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TRIAL CHAMBER II

Before: Judge Chang-ho Chung, Presiding
Judge Péter Kovács
Judge María del Socorro Flores Liera

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF**

THE PROSECUTOR v. THOMAS LUBANGA DYILO

Public Redacted Version

Eighteenth progress report on the implementation of collective reparations as per Trial Chamber II's decisions of 21 October 2016, 6 April 2017 and 7 February 2019

With Confidential *ex parte* Annex A only available to the LRV01, the Trust Fund for Victims and the VPRS and Confidential *ex parte* Annexes B only available to the LRV01, the LRV02, the OPCV and the Trust Fund for Victims

Source: The Trust Fund for Victims

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I. BACKGROUND

1. Following Trial Chamber II's ("Trial Chamber") decisions of 21 October 2016, 6 April 2017 and 7 February 2019, approving, respectively, the programmatic framework for collective symbolic reparations as submitted by the Trust Fund for Victims ("Trust Fund"),¹ the programmatic framework for the service-based collective reparations as submitted by the Trust Fund,² and the Trust Fund's proposal in relation to the process for locating new applicants and determining their eligibility,³ and recalling its previous progress reports in this regard, the Trust Fund hereby submits its eighteenth progress report.

II. CLASSIFICATION OF THE PRESENT SUBMISSION

2. Pursuant to regulation 23 *bis* (1) of the Regulations of the Court, the Trust Fund has classified the report as confidential, and its annexes as confidential *ex parte*, as they contain very detailed information related to operational aspects of the on-going implementation of reparations and sensitive information related to victims.

III. RELEVANT PROCEDURAL HISTORY

3. The Trust Fund recalls the procedural history set out in the Seventeenth progress report on the implementation of collective reparations ("Seventeenth progress report") submitted on 4 May 2022.⁴

¹ Order approving the proposed plan of the Trust Fund for Victims in relation to symbolic collective reparation, 21 October 2016, [ICC-01/04-01/06-3251](#).

² Order approving the proposed programmatic framework for collective service-based reparations submitted by the Trust Fund for Victims, 6 April 2017, [ICC-01/04-01/06-3289](#).

³ Decision Approving the Proposals of the Trust Fund for Victims on the Process for Locating New Applicants and Determining their Eligibility for Reparations, 7 February 2019, [ICC-01/04-01/06-3440-Red-tENG](#).

⁴ Seventeenth progress report on the implementation of collective reparations as per Trial Chamber II's decisions of 21 October 2016, 6 April 2017 and 7 February 2019 ("Seventeenth progress report"), With Confidential *ex parte* Annex A only available to the LRV01, the Trust Fund for Victims and the VPRS and Confidential *ex parte* Annexes B and C only available to the LRV01, the LRV02, the OPCV and the Trust Fund for Victims, 4 May 2022, [ICC-01/04-01/06-3533-Red](#).

4. On 18 May 2022 and 19 May 2022, the Legal Representatives V01 (“LRV01”),⁵ and the Legal Representatives V02 (“LRV02”),⁶ submitted their respective responses to the Seventeenth progress report (respectively (the “LRV01 Response” and the “LRV02 Response”).

5. On 17 June 2022, the Trial Chamber issued the Ninth Decision on the TFV’s administrative decisions on applications for reparations and additional matters (“Ninth Decision”).⁷

IV. PROGRESS REPORT

6. The Trust Fund hereby submits its Eighteenth progress report, with information on the implementation of the collective reparations awards, as well as on the status of admissibility decisions, as guided primarily by the responses to the Trial Chamber’s directions contained in its Ninth Decision of 17 June 2022.

7. The Trial Chamber directed the Trust Fund to provide information, assurances and clarifications in relation to issues addressed under the update on the implementation of collective service based reparations (D).

