

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: **22 March 2023**

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 with
PUBLIC Annex A**

**Defence Response to the Additional Submissions on Beneficiaries and Transgenerational
Harm**

Source: Defence for Dominic Ongwen

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

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I. INTRODUCTION

1. The Defence for Dominic Ongwen (‘Defence’) hereby submits its response to the addition information from the Legal Representatives for Victims (‘LRV’), Common Legal Representatives for Victims (‘CLR’) and Trust Fund for Victims (‘TFV’) on the estimated total number of beneficiaries and transgenerational harm as allowed by Trial Chamber IX (‘Chamber’).¹

II. PROCEDURAL HISTORY

2. On 4 February 2021, the Chamber passed judgment on Dominic Ongwen, convicting him of 61 counts of crimes against humanity and war crimes.²
3. On 21 July 2021, the Defence filed its appeal against the convictions.³
4. On 26 August 2021, the Defence filed its appeal against the sentence.⁴
5. On 21 October 2021, the Prosecution,⁵ CLR,⁶ and LRV⁷ filed responses against the Defence’s appeal against the convictions.
6. On 26 October 2021, the Prosecution,⁸ CLR⁹ and LRV¹⁰ filed responses against the Defence’s appeal against the sentence.

¹ Trial Chamber IX, *Decision on the Registry Additional Information on Victims*, [ICC-02/04-01/15-2024](#).

² Trial Chamber IX, *Trial Judgment*, [ICC-02/04-01/15-1762-Conf](#).

³ Appeals Chamber, *Defence Appeal Brief Against the Convictions in the Judgment of 4 February 2021*, [ICC-02/04-01/15-1866-Conf](#).

⁴ Appeals Chamber, *Correct Version of “Defence Document in Support of its Appeal against the Sentencing Decision”*, filed on 26 August 2021, [ICC-02/04-01/15-1871-Conf-Corr](#).

⁵ Appeals Chamber, *Prosecution Response to “Defence Appeal Brief Against the Convictions in the Judgment of 4 February 2021”* ICC-02/04-01/15-1866-Conf, [ICC-02/04-01/15-1882-Conf](#).

⁶ Appeals Chamber, *CLR Observations on the “Defence Appeal Brief Against the Convictions in the Judgment of 4 February 2021”*, [ICC-02/04-01/15-1880-Conf](#).

⁷ Appeals Chamber, *Victims’ Observations on the “Defence Appeal Brief Against the Convictions in the Judgment of 4 February 2021”*, [ICC-02/04-01/15-1883-Conf](#).

⁸ Appeals Chamber, *Prosecution response to Sentencing Appeal Brief*, [ICC-02/04-01/15-1886-Conf](#).

⁹ Appeals Chamber, *CLR Observations on the “Defence Appeal of the Sentence”*, [ICC-02/04-01/15-1885](#).

¹⁰ Appeals Chamber, *Victims’ Observations on the “Defence Document in Support of its Appeals against the Sentencing Decision”*, [ICC-02/04-01/15-1887](#).

7. On 6 December 2021, the Defence,¹¹ Registry,¹² TFV,¹³ LRV¹⁴ and CLRV¹⁵ filed submissions on reparations.
8. On 7 February 2022, the Registry,¹⁶ Prosecution¹⁷ and LRV¹⁸ filed submissions on reparations.
9. On 15 December 2022, the Appeals Chamber pronounced the judgments on the appeals against the convictions¹⁹ and sentence,²⁰ upholding all the convictions and the sentence.
10. On 16 December 2022, the Chamber allowed the Parties and Participants to submit additional observations on specific issues related to the estimated total number of beneficiaries and transgenerational harm.²¹
11. On 17 February 2023, the Defence,²² LRV²³, CLRV²⁴ and TFV²⁵ filed additional submissions on the estimated number of total beneficiaries and transgenerational harm.

¹¹ Trial Chamber IX, *Defence Submissions on Reparations*, [ICC-02/04-01/15-1917](#).

¹² Trial Chamber IX, *Registry's Mapping Report and Submission on Reparations*, [ICC-02/04-01/15-1919](#) with annexes.

¹³ Trial Chamber IX, *Trust Fund for Victims' Observations relevant to Reparations*, [ICC-02/04-01/15-1920](#).

¹⁴ Trial Chamber IX, *Victims' Preliminary Submissions on Reparations*, [ICC-02/04-01/15-1921](#).

¹⁵ Trial Chamber IX, *Common Legal Representative of Victims' Submissions on Reparations*, [ICC-02/04-01/15-1923-Conf](#) with annexes.

¹⁶ Trial Chamber IX, *Registry's Additional Submissions on the Mapping Exercise and Reparations*, [ICC-02/04-01/15-1975](#).

