

**Cour
Pénale
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**International
Criminal
Court**



Original: **English**

No.: **ICC-02/04-01/15**

Date: **21 October 2026**

TRIAL CHAMBER II

Before: Judge María del Socorro Flores Liera, Presiding Judge
Judge Kimberly Prost
Judge Nicolas Guillou

SITUATION IN UGANDA

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

Public

**Decision on the VPRS' request for extension of time and the TFV's and Registry's
joint request to remove the TFV's initial contact procedure**

Decision to be notified, in accordance with regulation 31 of the Regulations of the Court, to:

- | | |
|---|---|
| ☐ The Office of the Prosecutor | ☐ 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 | ☒ Trust Fund for Victims |

Registrar
Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☒ **Victims Participation and Reparations
Section**

☒ **Public Information and Outreach
Section**

Trial Chamber II of the International Criminal Court (the ‘Chamber’), in the case of *The Prosecutor v. Dominic Ongwen*, having regard to article 75 of the Rome Statute and regulations 35 and 81(4) of the Regulations of the Court (the ‘Regulations’), issues this ‘Decision on the VPRS’ request for extension of time and the TFV’s and Registry’s joint request to remove the TFV’s initial contact procedure’.

I. PROCEDURAL HISTORY

1. On 28 February 2024, Trial Chamber IX issued the ‘Reparations Order’ (the ‘Order’), in which it, *inter alia*, instructed the Registry, through the VPRS, to complete the administrative eligibility process, including outreach, identification, and eligibility assessment, within two years, *i.e.* by 2 March 2026 (the ‘Initial Deadline’).¹ Trial Chamber IX also instructed the VPRS to provide an estimate of the time it would need to assess the victims’ eligibility for reparations and the urgent needs of all participating victims, within one month of the issuance of the Order.²
2. On 2 April 2024, the Registry (i) undertook to finalise its eligibility and urgency assessments of all participating victims ‘by the end of 2024, or the first months of 2025 at the latest’;³ and (ii) in relation to the eligibility assessments of all potential beneficiaries, indicated that it considered the two-year deadline set to identify the 49,772 estimated total number of victims as ‘very optimistic’, considering that the same deadline had been set in *Ntaganda*, which had an estimated total number of victims of 10,500.⁴
3. On 30 October 2025, the Registry requested an extension of time for the VPRS to continue its administrative eligibility process as deemed appropriate by the Chamber and offered to provide updates every four months during the extended period.⁵ It also indicated that it undertakes to finalise the eligibility assessments and the transmissions of the victims’ contact information to the TFV of all participating victims by 28 February 2026, ‘contingent

¹ [Order](#), ICC-02/04-01/15-2074 (with confidential *ex parte* Annex I, only available to the Legal Representatives of Victims, the Common Legal Representative of Victims, the Defence, and the Registry, and public Annexes II and III), paras 810.a, 813.

² [Order](#), ICC-02/04-01/15-2074, para. 810.c.

³ [Registry Submissions pursuant to Reparations Order ICC-02/04-01/15-2074](#) ICC-02/04-01/15-2082 (the ‘Registry Submissions’), para. 25. The Chamber notes that, according to the Order, 4,096 victims participated in the case ([Order](#), ICC-02/04-01/15-2074, para. 16). *See also* [Decision on Registry Submissions pursuant to Reparations Order ICC-02/04-01/15-2074](#), ICC-02/04-01/15-2088, p. 6, where the Chamber took note of the VPRS’ undertaking to finalise its eligibility and urgency assessment of all participating victims by the end of 2024 or the first months of 2025 at the latest.

⁴ [Registry Submissions](#), ICC-02/04-01/15-2082, para. 26.

