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No.: ICC-01/19

Date: 17 December 2021

**PRE-TRIAL CHAMBER I**

**Before:** Judge Péter Kovács, Presiding Judge  
Judge Reine Adélaïde Sophie Alapini-Gansou  
Judge María del Socorro Flores Liera

**SITUATION IN THE PEOPLE'S REPUBLIC OF BANGLADESH/REPUBLIC  
OF THE UNION OF MYANMAR**

**Public  
With Confidential Annex**

**Public redacted version of "Fourth Registry Report on Information and  
Outreach Activities ", 17 December 2021, ICC-01/19-46-Conf**

**Source: Registry**

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

**The Office of the Prosecutor**  
Mr Karim Asad Ahmad Khan  
Mr James Stewart

**Counsel for the Defence**

**Legal Representatives of Victims**

**Victims' Representatives**

**States Representatives**

**Amicus Curiae**

## **REGISTRY**

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**Registrar**  
Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**  
Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations  
Section**  
Mr Philipp Ambach

**Public Information Section**  
Ms Sonia Robla

## I. Introduction

1. Pursuant to Pre-Trial Chamber III's "Order on Information and Outreach for the Victims of the Situation" issued on 20 January 2020 ("Chamber" and "Order of 20 January 2020", respectively),<sup>1</sup> the Registry submits its fourth report on the progress of its activities related to information and outreach activities in the situation of the People's Republic of Bangladesh/ Republic of the Union of Myanmar ("Situation").

## II. Procedural History

2. On 20 January 2020, the Chamber ordered the Registry to: *i*) establish, as soon as practical, and in consultation and collaboration with the Prosecutor ("OTP"), a system of public information and outreach activities with the affected communities and particularly with the victims of the Situation;<sup>2</sup> *ii*) submit an initial report on its activities by 6 July 2020 and inform the Chamber about the progress of and challenges to its outreach and information activities in the Situation at least every six months;<sup>3</sup> and *iii*) seize the Chamber immediately if there is any development that requires judicial determination, particularly to provide for the protection and privacy of victims and potential witnesses pursuant to Article 57(3)(c) of the Rome Statute.<sup>4</sup>

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<sup>1</sup> Pre-Trial Chamber III, "Order on Information and Outreach for the Victims of the Situation", 20 January 2020, ICC-01/19-28.

<sup>2</sup> Order of 20 January 2020, para. 9 and page 7.

<sup>3</sup> Order of 20 January 2020, para. 12 page 7.

<sup>4</sup> Order of 20 January 2020, para. 12.

3. Between 6 July 2020 and 18 June 2021, the Registry filed three periodic reports<sup>5</sup> on the progress of its activities related to information and outreach activities in the Situation.

### **III. Classification**

4. Pursuant to regulation 23*bis*(1) of the Regulations of the Court (“RoC”), the present report and its annex are classified as “confidential” [redacted].

### **IV. Applicable Law**

5. The Registry submits the present report pursuant to the Order of 20 January 2020.

### **V. Submissions**

#### **A. Registry activities during the reporting period (18 June – 16 December 2021)**

6. During the reporting period, the activities of the Public Information and Outreach Section (“PIOS”) and the Victims Participation and Reparations Section (“VPRS”) continued to be impacted by the restrictions imposed as a result of the Covid-19 pandemic.

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<sup>5</sup> Registry, “Registry’s First Report on Information and Outreach Activities”, ICC-01/19-33-Conf, 6 July 2020 (A public redacted version was notified on 7 July 2020, ICC-01/19-33-Red); “Registry’s Second Report on Information and Outreach Activities”, ICC-01/19-39-Conf, 18 December 2020 (A public redacted version was notified on the same day, ICC-01/19-39-Red); and “Registry’s Third Report on Information and Outreach Activities”, ICC-01/19-45-Conf, 18 June 2020 (A public redacted version was notified on the same day, ICC-01/19-45-Red).