¹⁷ Trial Chamber IX, *Prosecution's Observations on Reparations*, [ICC-02/04-01/15-1976](#).

¹⁸ Trial Chamber IX, *Victims' Further Submissions on Reparations*, [ICC-02/04-01/15-1977](#).

¹⁹ Appeals Chamber, *Judgment on the appeal of Mr Ongwen against the Decision of Trial Chamber IX of 4 February 2021 entitled "Trial Judgment"*, [ICC-02/04-01/15-2022-Conf](#).

²⁰ Appeals Chamber, *Judgment on the appeal of Mr Dominic Ongwen against the decision of Trial Chamber IX of 6 May 2021 entitled "Sentence"*, [ICC-02/04-01/15-2023](#) (with partially dissenting opinion in [Annex I](#)).

²¹ Trial Chamber IX, *Decision on the Registry Additional Information on Victims*, [ICC-02/04-01/15-2024](#).

²² Trial Chamber IX, *Defence Additional Submissions on Beneficiaries and Transgenerational Harm*, [ICC-02/04-01/15-2030](#) ('Defence Submissions').

²³ Trial Chamber IX, *Victims' Additional Submission on the Issues Identified by the Trial Chamber Pursuant to the Forthcoming Order on Reparations, with Confidential ex parte annexes A, B, C and D available to the Registry and Chamber Only*, [ICC-02/04-01/15-2033](#) ('LRV Submissions').

²⁴ Trial Chamber IX, *CLR V Submissions on transgenerational harm and estimated number of potential beneficiaries for reparations*, [ICC-02/04-01/15-2031](#) ('CLR V Submissions').

²⁵ Trial Chamber IX, *Trust Fund for Victims' Submissions pursuant to the "Decision on the Registry Additional Information on Victims" of 16 December 2022*, [ICC-02/04-01/15-2024](#), [ICC-02/04-01/15-2032](#) ('TFV Submissions').

III. SUBMISSIONS

A. Defence response to the total number of potential beneficiaries of the thematic crimes.

12. The Defence notes that the CLRV, LRV and TFV offer no new input in the estimated number of potential beneficiaries of thematic crimes.²⁶
13. Furthermore, the LRV requested permission from the Chamber “to generate information on the group of victims falling under the thematic crimes in lieu of a deliberate mapping exercise...”.²⁷ Noting that the first reparations order came on 6 May 2023,²⁸ there has been plenty of time to generate information on potential beneficiaries under the thematic crimes, even with the restrictions caused by the COVID-19 pandemic. With the utmost respect for everyone, and considering the comments from other Parties and Participants,²⁹ the Defence does not think that further investigations into potential victims will bring to light any further significant numbers.
14. The Defence respectfully requests the Chamber to follow the method calculated by the Defence in its submissions of 17 February 2023 and find the estimated number of potential beneficiaries to be much lower than estimated by the Registry.³⁰

B. Defence responses related to estimated potential beneficiaries from Pajule, Odek, Lukodi and Abok.

15. The Defence notes that the CLRV and TFV offer no new input in the estimated number of potential beneficiaries of the crimes in Pajule, Odek, Lukodi and Abok.³¹ Furthermore, as the LRV does not represent anyone from Pajule IDP Camp, the LRV did not make further submissions on the estimated potential beneficiaries from Pajule IDP Camp.³²
16. Furthermore, the Defence stresses that in the review of the sample victim pool, there were many persons who claimed to have more than one home, meaning that the household estimates determined by the Registry would be inflated.³³ The Chamber must be mindful of the

²⁶ See CLRV Submissions, paras 37-40; LRV Submissions, paras 17-23 and TFV Submissions, paras 15-16.

²⁷ LRV Submissions, para. 23.

²⁸ Trial Chamber IX, *Order for Submissions on Reparations*, [ICC-02/04-01/15-1820](#).

²⁹ See CLRV Submissions, paras 37-40 and TFV Submissions, paras 15-16.

³⁰ Defence Submissions, paras 11-19.

³¹ See CLRV Submissions, paras 37-40 and TFV Submissions, paras 8-14.

³² See generally LRV Submissions, paras 12-16.

³³ For example see a/01762/16 (Pajule), a/01249/16 (Odek), a/05397/15 (Ludoki with 4 huts), a/00181/16 (Abok).

significance of multiple homes for one household when determining the estimated number of beneficiaries.

