



Original: **English**

No.: **ICC-02/04-01/15**  
Date: **21<sup>st</sup> December 2021**

**TRIAL CHAMBER IX**

**Before:** Judge Bertram Schmitt, Presiding Judge  
Judge Péter Kovács  
Judge Chang-ho Chung

**SITUATION IN UGANDA**

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

**Public**  
**SUBMISSIONS ON AMICUS CURIAE OBSERVATIONS**  
**ON LEGAL QUESTIONS PRESENTED IN ORDER *No.***  
***ICC-02/04-01/15-1820* ON REPARATIONS.**

**Source: The Uganda Association of Women Lawyers (FIDA Uganda)**

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## 1. INTRODUCTION

Transitional Justice has been recognized as one of the emerging forms of justice aimed at promoting reconciliation in the post conflict societies for conflict related crimes. The Transitional Justice framework for Uganda is slowly taking shape with interventions from the outside community in ensuring that justice is served to the survivors/ victims of the armed conflict in the greater North between the National Resistance Army and the Lord's Resistance Army. When Trial Chamber IX of the International Criminal Court (ICC) declared Dominic Ongwen guilty of 61 counts characterized as war crimes and crimes against humanity, committed in Uganda between 1<sup>st</sup> July 2002 and 31<sup>st</sup> December 2005, this demonstrated that that justice is possible, even after so many years with this judgment contributing to emboldening victims in their struggle for accountability and rule of law in Uganda. The provision of reparations for past human rights violations and abuses is a recognized principle of international law that ought to be respected and as such, persons affected by conflict need to be given optimum support to ensure that they enjoy in full equality the same social, economic and political rights as the rest of the Country in consonance with the 1995 Constitution of the Republic of Uganda. *Justice is not done unless some form of compensation or reparation from perpetrators is received by the victims, their families or community members for the wrong.*

The Uganda Association of Women Lawyers (FIDA Uganda) is pleased to give its observations on *specifications of the type and extent of harm suffered by the victims of the crimes for which Dominic Ongwen was convicted together with the types of modalities of reparations appropriate to address the harm suffered by these victims.* These submissions have been informed by research, voices from the community members, key informants such as local and religious leaders together with legislators representing the Acholi sub region in the legislative chambers of the country.

## 2. PROCEDURAL BACKGROUND

1. On 4<sup>th</sup> February 2021, the Trial Chamber IX of the International Criminal Court (ICC) declared Dominic Ongwen guilty of 61 counts characterized as war crimes and crimes against humanity, committed in Uganda between 1<sup>st</sup> July 2002 and 31<sup>st</sup> December 2005. Among these included attacks against civilian population resulting into murder, attempted murder, torture, enslavement, outrages upon personal dignity, pillaging, destruction of property and persecution; sexual and gender-based crimes such as forced marriages, torture, rape, sexual slavery, enslavement, forced pregnancies and outrages against personal dignity committed against some women and conscripting children under the age of 18 years into the Sinia Brigade
2. The ICC also took into consideration the gender perceptions in the case by convicting Ongwen of all the 19 counts of sexual and gender-based crimes including forced marriages, torture, rape, slavery, enslavement, forced pregnancy and outrages upon personal dignity.
3. The Trial Chamber IX of the International Criminal Court issued an Order for submissions on reparations on 6<sup>th</sup> May 2021 by either individuals or organizations.
4. This was responded to by various organizations including the Uganda Association of Women Lawyers. The ICC in its order *No. ICC-02/04-01/15* dated 17<sup>th</sup> June 2021 made a Decision on the requests for leave to submit amicus curiae observations and to this effect granted leave to different organizations including FIDA Uganda to submit observations and it is in this capacity that we submit these observations to the International Criminal Court regarding the specifications of the types and extent of the harm suffered by the victims of the crimes for which Dominic Ongwen was convicted together with types of modalities of reparations appropriate to address the harm suffered by the victims of the crimes for which Dominic Ongwen was convicted.

### 3. SUBMISSIONS

#### 3.1 *Legal and Regulatory Framework on Reparations*

The provisions of the Rome Statute of the International Criminal Court represent a significant landmark for the affirmation of the rights of victims of serious violations in international law. The preamble of the statute gives recognition that “*during this century millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of humanity*”<sup>1</sup> The Court has power to establish principles relating to reparations to, or in respect of, victims including restitution, compensation and rehabilitation. The Court may also make an order directly against a convicted person specifying reparations as it did in Prosecutor Vs Dominic Ongwen.

