst Fund logo, developed the first ever literature to create awareness about the Trust Fund for Victims and AYINET designed and implemented the pioneer trust fund projects which was piloted in Uganda and would be scalled up and being implemented in all the ICC situation countries. AYINET took lead role in mobilising and hosting the platfoms for CSOs across northern Uganda who are working on

victims support programmes and formed the victims groups and association which would later on benefit from the Trust Fund for Victims support.

**On ICC Review Conferences in Kampala:** AYINET worked with stakeholders and took lead in mobilising and coordination the Pre-Conference States Delegates visits to meet with victims from across northern Uganda of which experiences and findings did inform the ICC review conference in Kampala. On the eve of Conference (30<sup>th</sup> May 2010), AYINET did organise the War Victims Football Game with where the UN Secretary General, Uganda's President, the ASP President led the delegates and top diplomats to play football in solidarity and along side victims representative mobilised by AYINET from Uganda, DRC, Afghanistan, West Africa and Darfur to mention but a few. The Football match that AYINET organised stood out to be the turning point in mobilising global support for ICC, and solidarity for Victims of crimes.

**Continued Intermediary Roles:** AYINET remains the strongest and lead Ugandan/local NGO in mobilising and coordinating the victims support, CSOs and community empowerment on ICC, including local co-ordination of the visit by the Chief Prosecutor Ms. Bensouda to meet with the victims in Northern Uganda.

**Victims Assistance:** In addition to supporting victims search for justice, AYINET has been and remains the leading NGO providing the direct medical and psychosocial rehabilitation to direct victims of LRA war. AYINET has to date with support from UN, USAID, Trust Africa and EU among other donors have provided reconstructive medical rehabilitation to over 25,000 direct victims of mutilations, rape, gun shots and burns by the LRA. AYINET's interventions covers the entire LRA affected communities of Lango, Acholi, Teso and West Nile region, and this has been key in mitigating the possible anger from other LRA affected communities who feels left out, discriminated and their suffering from LRA ignored by the limited ICC geographical/scope. This situation do pose such a potential threat, and AYINET's work has been considered all region-inclusive and has been at the center piece of

what other community feels about ICC's limited scope to only 4 locations; all from one ethnic community.

### **Reliefs Sought for and Outcome of proposed submission**

While the ICC has achieved spectacular progress in prosecution and sentencing on of the indicted LRA Commander Dominic Ongwen, and right now in the process of conducting reparations; northern Uganda too has greatly advanced towards recovery. This is largely attributed to the fact that open military conflict is now over in northern region: the Lord's Resistance Army (LRA) has been driven out of the country and many displaced people have returned to their villages and livelihoods. Population have now reached a point quest for alternative to violence is now real, people have been notably willing to move towards healing and and pursuing non-violent political path; especially war seems to be falling in disfavor among young generation and people are slowly getting to believe that change is possible even without the guns. This mindset change is a welcome outcome from AYINET and several other stakeholders contributions in rebuilding the post conflict northern Uganda.

However, decades of civil war left Greater Northern Uganda with an appalling health legacy, with instances of extreme severity on the lives of those who sustained direct physical and emotional injuries; where there are overwhelming number of people who are still living with untreated, recurring or unaddressed war wounds and injuries. The most critical remains the plights of the missing people, especially those still living with missing family members abducted by the Lord Resistance Army. This people wants their family members alive, and the fact that ICC finally caught, prosecuted and sentenced Dominic Ongwen - to many people they feel they are also closer to a full accountability where with the work of the ICC and governments, their missing family members will also be returning home alive. This is anticipated from across all the four regions directly affected by the LRA. Meaning further engagement by the ICC in northern Uganda through reparation will definitely trigger several

could be, or might be difficult questions for the the ICC or Government of Uganda to answer.

The critical issues of concern has been, and will need an answer will be the fact that the may have overlooked at the sensitivity of ethnic and tribal nature of LRA composition, command, origin, operations and impacts. The populations from across the four regions feels LRA war started from a particular ethnic community, where top commanders are from, an ethnic community where Dominic Ongwen belongs and yet all four locations of Lukodi, Pajule, Odek and except for Abok which is at the border with minimal cross-border to the other affected neighbouring ethnic community. This has been possibly misunderstood, and would be a a huge mistake if the ICC is to engage in reparation without paying far-reaching particular attention other complaining communities. This risk all renewing and possibly reinforcing the pre-existing ethnic and tribal or community finger point which to a greater extent is considered the reason for the start of the war.

### **The Significance of AYINET Submission.**

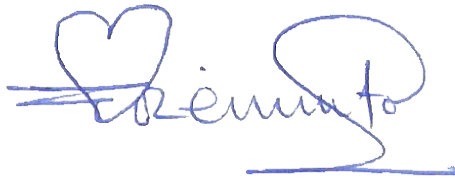
The analysis of northern Uganda presents some stark dark episodes such as, 1) Foreseen risk of reparation move by ICC without proper preparations will ingite politicization of past grievances, tension and mistrust; ii) Social trauma caused by past incidents of LRA violence not adequately and broadly addressed and that continued feelings of loss, marginalization by the system, injustice suffered and yet ignored may inspire possible desire for revenge; iii) widespread mistrust between some ethnic tribes and against state institution; iv) acute poverty, mass unemployment and deep feelings of inequalities and exclusion/marginalization by the government which might manifest in extremist forms, v) increased inflammatory rhetoric, propaganda campaigns and hate speech targeting particular groups, populations of individuals and government.

It it therefore unavoidable that whereas ICC has made such a tremedeous progress, there is need for increased recognition by both the ICC and Government of Uganda (GoU) the un-intened consequences, with intent to have a coordinated and

meaningful efforts to seriously address the presenting acute medical, mental and legal impacts of ICC judgments of the LRA Comander Dominic Ongwen in the Greater Northern Uganda.

To AYINET, the ICC prosecution and sentencing of Dominic Onwgen is a progress and presents opportunity to complement the national transitional justice policy, which has provions for an overreaching strategies to address justice, accountability and reconciliation needs of post conflict Uganda. The reparation will be an opportunity to help post conflict community look beyond crisis and with the prospect for transformation.

The African Youth Initiative Newtork (AYINET) would therefore respectfully, request pre-trial Chanbers II (the Chamber) for leave to submit amiu curie observations pursuant to Rule 103 of the Rules of Procedure and Evidance (RPE) in the situation in the case of Preosecutor v. Dominic Ongwen.



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[Mr. VICTOR OCHEN, Founder and Executive Director

on behalf of

of African Youth Initiative Network (AYINET)

Dated this 07-06-2021

At Lira, Uganda

At [place, country]