A. Security Situation

8. Based on the Court’s security assessment shared with the Trust Fund, the security situation in Ituri remains volatile and unpredictable. On 15 July 2022, the DRC Government authorised the extension of the state of siege in the provinces of Ituri and North-Kivu. Armed groups continue to carry out deadly attacks against the Armed Forces of the DRC (“FARDC”) and the civilian population. They are also engaged in fierce battles with each other, including over control of the mining areas around Mongbwalu, amongst others. Their attacks against the civilian population continue to take place on a regular basis. On 9 May 2022, UN Secretary-General António Guterres urged authorities in the DRC to investigate the deadly attacks by an armed group that were reported to have taken place on 8 May 2022 in Djugu Territory, Ituri Province, during which at least 38

⁵ Réponse des Représentants légaux des victimes V01 au dix-septième Rapport sur le progrès de la mise en œuvre des réparations collectives déposé par le Fonds au profit des victimes le 4 mai 2022, 19 mai 2022, [ICC-01/04-01/06-3535-Red](#).

⁶ Réponse des Représentants légaux des victimes du groupe V02 au Dix-septième Rapport sur le progrès de la mise en œuvre des réparations collectives déposé par le Fonds au profit des victimes le 4 mai 2022 (ICC-01/04-01/06-3533-Conf), 18 mai 2022, [ICC-01/04-01/06-3534-Red](#).

⁷ Ninth Decision on the TFV’s administrative decisions on applications for reparations and additional matters, 17 June 2022, ICC-01/04-01/06-3536-Conf.

civilians, including women and children, were reported to have been killed as a result of attacks carried out by the Coopérative pour le développement du Congo (CODECO) at the Blakete-Plitu mining site. More civilians were displaced and reported missing after the attackers set fire to nearby Malika village.⁸ Sources have also reported that an overnight attack on a displaced persons camp outside the town of Fataki in the Djugu region of eastern Ituri province has resulted in the death of at least 14 people, including children.⁹

9. On 26 July 2022, at least 15 people died during a second day of protests in the North Kivu region, including three United Nations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) personnel.¹⁰ On the same day, Secretary-General Guterres issued a statement condemning the fatal attack, and the violence committed since 25 July 2022, including forcibly entering, looting and setting fire to multiple UN bases across North Kivu province.¹¹

B. Public Health Situation

10. The COVID-19 situation is not thoroughly monitored throughout the country. Testing is not systematic, so the available statistics are not very reliable. The Country Office does not report any significant resurgence of new cases. On 14 February 2022, the Government of the DRC has relaxed measures concerning COVID-19 in terms of the previously established curfew. Travellers from outside of the DRC are no longer required to get tested before entering the territory, provided they are fully vaccinated. Although there are no new preventive measures taken by the Congolese Government, other measures previously established by the Government, the UN and the Registry's Occupational Health Unit are still in force and are respected by the TFV during all implementation activities.

⁸ Statement attributable to the Spokesperson for the Secretary-General – on the Democratic Republic of the Congo, 09 May 2022, accessible at <<https://www.un.org/sg/en/content/sg/statement/2022-05-09/statement-attributable-the-spokesperson-for-the-secretary-general-%E2%80%93-the-democratic-republic-of-the-congo-scroll-down-for-french>>

⁹ “DR Congo: Rebels carry out deadly attack on refugee camp in Ituri”, *Aljazeera*, accessible at <<https://www.aljazeera.com/news/2022/5/10/at-least-14-killed-in-eastern-dr-congo-refugee-camp-attack>>

¹⁰ “Guterres strongly condemns attack on peacekeepers in DR Congo which left 3 dead, amid protests”, UN News, accessible at <[Guterres strongly condemns attack on peacekeepers in DR Congo which left 3 dead, amid protests | UN News](#)>

¹¹ Statement attributable to the Spokesperson for the Secretary-General – on the Democratic Republic of the Congo, 26 July 2022, accessible at <[Statement attributable to the Spokesperson for the Secretary-General – on the Democratic Republic of the Congo \[scroll down for French version\] | United Nations Secretary-General](#)>

C. Admissibility Decisions

11. The Trust Fund hereby provides information regarding the tenth transmission of decisions on admissibility as verified by the Board of Directors.