Internationally, the *United Nations Basic Principles and Guidelines on the Right to Remedy and Reparation for victims of gross violations of International Human Rights Law and Serious Violations of International Humanitarian*<sup>2</sup> emphasizes the need for accountability for crimes and gross violations against victims, victims right to a remedy which includes access to justice, adequate, effective and prompt reparation for harm suffered and access to relevant information concerning violations and reparation mechanisms. The principles adopted on the right to reparation for victims merge international humanitarian and human rights law and further stress the importance of and obligation to implement domestic reparations for victims of conflict. The principles detail the range of components of which reparations consist: namely, restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Uganda has an insufficient legal and policy framework that specifically addresses the issue of reparations for war victims as a vulnerable group, although the country’s constitution does have principles that offer a considerable amount of guidance on the matter. The *1995 Constitution of the Republic of Uganda* provides for the overall legal framework for

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<sup>1</sup> [www.icc.cpi.int](http://www.icc.cpi.int).

<sup>2</sup> 2005 UN *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law*

accountability and reconciliation with *Objective Principle III* taking cognizance of the responsibility of the state and the people of Uganda towards the promotion of national unity, peace and stability the need for efforts towards integration of peoples of Uganda among other things. *Article 24 of the Constitution* provides for the individual right to freedom from any form of torture, cruel, inhuman and degrading treatment or punishment. In line with the spirit of this provisions, in 2012, Uganda domesticated the *Convention Against Torture and Other Cruel, Inhuman Degrading Treatment or Punishment (UNCAT)*, which it had ratified in 1987. This was through enactment of the *Prevention and Prohibition of Torture Act No. 3 of 2012 (Prevention and Prohibition of Torture Act of Uganda)* Article 14 of the UNCAT Article 14 emphasizes the right to fair and adequate compensation to victims of torture including dependents of the dead as a result of the torture. Whereas it is also emphasized under the UNCAT that the right to compensation is not affected by its non-existence in national law, it is important to note that Section 6 of the *Prevention and Prohibition of Torture Act of Uganda* provides for the remedy of reparations, including restitution, compensation and rehabilitation.

*Article 32* of the Constitution stipulates the duty of the state in the realization of the rights of marginalized groups including war victims. In further establishing the state's duty to promote the rights of marginalized communities, *Article 33 (3)* of the Constitution obliges the state to protect women, taking into account their unique status and maternal functions in society; and *Article 33 (5)* stipulates that women shall have the right to affirmative action, for the purpose of addressing imbalances created by history, tradition or custom.

*Article 44* of the Constitution also gives force to the rights and freedoms in as far as they are non-derogable, including the freedom from torture and cruel, inhuman or degrading treatment or punishment, freedom from slavery or servitude among others. *Article 45* of the Constitution also provides an opportunity for Uganda to embrace other rights not specifically mentioned in the Constitution. These may include rights recognized in the implementation of transitional justice processes.

The *Human Rights (Enforcement) Act of 2019* also empowers Courts to make orders including compensation in instances of human rights violations. The Courts are further empowered to



order for restitution of these victims to their original situation before the violation of these rights, rehabilitation of the victims including the provision of medical and psychosocial care together with reparations in form of satisfaction.

Uganda has also passed the National Transitional Justice Policy in 2019 that seeks to address peace, justice, accountability and reconciliation needs of post conflict Uganda. The policy addresses the issue of reparation and the need for Government to establish and implement a reparation programme for victims affected by conflict. This however, seems incomplete without a proper law in place that will breathe life into this policy.

### ***3.2 Understanding of Reparations***

Reparations according to national and international standards consist of five key elements; namely restitution, compensation, rehabilitation, satisfaction (disclosure of truth) and guarantees of non-repetition. The National Transitional Justice Policy of Uganda that was passed in 2019 defines Reparation to mean *redress given to victims of gross or serious human rights violations/abuses*. These can be material and symbolic as well as individual or collective including; monetary form for damages, medical, legal, psychological, reformation of laws, civil and political structures.

Reparation can also be understood as the act of making amends for a wrong one has done, by providing payment or other assistance to those who have been wronged. These are means by which post conflict states can provide redress to victims in the transitional justice process. The major purpose is to acknowledge the legal obligations of a state or individual or group to repair the consequences of violation either because it directly committed them or it failed to prevent them.

Uganda's Policy on transitional justice proposes reparative options like rehabilitation through medical, legal and psychological initiatives, satisfaction/acknowledgment of guilt, apologies, burials and reburials of the dead, guarantees of non-repetition and reformation of laws and civil and political structures. However, many questions remain on the mode of implementation of the propositions in the said policy.

