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No.: ICC-01/19

Date: 16 December 2022

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

**Public redacted version of the "Sixth Registry Report on Information and
Outreach Activities", 16 December 2022, ICC-01/19-48-Conf**

Source: Registry

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

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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),¹ the Registry submits its sixth 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 Office of the Prosecutor ("OTP"), a system of public information and outreach activities with the affected communities and particularly with the victims of the Situation;² *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 thereafter;³ 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.⁴

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

² Order of 20 January 2020, para. 9 and page 7.

³ Order of 20 January 2020, para. 12 page 7.

⁴ Order of 20 January 2020, para. 12.

3. Between 6 July 2020 and 17 June 2022, the Registry filed five periodic reports⁵ 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 is 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 (17 June 2022 – 16 December 2022)

a. Activities conducted by PIOS

6. During the reporting period, the Public Information and Outreach Section (“PIOS”) continued its “Open Dialogue” series, engaging [Redacted] through remote sessions organised [Redacted]. This activity reached [Redacted]. A second session was held to provide information more targeted at explaining the work of the OTP and its current investigations. Expectations and misconceptions regarding the International Criminal Court (“ICC” and “Court”) remain high. Against this background, PIOS will organise more sessions on specific topics of interest [Redacted] and will

⁵ See last, Registry, “Fifth Registry Report on Information and Outreach Activities”, ICC-01/19-47-Conf, 17 June 2021 (a public redacted version was notified on the same day, ICC-01/19-47-Red), containing references to the previous reports.

continue to answer questions and address concerns on matters such as the victims' rights before the Court. Messages addressed in the previous sessions will also be repeated to ensure that they are properly understood and assimilated.

7. PIOS continued preparations to hold online hybrid information sessions for [Redacted]. Preliminary sessions were held online with [Redacted], in coordination between the Registry and the OTP. A session organized in November 2022 served as a first step in further joint engagements with [Redacted], to ensure constructive participation in future sessions with, amongst others, [Redacted].
8. Furthermore, PIOS held consultations with various [Redacted] in order to discuss possible synergies and ways to better collaborate in order to efficiently relay information regarding the ICC [Redacted]. Joint activities will be proposed to the Registry and they should be implemented in the course of the next reporting period.
9. During the reporting period, PIOS also participated in a project of interactive Questions and Answers (Q&A) videos allowing the voices of ICC staff to be heard directly [Redacted].
10. Finally, PIOS continued engaging [Redacted] to share information on activities and common projects and discuss questions and concerns from the affected communities, as well as possible ways to address them.

b. Activities conducted by VPRS

11. During the reporting period, the Victims Participation and Reparations Section ("VPRS") was not in a position to carry out [Redacted] due to constraints outside its control. It continued to maintain close contact with

various interlocutors via different electronic communication tools and platforms; it also replied to communications and queries from interlocutors who sought information about victim-related matters and relevant judicial developments in the Situation.⁶

12. VPRS remained in contact with legal representatives of victims (“LRVs”), in order to, *inter alia*, exchange information about their respective activities and the situation of their clients. On 13 December 2022, VPRS received a written communication from one LRV team containing updates from their clients [Redacted]. Some of the issues reported are: *i*) the level of knowledge and understanding of the ICC and its processes remains low, with many of the Rohingya believing that the ICC has power over the repatriation process; remote information sessions were reportedly organized by the LRV team, including with representatives from the ICC, the Gambia legal team arguing before the International Court of Justice and the Independent Investigative Mechanism for Myanmar; similarly, information campaigns and training of trainers were organised on how to share information in a dynamic way; the LRV team urged the Registry to actively engage with the Rohingya communities in order to communicate clear and complete information about the Court; *ii*) the security situation in the camps has continued to deteriorate and the LRVs’ clients frequently reported that they feel unsafe, especially those engaging in work with community-based organisations; *iii*) the lack of education opportunities continues to make the LRVs’ clients’ situation particularly dire, with young girls being married to people outside of the camp, traveling for marriage, or being trafficked, as a result of families’ desperation to remove them from the camp environment.

⁶ The content of relevant messages is coordinated between VPRS and PIOS.

13. As previously reported, VPRS maintains relevant connections and networks in order to be able to reach out quickly to its interlocutors in case of any pertinent judicial developments.⁷

B. Subsequent activities

a. PIOS

14. If financial and human resources allow it, PIOS aims to conduct a mission [Redacted] to develop outreach projects and provide training on the ICC, [Redacted] in order to channel funding to projects relating to raising awareness on international justice and on the ICC.

b. VPRS

15. VPRS will organize, as soon as feasible, a mission [Redacted] in order to [Redacted]. At this occasion, the Section intends to continue the dialogue on victims' rights at the next stages of the ICC proceedings. [Redacted]. VPRS will continue to focus on remote tools and ways to perform its functions (e.g. respond to requests for information, provide trainings and application forms for participation and/or reparations upon request through IT means of communication) alongside the aforementioned physical mission engagement, and continue exploring further avenues to this end.

⁷ 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.

16. PIOS and VPRS will continue to work closely together and carry out joint activities whenever possible and relevant.



Marc Dubuisson, Director, Division of Judicial Services

on behalf of Peter Lewis, Registrar

Dated this 16 December 2022

At The Hague, The Netherlands