12. During the reporting period, the Trust Fund received two batches of victims' applications from the VPRS, consisting of 235 applications in total.

13. Following verification and adoption of a final list by the Board of Directors, the Trust Fund hereby submits a list of 100 administrative decisions to the Trial Chamber for its approval.¹² In order to facilitate the Trial Chamber's access to the complete files of all applicants,¹³ the Trust Fund will share an Excel table with the VPRS listing all the applicants included in this transmission.

14. To date, out of the 1971 files received from the VPRS since 2019, 737 files are awaiting further processing by the Trust Fund.¹⁴ The Trust Fund issued 1222 admissibility decisions (1122 approved by the Trial Chamber and the 100 hereby submitted), all positive. Therefore, the total number of beneficiaries to date stands at 1547.¹⁵

15. The VPRS continues with the processing of the applications submitted by the cut-off date of 1 October 2021. In conformity with the Ninth Decision, directing the VPRS to finalise the processing of all applications submitted before 1 October 2021 as soon as practicable, the VPRS informed the Trust Fund that it intends to provide the last transmission of applications by 11 August 2022. The Trust Fund commends the support provided to it by the VPRS by processing the data enclosed in the applications, providing it with an assessment in relation to duplications, applicants' identity, age eligibility, and close relationship (for indirect victims).

16. The Trust Fund will continue to process and issue admissibility decisions for the applications submitted before 1 October 2021, with a view to rendering administrative decisions as soon as practicable, and no later than 1 October 2022, as far as it is feasible, in order to comply

¹² See Annex A.

¹³ *Ordonnance enjoignant au Fonds au profit des victimes et à la Section de la participation des victimes et des réparations de donner accès à la Chambre aux nouvelles demandes en réparation*, 30 April 2020, ICC-01/04-01/06-3475-Conf, 20 May 2020, para. 16.

¹⁴ 12 additional applications collected and transmitted relate to victims that Trial Chamber II had already recognized as beneficiaries.

¹⁵ This includes the 425 applications directly assessed positively by the Trial Chamber and excludes the current batch of 100 administrative decisions pending approval.

with the Ninth Decision. On operational matters, the Trust Fund is open to discussing any further feasible deadline it can ensure to comply with every time it is consulted.

D. Update on Implementation of Collective Service-Based Reparations

17. During the previous reporting period, the Trust Fund reported having transmitted a list of 764 beneficiaries to [REDACTED] for intake with the support of the LRV. Out of these 764 beneficiaries, 555 were then benefitting from services while 209 remained unreachable.

18. During the reporting period, the OPCV provided to the Trust Fund updated information for a list of 140 unreachable beneficiaries, which has been in turn submitted to [REDACTED] by the Trust Fund for intake. The LRV01 provided the Trust Fund with a list of 278 additional beneficiaries, which was also submitted to [REDACTED]. The intake process for these 418 victims is currently ongoing. The Trust Fund expects to report on the services they will receive in its next report. This brings the total number of beneficiaries whose details have been transmitted to [REDACTED] for intake at 1042.

19. To date, a total of 555 beneficiaries are currently benefitting from the collective service-based reparations.

20. Reparations received: 90% of the 555 beneficiaries (498)¹⁶ are (have) receiv(ed)ing psychological support, and 76% (421)¹⁷ are (have) receiv(ed)ing medical care. 796 beneficiaries are (have) receiv(ed)ing schooling support for themselves or their dependents (primary school and/or high-school), while 18 beneficiaries and 131 dependents of beneficiaries are (have) receiv(ed)ing support for their university tuitions. 434 beneficiaries, i.e. 78%, have benefitted to date from short or long-term training courses, of which 247, i.e. 44.5%, are benefitting from IGAs.

21. The above mentioned 555 beneficiaries continue to be referred to activities that correspond to their need/harm. In parallel, the Trust Fund and the implementing partner aim to progressively include all the other beneficiaries awaiting intake into the programme without delay.