According to the victims, the continued challenges pertaining to reparations have caused

frustrations and psychological challenges on post conflict communities and as such, close scrutiny ought to be made on the parties involved in this process and these include the perpetrators and victims with special consideration given to vulnerable communities such as women and children, elderly persons and People Living with Disabilities (PLWD) with regard to their level of vulnerability.

One of the key challenges in access to reparations has been in documentation of the impact of insurgency on the affected communities, statistical establishment of the survivors and it's because of this that many of the victims of the war have not got redress and the perpetrators are not yet been brought to book save for a few like Dominic Ongwen and Thomas Kwoyelo among others.

It is therefore our understanding that states have a responsibility to provide reparations for human rights violations caused by state agents or by the failure of the states to prevent violations by non-state actors.

### *3.3 Nature of Harm suffered*

The insurgence that affected war victims in Northern Uganda left a traumatic and catastrophic effect on the health and physical wellbeing of people affected by it. This conflict caused mortality, disability and diseases, displacements, social and economics setbacks among others due to disruptions to families and the development of the social and economic fabric of communities. For this region of Northern Uganda, the over twenty years of war had too many effects on the lives of people especially women and girls that interfaced with the rebel groups. The people from various districts had different experiences and lessons to draw.

The harm suffered by the war victims in Northern Uganda especially as a result of the crimes for which Dominic Ongwen was convicted, can be characterized as personal, direct or indirect. Direct victims being those that were victimized directly as a result of these crimes while indirect victims are those that were affected as a result of their relationship with the direct victims. The direct victims affected by the crimes committed by Dominic Ongwen include; women who were sexually abused, those that were taken into sexual slavery, those that were forced into marriages at a very young age and become young mothers among others

while the indirect victims could include family members of these direct victims such as spouses and children, children born out of conflict. Many of these victims of serious violations continue to suffer stigma, social exclusion and re victimization as a consequence of the lack of reparations and assistance in order to overcome the impact of armed conflict. For a majority of these victims, the absence of reparations has impeded their ability to resume their lives and move beyond the trauma they have endured.

The harm suffered by the war victims included loss of life, physical harm, torture, rape, forced marriages and sexual slavery, physical and family displacement, economic displacements, disruption in education system, lack of access to proper medication, single parenthood, lack of income generating activities, stigmatization of children born out of conflict among others. Sexual violence was a weapon of war and had a lot of impact on the generations that still face trauma<sup>3</sup>. At structural level, social and other services were affected by the war, as it disrupted various institutions such as schools and hospitals.

FIDA Uganda in partnership with the Greater North Parliamentary Forum and war victims carried out a data analysis assessment on formerly abducted women and children born in captivity during the war including districts of Gulu, Kitgum, Pajule, Omoro, Pader, Nwoya, Amuru, Agago, Lamwo among others<sup>4</sup>. This was also aimed at enhancing gender just redress and accountability for wartimes violation in Uganda and had a representation of over 2804 females. It was observed that the specific type of harm suffered was physical in nature while others suffered mental harm, illiteracy, displacement, family rejection upon return among others.

FIDA Uganda's assessment visits within the communities of Northern Uganda focused on interaction with the war victims and other key stakeholders such as religious and local leaders (Rwots), it has been observed that there is still general harm that is faced by the people that needs to be remedied. This is due to the fact that there are various children who were born

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<sup>3</sup> FIDA Uganda Data Analysis Report

<sup>4</sup> Data Analysis Report on formerly abducted women and children born in captivity during the war in the region of Sub Acholi.

out of captivity and have for long faced great suffering and lack, there are other victims, especially women, that still have bullets in their bodies. There has been loss of cultural pride and means of economic survival for around 90% of the population due to the war; mental harm evidenced by psychological disorientation as the community continues to grow amid destruction of various institutions such as schools, health centres and cultural institutions.

### ***3.4 Specifications of the type and extent of harm suffered by the war victims***

#### ***a) Physical harm***

The effect of the war on the victims in Northern Uganda left longstanding physical harm to various people including women and children that might not be medically remedied through simple procedure. The violence and trauma that filled the war caused a lot of mistreatments, loss of esteem and thus redefined people’s perspective about life, wherein many have long lost hope for recovery. From our interactions with the communities, some of the victims narrate their ordeal.