⁵ [Registry Request for Extension of Time](#), ICC-02/04-01/15-2111 (the ‘Registry Request’), paras 2, 23-24.

on receiving all relevant information’ from the victims’ legal representatives (the ‘CLRV’) by 15 December 2025.⁶

4. On 6 November 2025, the Office of Public Counsel for Victims (the ‘OPCV’) responded to the Registry and did not oppose an extension of the deadline for a maximum of one year.⁷
5. On 19 December 2025, the Chamber suspended the Initial Deadline of 2 March 2026 and ordered the Registry to provide additional submissions on the requested extension of time to continue its administrative eligibility process by 31 January 2026.⁸ The TFV and the OPCV were invited to submit any observations on this topic by the same deadline.⁹
6. On 2 February 2026, the Registry submitted additional submissions on the extension of time to continue its administrative eligibility process,¹⁰ and the TFV submitted its observations.¹¹ The OPCV did not file any observations.
7. On 30 April 2026, the Chamber held a status conference to discuss any update on the ongoing eligibility assessment process and how to improve the efficiency of the process.¹²
8. On 15 June 2026, upon the Chamber’s instruction,¹³ the Registry and the TFV filed a joint report related to the elimination of duplication in the notification process and improved efficiency of the process.¹⁴

⁶ [Registry Request](#), ICC-02/04-01/15-2111, para. 25.

⁷ [CLRV’s Response to the Registry Request for Extension of Time](#), ICC-02/04-01/15-2113 (the ‘CLRV Response’), paras 7-8.

⁸ [Order for the Registry to submit further information on the VPRS’ request for extension of time](#), ICC-02/04-01/15-2114 (the ‘Order for Additional Submissions’), paras 12-13, p. 9. The Chamber indicated that the Registry’s additional submissions should also include the views of the Public Information and Outreach Section (the ‘PIOS’), if any.

⁹ [Order for Additional Submissions](#), ICC-02/04-01/15-2114, paras 14-15, p. 9.

¹⁰ [Additional Registry Submissions on the Time Extension Request](#), ICC-02/04-01/15-2116 (the ‘Registry Additional Submissions’)

¹¹ [Trust Fund for Victims’ Observations on Registry Request for Extension of Time](#), ICC-02/04-01/15-2115 (the ‘TFV Additional Submissions’).

¹² [Transcript of hearing](#), 30 April 2026, ICC-02/04-01/15-T-272-ENG. *See also* [Order scheduling a status conference relating to the Registry’s request for extension of time](#), ICC-02/04-01/15-2117, paras 7-8, p. 6.

¹³ [Order for a joint report from the TFV and the VPRS on the notification process](#), ICC-02/04-01/15-2119, para. 6, p. 4, in which the Chamber instructed the TFV and the VPRS to file a joint report with proposals on ‘eliminating duplication in the notification process and making the process more efficient’. *See also* email from the TFV to the Chamber, 7 May 2026, at 13:37, where the TFV requested the Chamber’s authorisation to make additional submissions on the issue of the notification of eligible victims as raised in the status conference, noting the importance of consulting with the VPRS and OPCV on its proposal. *See further* email from the OPCV to the Chamber, 7 May 2026, at 16:18, in which the OPCV indicated that it did not oppose the TFV’s request and sought authorisation to respond to the TFV’s additional submissions.

¹⁴ [Joint submission of the Registry and Trust Fund for Victims on the notification process](#), ICC-02/04-01/15-2120 (the ‘Registry-TFV Joint Submission’).

9. On 24 June 2026, the OPCV filed their observations on the joint report, *inter alia*, requesting (i) to be notified by the Registry in advance of the commencement of any notification, and (ii) to be informed of the Registry's and TFV's intended protocol concerning hard-to-reach victims.¹⁵