22. ***Progress of implementation of psychological support and medical care*** – The Trust Fund is of the view that the Ninth Decision addresses the matter raised by the LRV01 in relation to

¹⁶ 154 have received psychosomatic treatment, while 7 were referred to a centre for specialised care. About 400 have participated in general psychological support sessions at least once after the screening session. Over 50 more are expected to start psychosomatic treatment shortly.

¹⁷ 336 have received primary care, while 121 have received secondary care. 12 received prosthesis services with reeducation or other specialised attention.

numbers of beneficiaries benefitting from psychological and medical care. In addition, it is the Trust Fund's understanding that the issue raised by the LRV01 stems from the fact that information they have received, two months before the Trust Fund's Seventeenth progress report, and outside any formal Trust Fund report, does not match with the Trust Fund's report. In relation to this, the Trust Fund confirms that there was no confusion in its prior report. The number presented by the Trust Fund reflects the total number of victims that have been or were still in the psychological support circuit which is the entry of the programme.

23. It is indeed the case that the psychologist may establish, during the first intake session, that certain individuals may not require further sessions, as beneficiaries have experienced various forms of harms which manifest in different ways, considering also the time elapsed and the coping mechanisms they may have developed by themselves. The psychologists are informed of the presumption of psychological harm, in light of their experience and due to the emphasis made by the Trust Fund on this aspect, and are well aware that detection of psychological trauma may require in-depth investigation and an individual approach. Nevertheless, participation in the psychological modality beyond the intake is up to the beneficiary. As a way to ensure that the harm experienced by the beneficiaries is adequately addressed, they are all provided with a contact number they may call in case the need to consult a psychologist arises. As a matter of due diligence, the Trust Fund has reminded the implementing partner to be cautious in relation to the detection of PTSD trauma and to continue adapting their approach to the specific sensitivity of each beneficiary, some of whom may not feel comfortable to open up.

24. On a side note, the Trust Fund underlines that issues such as those raised in the LRV01 Response, which are in essence of an operational and practical nature, are better addressed in the field if directly raised with the Trust Fund for an expeditious intervention. The Trust Fund's experience has been that most often, when issues are raised, a further investigation shows elements that tend to substantially mitigate reported issues. The Trust Fund cautions against the judicialisation of every single matter encountered at a programmatic level which would not be in the spirit of the applicable legal framework in relation to the implementation phase. The Trust Fund's field team is in daily contact with the implementing partner and directly addresses any issue they observe or that is pointed out to them.

25. In this regard, the Trust Fund welcomes the Trial Chamber's reiteration of its instruction to the LRVs to raise and solve directly with the TFV, through the complaints mechanism created

precisely for this purpose, any issue related to implementation of reparations and only bring any such issues to the Chamber's attention after having exhausted all possible avenues for agreement and understanding between the victims, the LRVs, the TFV, and its implementing partners.¹⁸

26. ***Complaints mechanism*** – during the reporting period, 20 complaints were directly addressed through the complaints mechanism centralised by [REDACTED]. In this respect, the Trust Fund would like to report the following information: as part of the mechanism, five beneficiaries complained about delays in their medical intake. Four complaints were addressed to the satisfaction of the complainant, and one situation is still being addressed as no further medical issue stemming from harm and requiring support has been diagnosed while the beneficiary insists to nevertheless receive medical support. Considering the subsistence costs attached to the medical support, the implementing partner has observed that sometimes beneficiaries with no medical need insist on receiving medical support in the absence of any symptoms. The Trust Fund has requested [REDACTED] to make sure that these complaints are still fully investigated in order to ensure that no beneficiary has been misdiagnosed.

27. Five beneficiaries complained that transportation fees were not provided to them. The situation has been redressed and all five have expressed their satisfaction.