Awii Hellen (pseudo name) narrates her story. *“I was among the girls that were distributed to different rebels at the age of 13 years. I was sent to live with Beba Beba with his wife Rosemary. But he told me I should be his wife. He told me to go and make his bed. I made the bed and left but he sent people/ boys after me to take me to him. He got a panga and asked me if I wanted to die. I told him yes, he tore all my clothes and underwear. He tried to penetrate me but failed on the first night. That the second night he succeeded and penetrated my vagina, I could not walk the following day, I bled, and I was in pain and continued bleeding for some time. The sexual intercourse continued with him every other day.”*

Similarly, other victims who were faced with physical harm still nurse injuries up to today.

Joyce Tansa (pseudo name), a lady aged 41 years of age, former resident in the Sinia brigade with Dominic Ongwen narrates that while she was in captivity, she was shot by a rebel in the hip borne as she tried to escape. *“Despite the fact that they removed the bullet from me, I have been disfigured up to today and still experience a lot of pain. The doctors recommend that some other bone has to be removed because they are starting to turn colour black which is more dangerous to my health and therefore recommend that an operation is performed on me. However, I do not have the money to*

*pursue this treatment."*

**b) Mental Harm**

Many of the victims especially those that were sexually abused while in captivity and forced into early marriages still face mental challenges up to today. Their mental health has been harmed and this condition has been escalated by the lack of redress for a very long time. To some, the traumatic experiences of the war have not left them the same since they lost their close families and were left all alone.

**c) Education**

As a result of the war, the level of education among the victims is very low as few of them have gone to school while others went up to basic primary level. It has been noted that some children were born out of captivity with no proper families and as a result, had to fend themselves. Women came back out of captivity with over 1,000 children in addition to close to 1,600 that were born after abduction. Most of the children are not going to school because of failure to afford school fees and yet they do not even have land for cultivation or means of survival. Some of these children lost their parents and close relatives in the war and were left alone at the point of escape out of captivity.

Anapita Jameson (pseudo name) narrates his story, that he watched his mother shot dead sister raped and as he tried to escape, he was terribly beaten on the head which has given him much complications mentally because he experienced internal bleeding and often experiences a lot of headaches. This too requires professional treatment medically but he cannot not even afford the fee. Jameson is a student at university but has to struggle so much to remain in school. *"I was born in captivity and came back from the rebel camp in 2005 with no mother, no father and no sister. I was all alone and I had to depend on the women that I came back with from captivity. As such, I have had so many challenges especially in attaining school since I cannot afford the required education. Like many other children born in captivity, I have to do some work around the villages to ensure that I collect money for school which is hard sometimes."*

**d) The land questions**

For most of the families that returned from captivity, there was no room for settlement given

the mass displacement of people from their ordinary places of residence. When they returned from the war, others were widows and had spouses who had been killed in the war and were rejected by the clans that failed to even allocate them land. In other instances, the father died and there is no land for digging which makes it impossible for some women to support their children to study.

According to the data analysis report, overall, access to land was not possible for the victims. 61.8% of those abducted could not have access to the land as compared to 36.7% who could have access on their return. This was particularly pronounced in Amuru 127 (68.6%), Gulu 441 (78.3%) and Omoro 105) 100.0%. For Agago it was found to be 271 (41.6%).<sup>5</sup>

Land in this region is customary. Most of the victims and the society is governed by a patrilineal arrangement. Most victims found life hard because they could not have access to land for digging. From some of the districts, this was a common response

*“Being a widow mother and a father of the family, I have no land I can settle on; I have to rent to get accommodation”*

In some instances, *“Father died and there is no land for digging and therefore cannot support her children to study”* Others were shunned due to their past *“Is still hard because am still abused that people still call me names”*. Others lacked *“where to go”*. Many cases of husbands divorcing the victims because they came back with children. *“Life is hard because I separated with my husband and have now to pay school fees (which) has become very difficult”*.

It is our submission that most of the victims especially women had their children not going to school because of failure to afford children fees due to lack of land, they had to struggle to live and the community was frequently suspicious of them.

#### ***e) Family rejection***

Many of the victims came back to a life of rejection, with children born in captivity and lacked capacity to neither take care of themselves nor the children. This is characteristically reflected

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<sup>5</sup> supra

in some of the statements below on their return.<sup>6</sup>

Ms. Awor (pseudo name), a former a 39-year-old LRA former abductee who spent 11 years in captivity narrates that *“Upon my return, my life was miserable for I was rejected by my own father. I remember him telling me that I was disowned, saying he never wanted a ‘Joseph Kony child’. My daughter and I were further taunted as killers capable of harming my siblings and told were not part of the family which forced as to move out but life was tough. I am still challenged with catering school fees for my children, rent and more but if a landlord realizes that one is a war victim, all they do is to start stigmatization, some of my children have dropped out of school due to the rampant stigma”*<sup>7</sup>.