II. SUBMISSIONS

A. Additional Submissions

10. In its additional submissions, the Registry, *inter alia*, sets out its expected monthly capacity for the identification, assessment and notification of the estimated 49,772 eligible beneficiaries, projecting a timeline for the completion of these three consecutive steps, which are to run in parallel, is 2.7, 4.5 and 6.5 years, respectively.¹⁶ The Registry supports the Chamber's suggestion¹⁷ to further enhance efficiency by setting separate deadlines for identifying new potential beneficiaries of reparations and for completing the eligibility assessment process.¹⁸
11. The TFV submits, *inter alia*, that, as the body determined by the Chamber to conduct the identification and eligibility process, the VPRS is best placed to provide the monthly numerical projection requested by the Chamber.¹⁹ Moreover, it highlights the current difficulties in the identification and eligibility assessment processes in the present case, namely, the difficulty in accessing the victims' locations and the variation in the substantive numerical projections for the total number of victims.²⁰

B. Status conference submissions

12. The VPRS, representing the Registry, further submits, *inter alia*, that: (i) for the identification of victims, the VPRS estimates that an average of up to 1,300 individuals per

¹⁵ [Observations on the "Joint submission of the Registry and Trust Fund for Victims on the notification process"](#), ICC-02/04-01/15-2121 (the 'OPCV Observations on Joint Submission').

¹⁶ [Registry Additional Submissions](#), ICC-02/04-01/15-2116, para. 6. The Registry cautions that its estimates are contingent upon four conditions: '(i) forms from newly identified victims will predominantly be household forms, consisting of three household members on average; (ii) the Section will maintain its current level of resources allocated to the Case; (iii) there will be no major disruptions to the use of the IT tools already in place nor to the new ones the Section is currently developing; and (iv) the quality and integrity of the process will not be otherwise compromised.', see [Registry Additional Submissions](#), ICC-02/04-01/15-2116, para. 9 (footnotes omitted).

¹⁷ [Order for Additional Submissions](#), ICC-02/04-01/15-2114, para. 13.

¹⁸ [Registry Additional Submissions](#), ICC-02/04-01/15-2116, paras 14, 16.

¹⁹ [TFV Additional Submissions](#), ICC-02/04-01/15-2115, para. 10.

²⁰ [TFV Additional Submissions](#), ICC-02/04-01/15-2115, paras 32-40.

month can be completed, leading to a completion date in approximately two years and three months; (ii) due to major accelerations, such as IT improvements and quality increases of collected forms, the assessment of victim forms is assumed to improve to just over four years; and proposes that (iii) the current regime of VPRS-led victim notification be replaced by one single communication to the victims, namely by the TFV ('resource pooling').²¹

13. The TFV underlines the need for a degree of flexibility in the eligibility process since especially vulnerable and stigmatised victims often only come forward once they see other victims in similar situations benefit from a reparations programme.²² The TFV submits that if the timeline is too rigid, there might be a risk of excluding some victims for formal reasons and this would ultimately affect confidence in the programme.²³ Additionally, there may be a need for a 'residual phase' allowing victims who were not previously reached or could not come forward due to exceptional circumstances to, nevertheless, access the process.²⁴

14. During the status conference, the OPCV reiterated its submissions on the Registry's time extension request, namely that the eligibility process should be simplified.²⁵ In particular, it argues that since the reparations awarded in the case are collective in nature, there is no need for an individualised or complex eligibility assessment, stressing that the victims have expressed a clear and consistent opposition to a lengthy delay and that the passing of time aggravates the suffering of victims.²⁶ Therefore, it submits that a maximum extension of 12 months is justified in the circumstances.²⁷

15. The PIOS reports that the two-year Initial Deadline for the identification of beneficiaries caused 'significant anxiety and concern' in the affected communities, and 'a sense of urgency' as well as 'worries about people being left out'.²⁸

C. Registry-TFV Joint submission

²¹ [Transcript of hearing](#), 30 April 2026, ICC-02/04-01/15-T-272-ENG (hereinafter: 'T-272'), p. 7, line 18 to p. 8, line 25, p. 10, lines 8-19, p.22, lines 7-8.

²² [T-272](#), p. 14, lines 11-27.

²³ [T-272](#), p. 14, lines 17-21.