28. Four beneficiaries complained about delays in the psychological intake and four beneficiaries contacted [REDACTED] regarding delays in the implementation of socio-economic support. In each of these categories of complaints, two cases were handled to the satisfaction of the complainant and two others should be solved shortly.

29. One beneficiary who paid university fees directly contacted the complaints mechanism to be reimbursed. The reimbursement is to take place shortly.

30. One beneficiary complained about losing their personal goods when attempting to enter [REDACTED]'s premises without an appointment or without having previously attempted to reach the complaints mechanism. At the time of this event, the Project Manager addressed directly the queries presented by the beneficiary. In spite of this, a few days later, the beneficiary reached out alleging the loss of personal goods. The implementing partner is currently addressing the matter with the beneficiary.

¹⁸ Ninth Decision on the TFV's administrative decisions on applications for reparations and additional matters, 17 June 2022, ICC-01/04-01/06-3536-Conf, para. 18.

31. In addition to the complaints addressed through the complaints mechanism, the Trust Fund has also received: (i) a complaint formulated by the LRV01 pertaining to a delay in the intake for socio-economic measures; (ii) a complaint transmitted by the Field Office pertaining to a beneficiary that has been allegedly contacted by a staff member of the National Intelligence Agency, and (iii) an additional complaint related to the second complaint previously mentioned pertaining to the effectivity of the complaints mechanism itself and its accessibility for beneficiaries. All three of these complaints have been addressed and adequately documented. In relation to the second complaint, the Trust Fund is in contact with the relevant authorities to prevent such situations from occurring again and the implementing partner has been encouraged to continue to further inform and assist beneficiaries in this respect. In relation to the third complaint, the Trust Fund has taken remedial measures to ensure that the complaints mechanism put in place is being improved on an ongoing basis, and that it is easily accessible to all beneficiaries.

32. In parallel to the listed complaints, the Trust Fund field staff has been also addressing a number of requests from the LRVs related to the intake of beneficiaries.

33. In all instances in which the beneficiaries are not satisfied, the implementing partner tries to keep an open dialogue and aims to provide a solution to the satisfaction of the victims.

34. The Trust Fund has also followed up with [REDACTED] concerning the various delays that have impacted the intake of some beneficiaries for either psychological, physical or socio-economic measures. It appears that [REDACTED], the implementing partner has been impacted in its capacity to react as expeditiously as planned. The Trust Fund has requested [REDACTED] to ensure that delays are avoided to the extent feasible and is working closely with [REDACTED] to determine effective solutions to address all the above-mentioned issues.

35. During the implementation of activities, [REDACTED] has reported some issues related to the intake of some beneficiaries for which the relevant LRV and the Trust Fund are collaborating to address.

36. *Steps and timeline planned for the integration of the remaining beneficiaries into the programme* – during the reporting period, the Trust Fund and the implementing partner have worked closely together in order to streamline to the largest extent the operational costs of the programme, and to further review the implementing partner's budget proposal for the next

programme year, which is subject to a procurement procedure, including a Procurement Review Committee (PRC) session. The next PRC session is scheduled for 1 September 2022.

37. Following the new reorganisation of the budget, the Trust Fund and [REDACTED] found that the available budget and implementation resources allow for a full intake of 800 direct victims during Year 2 of implementation. They are studying the possibility to proceed with the psychological support related intake for all other victims towards the end of Year 2 so that they may continue with other reparative measure by the beginning of Year 3. The Trust Fund will provide information on further progress in its next progress report.

38. **Indirect victims** – the Trust Fund considers that indirect victims are: (a) individuals having a close personal relationship with a direct victim; and (b) individuals having suffered harm while trying to prevent the commission of the crimes for which Mr Lubanga was convicted. Amongst individuals having a close personal relationship with a direct victim, the Trust Fund observes that there are those individuals that are close family to direct victims benefitting from the reparations programme and those that are close family to direct victims that are not benefitting from the reparations programme, for instance because they have disappeared or are deceased. So far, a number of indirect victims who are part of the sample assessed by Trial Chamber II in 2017 are benefitting from reparative measures. Individuals with a close personal relationship with a direct victim are mothers, fathers, but also sometimes siblings or other individuals having played a parental role for a direct victim when the crimes were committed.