Acca Trinity (pseudo name) narrates her story *“I have not yet reached home ever since my return because my cousin experienced a similar arrest upon his return. My presence alone back home made my uncle hold a grudge against me. The only help I got from the government is an issued amnesty card and I do not know why they start talking about victim’s compensation when elections are nearing. All we need is for the government to get our land and allow us to own it. We are not healthy enough and that is something that the government has been redundant about. Therefore, we urge the government to help and cater for our medical bills because we do not have the capacity to do that”*.

**f) Displacement**

To some of the children born out of captivity, there was total displacement with no families and most of them were left on their own. Many of these could not pursue education, did not have places of stay and neither did they have any land for cultivation.

One of these; Odinga (pseudo name), a student from Gulu University narrates that he was born out of captivity and only returned when he was 11 years old. His experience is one of trauma and suffering. *“I was 5 years old when I watched my mother and twin sister die, my mother was raped by 5 energetic men and was later shot at as she tried to escape. I also got severe beatings on the head as I tried to escape and this has up to today affected me as I continue to have severe headaches especially in hot seasons. I also lose my memory sometimes and I cannot remember many things. I was informed by medical personnel in Lachor Hospital that I need to have an operation done on me though*

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<sup>6</sup> supra

<sup>7</sup> Coffee Book published by FIDA Uganda

*I do not have the financial help to do this.”*

### ***3.5 Proposed Mode of Reparation***

It is important to note that most of these crimes were committed many years ago and this could hinder adequate compensation of the harm suffered. Gender disparities and victim participation are some of the key considerations that have to be taken into account in determining the form and structure of reparations mechanisms and the same has to be victim-centered. While non-financial reparations could be recommended such as public acknowledgment of the truth and acceptance of responsibility, it is our submission that reparations should be provided for the physical harm suffered by these survivors, death of their loved ones, sexual violence meted out on the women and girls, psychological trauma and loss of property. This should consider reparations as; fully fledged; conflict sensitive and pertaining to all spheres of life. For example, the education sector, health, roads, livelihood support (for personal wealth) and community access roads need to be worked on. Reparations need to foster individual healing, community cohesion and national level reconciliation

From our assessment of the situation in the Acholi sub-region, the harm suffered is relative and differs across different individuals since most of them suffered different forms of harm. As such, equality is not something that would solve the problem but rather relativism should be employed to ensure that the entire community attains some form of justice. For a meaningful program, it is important that consideration is given to a collective/ community-based mode of reparation rather than on individual basis to ensure that its beneficial to the whole community.

In order to avoid the thought of orphaned development especially from the victims of war, it should also embrace equitable and inclusive resource development. Women should not be left out because they have suffered a lot.

### ***3.6 Proposed criteria and methodology***

*Rule 86 of the Rules of Procedure* establishes as a general principle that “organs of the Court in performing their functions under the Statute or the Rules, shall take into account the needs of all victims and witnesses in accordance with Article 68 (protection), in particular, children,



elderly persons, persons with disabilities and victims of sexual or gender violence". This principle underlines that the ICC must ensure that special consideration is given to vulnerable persons in their proceedings.

The accentuated social stigma, poor mental health and reduced quality of life that survivors of sexual violence faced shows the importance of gender considerations in reparations and assistance measures.

According to Rule 97 (1) of the Rules of Procedure, awards can be determined on an individualized basis or where it deems it appropriate, on a collective basis or both, this the ICC has considered discretion and flexibility to decide how it chooses to approach the matter of reparations.

It is our submission that the situation in Northern Uganda can be characterized as a massive human rights violation and the kind of harm suffered is most likely to be remedied through a collective mode of reparation and where possible handle a few individual cases given the extent of harm suffered by such individuals. This will in a way acknowledge collective harms suffered by the entire community and will be an effective mode. The harm suffered by the community has to as small extent been addressed by the civil society organizations through their various programs but there is still a lot of work to be done.

There is need for equitable and inclusive development of the victims. The reparation program has to be owned by the victims and people should not be imported and we believe that these ought to put into consideration gender aspects to ensure that all victims attain the required justice.