²⁴ [T-272](#), p. 14, lines 13-24.

²⁵ [T-272](#), p. 25, lines 25 to p. 26, line 5.

²⁶ [T-272](#), p. 24, lines 11-15.

²⁷ [T-272](#), p. 24, lines 11-15, p. 25, line 22 to p. 26, line 5, p. 26, line 14 to p. 27, line 4.

²⁸ [T-272](#), p. 29, lines 15-19.

16. In their joint submission, the Registry and the TFV submit that the current allocation of responsibilities between the VPRS and the TFV in this case is ‘a precondition for an efficient reparations process’.²⁹ They submit that the ‘resource pooling’ proposal previously made by the VPRS³⁰ might, in fact, not enhance efficiency, since changing the process might create duplication of efforts and increase data-quality risks.³¹ Therefore, they submit that the VPRS is operationally well placed to conduct notifications.³²
17. Further, the TFV and VPRS request to remove the TFV’s initial contact procedure following the VPRS-notification of the outcome of their applications (the ‘TFV’s Initial Contact Procedure’), arguing that the deadline is restrictive and does not provide the flexibility required to align communications with the pace of implementation.³³ They propose that the TFV be given the flexibility to contact eligible victims about concrete next steps in the delivery of reparations in line with the pace of implementation.³⁴ They submit that at the current stage of implementation, certain information intended to prepare the victims for the implementation process can be efficiently conveyed by the VPRS as part of its notification to beneficiaries and further request the inclusion of the TFV’s contact information in the VPRS’ notification.³⁵

D. OPCV observations on the Registry-TFV Joint submission

18. The OPCV supports the request to remove the TFV’s Initial Contact Procedure, in order to avoid allocating resources to an unnecessary intermediate step and ensure that contact is made at a moment that is meaningful both for the victim and from an operational standpoint.³⁶ However, the OPCV submits that in the meantime, the VPRS must provide the victims with a clear focal point to whom they may direct their queries, communicate relevant updates, such as change in their location or telephone number.³⁷

²⁹ [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, para. 8.

³⁰ See paragraph 12 above.

³¹ [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, paras 8-14.

³² [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, paras 10-16, 29-31.

³³ [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, para 36.

³⁴ [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, para 36 (b)

³⁵ [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, paras 17-18, 36, 36(a).

³⁶ [OPCV Observations on Joint Submission](#), ICC-02/04-01/15-2121, para. 11.

³⁷ [OPCV Observations on Joint Submission](#), ICC-02/04-01/15-2121, para. 11.

19. The OPCV notes that the Registry undertook a pilot notification phase³⁸ without the OPCV being informed and requests that, for the future, Counsel be notified by the Registry – two weeks prior to the commencement of any notification – of the lists of beneficiaries it intends to notify, arguing that victims continue to rely on the advice of Counsel.³⁹ The OPCV also requests to be informed of the Registry’s intended protocol concerning hard-to-reach victims.⁴⁰ The OPCV emphasizes that it remains available to support efforts to locate victims who could not yet be contacted.⁴¹

III. ANALYSIS

20. While the Chamber acknowledges the challenges encountered by the VPRS in the identification, assessment and notification of potential beneficiaries of their eligibility for reparations, in particular due to the number of affected victims and estimated beneficiaries, the Chamber also notes the length of time elapsed since the issuance of the Order. During this time, the VPRS has, at the time of their submissions, identified 8,300 victims out of the estimated 49,772 eligible beneficiaries, assessed 4,400 applications, and the number of completed notifications remains moderate.⁴²

21. The Chamber appreciates the innovations already implemented by the VPRS.⁴³ However, the Chamber, mindful of the rights of the victims, who have been waiting for the implementation of the reparations for several years, remains concerned about the pace at which the process is expected to advance. In this context, the Chamber reiterates that the situation in the Republic of Uganda has remained relatively stable and victims’ communities are relatively easily accessible.⁴⁴ The Chamber encourages the Registry to shorten the discrepancy between assessment and notification,⁴⁵ as well as to continue the review of its procedures to identify additional areas of optimised and accelerated processing to further expediate the administrative eligibility process.⁴⁶

³⁸ See [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, paras 23-28 (the Registry’s pilot notification phase was directed at contacting victims in dire need).