39. In 2018, the Trust Fund had set with the LRV01, the LRV02, and the OPCV a categorisation of indirect victims and the services they could benefit from in the event the Trust Fund manages to collect sufficient funds to complement Mr Lubanga's liability amount.¹⁹ So far, the Trust Fund has managed to raise about half of the liability amount. The Trust Fund continues to endeavour to raise funds in order to ensure that victims benefit from all reparative measures they are entitled to. Meanwhile, the Trust Fund has considered the available budget and came to the conclusion that there is a need to adjust the prioritisation system pending availability of additional funds dedicated to the reparations in the case. Therefore, while victims are entitled to the list of reparative measures discussed with the LRVs in 2018, the Trust Fund envisages to implement a prioritisation as follows:

¹⁹ Annex B.

- (i) All unreachable direct victims and indirect victims having been recognised as beneficiaries by Trial Chamber II in 2017 as well as any remaining victims in urgent need continue to be integrated in the programme and benefit from all reparative measures they are entitled to. The Trust Fund has initially prioritised direct and indirect victims who have been awaiting for reparations for the longest period of time following the notification of their beneficiary status, as well as victims with urgent needs. In light of this, these categories of victims remain first in the order of priority;
- (ii) All additional direct victims continue to be integrated in the programme in order to benefit from all reparative measures they are entitled to. Considering that direct victims have in general by first-hand experience suffered the crimes, the Trust Fund considers that they should all benefit from reparations in priority before any indirect victims (with the exception of those already enrolled in the programme);
- (iii) All indirect victims that suffered harm while trying to prevent the commission of a crime for which Mr Lubanga was convicted have generally experienced both physical and psychological harm. Similarly, indirect victims with a close personal relationship with a disappeared or deceased direct victim may have also experienced the harm more intensely than indirect victims who have not suffered physical harm and whose close family member is alive and in a known location. In general, the latter group, indirect victims with an alive and/or located family member, already benefit from socio-economic support that direct victims are entitled to. The Trust Fund considers to integrate simultaneously with other additional direct victims indirect victims that suffered harm while attempting to prevent the commission of a crime, and indirect victims with a close personal relationship with a deceased or disappeared direct victim so that they can benefit from the reparative measures they are entitled to ;
- (iv) Other indirect victims may integrate in the programme after all the above have been integrated in the programme and will start the intake with psychological support. Progressively, as additional funds may become available, further reparative measures to be provided to them will be considered for implementation.

40. The Trust Fund still considers that the implementation is well underway and that it was able, at this crucial initial stage, to considerably strengthen its own monitoring role as well as the performance of the implementing partner.

41. ***Displaced or unreachable victims*** – So far, the Trust Fund and its implementing partner count a very limited number of displaced victims outside Ituri province. Nevertheless, the Trust Fund observes that more victims that will be taken in the reparations programme from the *Ntaganda* case may also be in a similar situation. From a programme cost point of view, it is neither financially viable to implement each measure of the reparation programme in each location where the victims are displaced, nor was the programme designed in a way to be implemented outside Ituri. In this regard, the Trust Fund would like to underline that it is important to keep in mind the necessity to control programme costs in a way that ensures that the overall quality of services directly provided is not impacted. The Trust Fund is of the view that there is a more substantial need for flexibility in the implementation of reparations for displaced victims outside of Ituri, awaiting the approval of the Trust Fund proposal regarding displaced victims outside of Ituri in *Ntaganda*. The Trust Fund and [REDACTED] will address each displaced victim situation on a case by case basis as there is no other way to already ensure a fully standardised approach that will comply with Trial Chamber II's future decision in *Ntaganda*. For victims who are displaced within the Ituri region, [REDACTED] will continue to address the timing and most appropriate way to implement for them reparative measures implemented in Ituri.

