

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

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No.: ICC-02/04  
Date: 13 May 2024

**PRE-TRIAL CHAMBER III**

**Before:** Judge Althea Violet Alexis-Windsor, Presiding Judge  
Judge Iulia Motoc  
Judge Haykel Ben-Mahfoudh

**SITUATION IN UGANDA**

**PUBLIC**

**Thirty-Sixth Periodic Report of the Registry on Applications Received by the  
Victims Participation and Reparations Section in the Situation in Uganda**

Source: Registry

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

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**REGISTRY**

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**Detention Section**

**Victims Participation and Reparations  
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## I. Introduction

1. On 12 March 2012, the Single Judge of Pre-Trial Chamber II (in its previous composition)<sup>1</sup> ordered the Victims Participation and Reparations Section (“VPRS”), following the submission of a comprehensive report on the *status quo* of all victim applications for participation in proceedings received in the Situation in Uganda (“Situation”),<sup>2</sup> to submit every four months a periodic report on further applications received and the progress made by the VPRS on their assessment under rule 85 of the Rules of Procedure and Evidence (“Rules”).<sup>3</sup> The Registry hereby submits its thirty-sixth periodic report in the Situation, covering the period from 11 January to 10 May 2024.

## II. Applicable Law

2. The Registry submits the present report in accordance with article 68(1) and (3) of the Rome Statute, rules 16(1) and 89(1) of the Rules of Procedure and Evidence and regulation 86 of the Regulations of the Court.

## III. Submissions

### A. Status of applications for participation

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<sup>1</sup> For the current composition of Pre-Trial Chamber III, see Presidency, “Decision assigning judges to divisions and recomposing Chambers”, dated 12 March 2024 and notified on 13 March 2024, ICC-02/04-257 and Pre-Trial Chamber III, “Notification of the election of the Presiding Judge”, 14 March 2024, ICC-02/04-258.

<sup>2</sup> Registry, “Comprehensive report on the *status quo* of all applications received in the Situation in Uganda and on other aspects related to victims' applications for participation in the proceedings”, 11 May 2012, ICC-02/04-193.

<sup>3</sup> Pre-Trial Chamber II, “Decision on Victim's Participation in Proceedings Related to the Situation in Uganda”, dated 9 March 2012 and notified on 12 March 2012, ICC-02/04-191, para. 31.

3. To date, 5,433 application forms for participation and/or reparations were received in the Uganda situation and the related cases.<sup>4</sup> In the case of *The Prosecutor v. Dominic Ongwen* (“Ongwen case”), currently at the reparations stage before Trial Chamber IX (“Trial Chamber”), there are 4,096 participating victims.<sup>5</sup> Following the Reparations Order issued in the case,<sup>6</sup> the VPRS is currently devising its strategy and has commenced activities in relation to the identification and eligibility assessment of potential beneficiaries of reparations in the *Ongwen* case.
4. In the case of *The Prosecutor v. Joseph Kony* (“Kony case”), Pre-Trial Chamber II found that there was cause to hold a confirmation of charges hearing in the Suspect’s absence, should he not appear, set to start on 15 October 2024.<sup>7</sup> On 8 May 2024, the Registry presented its submissions regarding victim participation.<sup>8</sup> These submissions include, *inter alia*, (i) a request that victims who were admitted during the trial phase of the *Ongwen* case are authorised to participate at the confirmation of charges proceedings in the *Kony* case if they so desire, and (ii) a proposed application process for participation.

**B. Activities undertaken by the VPRS in the field during the reporting period (11 January – 10 May 2024)**

5. During the reporting period, VPRS field activities focused on informing and explaining to victims and their communities in Northern Uganda: (i) the charges against Joseph Kony, ahead of the upcoming confirmation of charges

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<sup>4</sup> Since 25 April 2024, the Registry has received nine applications to participate in the *Kony* case.

<sup>5</sup> Trial Chamber IX, “Decision on the Registry Additional Information on Victims”, 16 December 2022, ICC-02/04-01/15-2024, para. 18 and fn. 37.