³⁹ [OPCV Observations on Joint Submission](#), ICC-02/04-01/15-2121, para. 13.

⁴⁰ See [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, paras 28, 35 (stating that the Registry and the TFV intend to develop joint protocols for hard-to-reach victims).

⁴¹ [OPCV Observations on Joint Submission](#), ICC-02/04-01/15-2121, para. 14.

⁴² [Registry Additional Submissions](#), ICC-02/04-01/15-2116, para. 6.

⁴³ [Registry Additional Submissions](#), ICC-02/04-01/15-2116, paras 10-12.

⁴⁴ [T-272](#), p. 25, lines 15-21.

⁴⁵ [Registry Additional Submissions](#), ICC-02/04-01/15-2116, para. 8.

⁴⁶ [Registry Additional Submissions](#), ICC-02/04-01/15-2116, para. 10.

22. Noting that the Initial Deadline which Trial Chamber IX set for identification, assessment and notification of potential beneficiaries was two years and that it expired in March of this year, the Chamber finds that adding another 6.5 years to the time frame would have a severe impact on the expeditiousness of the reparations process for beneficiaries. While realistic administrative constraints must be taken into consideration, the decisions must give due consideration to the victims' rights.⁴⁷
23. With this perspective, the Chamber deems it appropriate to set separate deadlines for the three steps of the administrative eligibility process, namely identification, assessment and notification of potential beneficiaries.⁴⁸ Regarding the proactive identification of beneficiaries, and considering the monthly numerical projections provided by the VPRS, the Chamber extends the deadline by **24 months**. Regarding the eligibility assessment, the Chamber grants an extension of **36 months**. For the notification of beneficiaries, the Chamber grants an extension of **42 months** for its completion. The three new deadlines start running from the day of issuance of this decision. The three consecutive steps are to run in parallel.
24. Considering the above, as well the rights and needs of the victims affected, the Chamber, while partly granting the extension for the time reflected, expects this extension to be limited to the time strictly necessary for the completion of the process.
25. Should any potential beneficiary present themselves to the Registry after the expiry of the deadline for the proactive identification process, their application is to be assessed on a case-by-case basis until the completion of the assessment and notification process.
26. In light of the length of time elapsed since the issuance of the Order, the TFCV information on the funding status of the *Ongwen* reparations programme,⁴⁹ as well as its submission that seeing the successful implementation of a reparations programme encourages

⁴⁷ [T-272](#), p. 24, lines 18-19.

⁴⁸ [Registry Additional Submissions](#), ICC-02/04-01/15-2116, para. 16. See paragraph 10 above.

⁴⁹ Trust Fund for Victims' Third Update Report on the implementation of Reparations, ICC-02/04-01/15-2118-Conf, paras 103-104. While this present decision refers to information contained in this confidential document, the Chamber considers that its reference to the information does not require a confidential classification.

vulnerable victims to come forward,⁵⁰ the Chamber emphasizes the vital importance that the implementation of reparations begins as soon as possible.