42. Unreachable victims can be integrated into the programme progressively as they are contacted, considering the remaining duration of the programme. LRVs continue to provide the TFV with updated information for those who have been unreachable. The Trust Fund and [REDACTED] are aware that most often, the possibility to reach victims whose contact details have been recently updated generally depends on the area they are in at the moment of a phone call. For this reason, [REDACTED] tries on a weekly basis to reach anew victims who remain unreachable despite having updated contact details. The Trust Fund still considers that the implementation is well underway and that it was able, at this crucial initial stage, to considerably strengthen its own monitoring role as well as the performance of the implementing partner. The Trust Fund is fully aware that continued close monitoring will be required over the next months to ensure that the implementation takes place as approved by the Trial Chamber. In that regard, the Trust Fund does not, in this progress report, raise any question that require consultations with the Trial Chamber in line with regulation 57 of the Regulations of the Trust Fund.

E. Symbolic Reparations

43. As indicated in the Ninth progress report on the implementation of collective reparations,²⁰ and reiterated in the last progress report, the Trust Fund asked the LRVs to inform interested victims about consultations held by the implementing partner in relevant localities. In the reporting period, consultations amongst the communities took place with a view to ensuring that the construction of **symbolic structures**, in the form of commemoration centres that will host *inter alia* interactive symbolic activities remains an adequate measure of symbolic reparations next to the development of **mobile memorialisation** initiatives in communities that will promote awareness raising of the crimes and resulting harms, reintegration, reconciliation, and memorialisation. In these consultations, beneficiary communities agreed on the modality of the construction of community centres. Following these consultations, the implementing partner proceeded to create committees within each locality, constituted by members of the community, including victims, civil society and local authorities, to monitor the construction of the community centres. In parallel, a separate committee made up of community members is envisioned to monitor the overall progress of implementation of symbolic reparations.

44. The Trust Fund has met on several occasions with the implementing partner during the reporting period. The implementing partner is well aware of the context of the symbolic reparations. It had initially participated in the consultation process carried out in 2015 and is positively perceived within the victims' communities. In the course of their various interventions within the communities, including victims in this case, the implementing partner has reported to have persistently reiterated that the objective of the first component of the symbolic reparations is to enable the reintegration and redress of former child soldiers who are victims in the *Lubanga* case by the awareness and acknowledgement of the affected communities of the fact that the enlistment, conscription, and use of child soldiers under the age of 15 is to be considered a crime, causing lasting harm to the former child soldiers and their families and consequently continuing to disturb the well-being of their communities. The additional consultations the implementing partner

²⁰ Annex A to *Neuvième rapport sur le progrès de la mise en œuvre des réparations collectives conformément aux ordonnances de la Chambre de première instance II des 21 octobre 2016 (ICC-01/04-01/06-3251) et 6 avril 2017 (ICC-01/04-01/06-3289) et la Décision du 7 février 2019 (ICC-01/04-01/06-3440-Red)*, 21 April 2020, [ICC-01/04-01/06-3474-AnxA-Red](#).

has held in order to ensure further participation from represented victims were also aimed at addressing this.

45. Multiple exchanges between the Trust Fund and the implementing partner have taken place in the reporting period to determine an agreeable timeline for the construction of the community centres. The timeline has since been adjusted and a new proposal has been presented to the Trust Fund. Construction is expected to commence shortly and end in March 2023. To this effect, the implementing partner envisages to [REDACTED]. The Trust Fund will communicate the final dates to the LRVs in order to ensure that victims wishing to participate may do so. The Trust Fund is currently considering an appropriate way [REDACTED]. Mobile memorialisation activities are also to start this month.

FOR THE FOREGOING REASONS

The Trust Fund respectfully requests the Trial Chamber to take note of the present report.



Pieter W.I. de Baan
Executive Director of the Trust Fund for Victims,

Dated this 4th of August 2022

At The Hague, The Netherlands