**a. Activities conducted by PIOS**

7. Travel restrictions related to the Covid-19 pandemic and the limited financial and human resources of the Outreach Unit, continued hindering PIOS' activities, especially missions to Bangladesh.
8. The mapping report that will serve as basis for a Public Information and Outreach strategy has been finalised. This document is transmitted to the Chamber as a confidential annex to the present report.
9. During the reporting period, PIOS started preparations to hold online hybrid information sessions for members of the Office of the Refugee Relief and Repatriation Commissioner ("RRRC"), which coordinates the Bangladeshi response to the Rohingya crisis in Cox's Bazar, and the Camps in Charge officials (CiCs), who have camp management responsibilities. The objective of this activity is to foster cooperation and gain support to conduct outreach activities in the Rohingya camps in Cox's Bazar, once the pandemic related restrictions are lifted. Based on its previous experience and on best practices developed by the Outreach Unit in the context of activities carried out throughout the pandemic in other Situation countries, the hybrid information sessions are organized [redacted]. This will allow the speakers from the International Criminal Court ("Court" or "ICC") to connect remotely from The Hague while participants are in a room with good internet connection, sound system and interpretation. The first information session will take place in January 2022 and it will further strengthen [redacted].
10. In parallel with the above-mentioned activity and with the objective to increase knowledge and understanding of the ICC amongst the affected communities, PIOS has developed a campaign to address the most common questions and concerns of the Rohingya population. The campaign consists

of a series of tailored animation videos and video and audio interviews about the Court, proceedings, OTP investigations, victims participation, general information on the ICC work in relation to the Bangladesh/Myanmar situation, etc. PIOS already produced three animation videos with general information about the Court and the Judges, the ICC proceedings and victims participation before the ICC, as well as the first set of videos about the OTP investigations. The series are currently being translated and dubbed into Rohingya, with subtitles in Bengali and Burmese. Once finalised, the animations and videos will be distributed through WhatsApp [redacted]. In order to reach the largest possible number of people, the animations and videos will also be posted on the ICC social media accounts, including Facebook which is particularly popular among the Rohingya population in Bangladesh and Myanmar.

11. Finally, PIOS continued engaging [redacted] to share information on activities and common projects and discuss questions and concerns from the affected communities, and possible ways to address them. It also liaised with the Independent Investigative Mechanism for Myanmar (“IIMM”) contributing to its latest bulletin<sup>6</sup> and exchanging information on the respective activities, possible avenues of cooperation and harmonization of language, especially when referring to the respective mandates and powers.

#### **b. Activities conducted by VPRS**

12. During the reporting period, the VPRS was not in a position to carry out any physical mission activity, notably because of the Covid-19 related restrictions. It continued to maintain close contact with various interlocutors via different electronic communication tools and platforms; it also replied to

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<sup>6</sup> The IIMM latest bulletin can be accessed here: <https://iimm.un.org/wp-content/uploads/2021/10/2021-10-29-IIMM-Bulletin-October-2021-English-language.pdf>

communications and queries from interlocutors who sought information about victim-related matters and relevant judicial developments in the Situation.<sup>7</sup>

13. As previously reported, at the present stage of proceedings, VPRS is not actively pursuing or encouraging the completion of application forms for participation in a potential future case before the Chamber, not least since the confines of any potential future case are presently unknown.<sup>8</sup> Instead, VPRS maintains relevant connections and networks in order to be able to reach out quickly to relevant interlocutors in case of any pertinent judicial development.

## **B. Subsequent activities**

### **a. PIOS**

14. In the coming months, PIOS will continue adjusting its plans in line with the situation on the ground, the various Covid-19 related restrictions still in place and the available resources. PIOS will hold the information sessions with the RRRC and CiCs, and will also start planning and possibly hold a training with members of [redacted].

15. PIOS will continue its information campaign in local languages on social media and [redacted] among the diaspora. To this end, it will continue the production of tools in English, Rohingya, Burmese and Bengali, such as infographics, video and audio files, photos and slide shows.

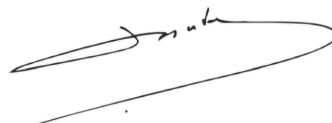
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<sup>7</sup> The content of relevant messages is coordinated between VPRS and PIOS.

<sup>8</sup> If and where specific requests to submit victim applications at the present situation stage are transmitted, the VPRS engages with relevant interlocutors so that any victims who *do* submit forms at this stage are properly appraised of the stage of proceedings, and importantly that their expectations are managed.

**b. VPRS**

16. VPRS will remain in close contact with its interlocutors and will continue to map out other potential interlocutors. It will continue to perform its functions remotely (e.g. respond to requests for information, provide trainings and application forms for participation and/or reparations upon request through IT means of communication) to the extent possible, and continue exploring further avenues to this end.
17. More generally, the Registry will continue to closely monitor the developments related to the Covid-19 pandemic, and assess and plan potential missions to Cox's Bazar as soon as feasible considering all circumstances. The safety and security of victims, interlocutors and staff members, and the duty of care will be at the core of planning of any and all Registry activities, including any potential missions.
18. PIOS and VPRS will continue to work closely together and carry out joint activities whenever possible and relevant.



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Marc Dubuisson, Director, Division of Judicial Services

On behalf of

Peter Lewis, Registrar

Dated this 17 December 2021

At The Hague, The Netherlands