27. The Chamber further instructs the Registry to provide a brief update on the progress made in the administrative eligibility process biannually, in May and November of each year, starting in May 2027.
28. In respect of the Registry-TFV Joint submission, the Chamber regrets that the TFV and Registry in their submissions failed to identify concrete steps for improving the administrative eligibility process. The Chamber instructs the Registry and the TFV to continue efforts to develop systems that avoid duplication of efforts, streamline the administrative eligibility process and improve efficiencies. The Chamber further encourages the VPRS to accept the OPCV's offer to support efforts to locate victims who could not yet be contacted.⁵¹
29. With regard to the TFV's request to remove the TFV's Initial Contact Procedure, the Chamber expresses its concern that the removal of this procedure increases the possibility that beneficiaries lack prompt information about the status of their application. The TFV itself underlines the important practical function of its Initial Contact Procedure: '[G]iven that implementation will extend over a significant period of time, the first contact, which is envisaged to take place while the contact details recently verified by the VPRS remain current, provides the TFV with an opportunity to verify and update the contact details of eligible victims, and to establish a direct communication channel that can be maintained throughout the life-cycle of implementation. Ensuring that contact data remains accurate and current is essential for the TFV to be able to reach nearly 50,000 beneficiaries over time.'⁵²
30. In this context, the Chamber reiterates the importance of the existence of up-to-date contact details, clear contact and communication procedures, as well as identified contact points to whom beneficiaries may direct their inquiries. Removing the TFV's Initial Contact Procedure would leave the beneficiaries with uncertainty regarding the steps to follow and

⁵⁰ [T-272](#), p. 14, lines 10-21 (stating that '[i]n the TFV experience, thereby drawing on the Chamber's question 1, it is often necessary for the most vulnerable and stigmatised victims to see that a programme is actually underway and that persons in a similar situation benefit from it, to trust the programme and to come forward').

⁵¹ See paragraph 19 above.

⁵² [Registry-TFV Joint Submission](#), ICC-02/04-01/15-2120, para. 20.

the expected timeline for the implementation of reparations for an unknown amount of time. The Chamber, therefore, mindful of the rights of the victims, as well as of the time elapsed since the issuance of the Reparations Order, rejects the request.

31. Lastly, regarding the OPCV's requests to be (i) notified by the Registry in advance of the commencement of any notification, and (ii) informed of the Registry's and TFV's intended protocol concerning hard-to-reach victims, the Chamber recalls that the Reparations Order limited the OPCV's intervention during the administrative stage of the reparations proceeding to providing 'general support and assistance to any potential beneficiary during the administrative eligibility assessment, particularly regarding those assessed as non-eligible'.⁵³ In this context, the Chamber considers that the OPCV is generally not entitled to be notified in advance of the commencement of any notification of beneficiaries or to comment on or possess the protocols the Registry or the TFV develop to contact beneficiaries. However, the Chamber notes that the Counsel for the OPCV may possess information that would be helpful to the Registry and the TFV in developing the appropriate protocols to reach beneficiaries. As such, the Chamber encourages the Registry and the TFV to engage in outreach involving the OPCV as well as to seek their input while developing appropriate protocols.

FOR THESE REASONS, THE CHAMBER HEREBY

PARTLY GRANTS the extension of time request and instructs the Registry, through the VPRS, to complete the identification process within 24 months, to complete the eligibility assessment within 36 months, and the notification process within 42 months, starting from the day of issuance of this decision, i.e. by 23 October 2028, 22 October 2029 and 22 April 2030 respectively;

INSTRUCTS the Registry and the TFV to continue efforts to develop systems that avoid duplication of efforts, streamline the administrative eligibility process and improve efficiencies;

⁵³ [Order](#), ICC-02/04-01/15-2074, paras 810-812.

REJECTS the TFV's request to remove the 30-day deadline for TFV's initial contact with victims following VPRS-notification of the outcome of their applications;

INSTRUCTS the Registry to provide the Chamber with an update regarding the progress in relation to the administrative eligibility process in biannual reports filed in May and November each year, starting in May 2027;

REJECTS the OPCV's requests according to paragraph 31 above; and

ENCOURAGES the Registry and the TFV to engage in outreach involving the OPCV as well as to seek the input of the OPCV when developing appropriate protocols.

Done in both English and French, the English version being authoritative.

**Judge María del Socorro Flores Liera,
Presiding Judge**

Judge Kimberly Prost

Judge Nicolas Guillou

Dated this 21 October 2026

At The Hague, The Netherlands