### ***3.7 Types and modalities of reparations appropriate to address the types of harm suffered***

#### *Medical examination and treatment:*

Given the physical harm and trauma faced by many of the victims, it is important that medical assistance is extended to various victims in the community of Northern Uganda. This could be through treatment and awareness camps even offering operations for those that were affected by bullets.

It has also been proposed by some of the victims that the issue of medical insurance would be key in restoration of their health. An example was given that if this form of Insurance is put in general hospitals like Lachor Hospital so that war victims can access it any time and even the same being applicable to referrals to bigger hospitals, this could play a big role.

There is need for a holistic approach towards psychosocial support and this can be broken down to include; children's participation to identify what's good for them, the involvement of parents, caregivers and the general community to understand their roles in the community and how best they can implement the proposed preparation program.

It is therefore recommended by the local leaders and Parliamentarians that rehabilitation centers ought to be constructed to ensure that war victims attain mental sanity. It was observed that some Non-Governmental Organizations had attempted to provide some mental and psychological support to some of the war victims but there is need for properly established structures to ensure proper mental health of these victims.

*Education:*

Due to the fact that many of the children were born in captivity and have no support whatsoever for their education, it is proposed that an education plan should also be drawn especially for children born out of captivity since most of them are not in school because they do not have the school fees and yet many of them are on their own.

There is need to combine a school-based approach with a community-based approach towards ensuring the effective rehabilitation and reintegration into society.

It is proposed by some of the local leaders (Rwot) that the education system can be boosted through construction of schools and vocational centers to ensure that all forms of learning are available to those that desire them. Many of the children that were born out of conflict require an education and yet the financial status of their parents can't let them have one. It was further proposed that scholarships could have an immeasurable impact on individual lives as this could also allow child soldiers deprived of education to return to the classroom and further help ostracized mothers with children born in captivity to rebuild their lives and those of their

families.

*Empowerment skills:*

The education scheme could also be extended to informal institutions to impart appropriate skills, mainly vocational even to the adults such as women which enable them earn a living. This is to help them try to cope and endure courage from their experiences while in abduction. There is also a need to develop a local capacity and basic institutions that can help empower the communities especially women with different skills that can enable them support their livelihood.

It is also proposed that rehabilitation of schools will address skilling of women and youth who saw the burden of war and will assist with the parish model implementation.

*Resettlement:*

A proper assessment ought to be made on the land question in Northern Uganda since its one of the biggest problems in the region following the displacement of many communities. Where a plan is drawn, then there is need for individual entitlements to land.

A proposed plan by the local leaders is the communal purchase of land and construction of communal houses. Adopting the situation in Rwanda, these could be two-bedroom houses which simply give the community places of stay following the displacement of many of them. The same land can also be used for farming to ensure that these families have a sustainable way of survival.

*Compensation Commission:* It is also proposed that a compensation commission is set up in Northern Uganda to figure out a platform for action for human rights and victims' organizations.

*Women*

The situation in the Northern region requires a more gender-inclusive and sensitive approach to reparations to ensure that the voice of women and girls affected by the war is effortlessly heard. There is need to prioritize victims that were affected by sexual and gender-based

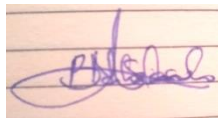
violence given the effects of this on their lives to date. It's as a result of this violence that many of them birthed fatherless children while others carried incurable diseases like HIV/ AIDS that escalated the levels of rejection through stigma. It is important to note that even in areas where the war was merely heard about, HIV/AIDS patients continue to face stigma by virtue of their status. It is our submission that women ought to be supported to cope with the effects of the war on their lives through establishment of health facilities and SGBV shelters to facilitate post-conflict recovery.

There ought to be empowerment of the women survivors to enable them be able to address the efforts taken to have their needs sorted and further be empowered in order to be at be able to address these efforts after all they have borne the brunt of the war. This will also enable them participate in all decision-making processes.

#### 4. CONCLUSION

It is important that individuals receive reparations for serious violations of human rights and a corresponding responsibility of states.

We suggest that even when the ICC puts in place a reparation order, there is need for an assessment and a verification exercise on the actual victims that are to benefit from this reparation program. This will then require involvement of civil society organizations, key stakeholders like community leaders among others to ensure that the right beneficiaries benefit. This is to assess the aspect of the harm suffered and what could ordinarily be done for the individuals through the collective program and will also guarantee transparency in the proposed compensations processes.



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[SUSAN NABATTE  
STRATEGIC INTEREST LITIGATION OFFICER]  
on behalf of  
[FIDA UGANDA]

Dated this 21st December 2021

At [Kampala- Uganda]