<sup>6</sup> Trial Chamber IX, “Reparations Order”, 28 February 2024, ICC-02/04-01/15-2074.

<sup>7</sup> Pre-Trial Chamber II, “Second decision on the Prosecution’s request to hold a confirmation of charges hearing in the Kony case in the suspect’s absence”, 4 March 2024, ICC-02/04-01/05-481, paras. 12-13 and p.11.

<sup>8</sup> Registry, “Registry submissions on matters related to the participation of victims”, 8 May 2024, ICC-02/04-01/05-500.

hearing;<sup>9</sup> and (ii) the Order for Reparations in the *Ongwen* case. In this context, the following three joint missions of staff from the VPRS and the Public Information and Outreach Section (“PIOS”) were conducted:

- From 6 to 10 February 2024, a mission was conducted in Olan, Odek and Gulu.
  - From 22 to 27 February 2024, a mission was conducted in nine locations (parishes) within Pajule sub-county (Pader District).
  - From 27 to 29 February 2024, a mission was conducted in Gulu, which included a video screening of the issuance of the Reparations Order in the *Ongwen* case on 28 February 2024.
6. In the context of these informative sessions, the Registry collected positive reactions but also diverse expectations to both the issuance of the Reparations Order in the *Ongwen* case and the scheduling of a confirmation of charges hearing in the *Kony* case, which are both perceived as justice moving forward.
7. The news of the upcoming hearing *in absentia* in the *Kony* case was received with enthusiasm, with a view often expressed that it may create an additional incentive for the international community to execute his arrest. Moreover, victims of the Situation who did not fall within the ambit of the *Ongwen* case expressed a feeling of hope that they may be able to participate and express their views in the proceedings related to the *Kony* case.
8. In addition to expressing their satisfaction with the issuance of the Reparations Order in the *Ongwen* case, victims and their communities also raised questions regarding the following issues:
- The application process, noting that the Reparations Order provides a period of two years for the completion of the administrative eligibility process and the Registry process to collect potential new beneficiaries’ information has yet to reach communities. Moreover, victims have

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<sup>9</sup> See *supra* fn 7.

expressed fear of being left behind, missing the chance of applying for reparations, having to pay to register, or simply being absent from home when the identification happens;

- The methodology that will be used to identify victims eligible for reparations. This includes understanding the process of identification, who would be involved, and when it will reach relevant communities;
- The victims' timely access to reparations, and in particular how the timing may differ between participating victims (who expressed that they should get automatic access to reparations) and victims who did not participate in the proceedings and who fear that they may have to wait longer to receive reparations;
- Concerns regarding the identification papers (or lack thereof) for children who were born from abducted and conscripted mothers;
- Lastly, victims expressed that they would like to have access to the Registry for questions or doubts about the identification process.

9. To answer the above-mentioned questions and concerns raised during these activities, as well as through phone calls and text messages received by the Registry on a daily basis, the VPRS has developed and regularly updates, together with its Court partners, including the Trust Fund for Victims ("TFV") and PIOS, key messages to ensure that harmonised, accurate and complete information is provided to victims, their communities, and the general public.

10. In addition to the above activities, the VPRS continues to engage with intermediaries, victims-led community-based organisations and other justice-based organisations to consolidate its network of partners who will be instrumental during the identification of potential beneficiaries of reparations in the *Ongwen* case, supporting them and enhancing their capacity to understand the Reparations Order.

11. Lastly, on 3 May 2024, the Registry organised an information session in Bangui, Central African Republic ("CAR"), with representatives from an association of victims who allegedly suffered from crimes committed by Mr. Kony in the CAR.

The aim of the information session was to clarify the scope of the charges in the *Kony* case. In this context, victims expressed their wish to request an extension of the scope of the case to include crimes allegedly committed by Mr Kony in the CAR. The Registry plans to explore the possibility of conducting outreach information sessions on the *Kony* case in the communities of LRA victims located in the East and North-East of the CAR.



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Marc Dubuisson, Director, Division of Judicial Services

On behalf of Osvaldo Zavala Giler, Registrar

Dated this 13 May 2024

At The Hague, The Netherlands