17. Finally, the High Court of Uganda issued a decision against the Government of Uganda on 21 February 2023. The decision awarded compensation to former landowners in Lagno who owned the property in which many IDP camps were located from 2003-2007. One of the camps listed in the complaint was Abok IDP Camp.³⁴ In the decision, Honourable Justice Alex Mackay Ajji awarded each plaintiff 12,500,000 UGX (€3,092.68).³⁵ The Chamber should order the LRV, CLRV and Registry to determine if any victims are beneficiaries of this award.

i. Pajule

18. The Defence takes issue with the Registry's representation that "thousands of boys and girls were abducted from Pajule at the time of the *attacks* on the camps".³⁶ Mr Ongwen was not convicted for multiple attacks on Pajule; he was convicted for one attack on Pajule on 10 October 2003. While earlier in that paragraph the Registry noted that it conducted its mapping exercise for the correct date, the Registry's choice of language should cause the Chamber to take caution in the extremely high estimated number of 30,000 potential beneficiaries. The Defence questions how many of the persons above the estimated number of residents (*i.e.* 23,800 persons) are included who were in-fact abducted during different attacks. The Chamber advises the Chamber to take a conservative approach when determining how many residents were present during the attack on Pajule IDP Camp.
19. The Chamber should not consider any increases in the number of potential beneficiaries beyond the actual estimated residents of Pajule IDP Camp. The Registry noted that the large number of potential beneficiaries did not include persons who were visiting Pajule IDP Camp because of Uhuru Day.³⁷ While it is most likely that non-residents were at Pajule for the festivities, it is as equally likely that residents left the camp to celebrate with friends and family at other camps, thus negating any increase in the number of potential beneficiaries.

³⁴ See Annex A, pp 4-5.

³⁵ *Ibid.*, pp 7-10 (the bank exchange rate of 20 March 2023 at oanda.com was used to convert the money).

³⁶ Trial Chamber IX, *Registry's Mapping Report and Submission on Reparations*, [ICC-02/04-01/15-1919-AnxI](#), para. 43 [emphasis added].

³⁷ *Ibid.*

20. The Defence advises the Chamber to take a conservative approach when determining the estimated number of potential beneficiaries for Pajule IDP Camp. The Chamber should use the lowest number possible generated by the Registry.

ii. Odek

21. The Registry estimated the number of potential beneficiaries at 6,800-7,500 residents.³⁸ The Defence avers that this number is extremely high considering the mapping exercises conducted by the LRV.³⁹ The mapping exercises undertaken by the LRV produced 2,628 potential beneficiaries.⁴⁰ The Defence worries with such a large disparity that the Registry's estimates are largely inflated without any official records.

22. As with Pajule, the Defence urges the Chamber to take a cautious approach when determining the number of beneficiaries for Odek IDP Camp. The Chamber should not consider the additional persons when determining an estimated number of beneficiaries. It is just as likely that persons were also not at Odek IDP Camp during the attack because they were visiting family and friends elsewhere and not harmed by the attack.

23. The Defence advises the Chamber to take a conservative approach when determining the estimated number of potential beneficiaries for Odek IDP Camp, leaning more toward the determination by the LRV.

iii. Lukodi

24. The Registry estimated the number of potential beneficiaries at 6,000 residents.⁴¹ The Defence avers that this number is extremely high considering the mapping exercises conducted by the LRV.⁴² The mapping exercises undertaken by the LRV produced 3,656 potential beneficiaries.⁴³ The Defence worries with such a large disparity that the Registry's estimates are largely inflated without any official records.

³⁸ Trial Chamber IX, *Registry's Mapping Report and Submission on Reparations*, [ICC-02/04-01/15-1919-AnxI](#), para. 36.

³⁹ LRV Submissions, paras 12-16.

⁴⁰ See LRV Submissions, para. 15 and Trial Chamber IX, *Decision on the Registry Additional Information on Victims*, [ICC-02/04-01/15-2024](#) para. 18 (noting that not all of the potential beneficiaries of Odek are not represented by the LRV).

⁴¹ Trial Chamber IX, *Registry's Mapping Report and Submission on Reparations*, [ICC-02/04-01/15-1919-AnxI](#), para. 35.

⁴² LRV Submissions, paras 12-16.

⁴³ See LRV Submissions, para. 15 and Trial Chamber IX, *Decision on the Registry Additional Information on Victims*, [ICC-02/04-01/15-2024](#) para. 18 (noting that not all of the potential beneficiaries of Odek are not represented by the LRV).

25. The estimated number of potential beneficiaries, as determined by the LRV, appears to be more in line with the size of Lukodi IDP Camp, especially when the Chamber considers that approximately 26.3% of the victims in sample victim pool from the Registry said that they had multiple huts.⁴⁴ If one were to use the conservative estimate of the Registry, and multiply it by 73.7%, the Chamber would reach a number of 3,538 estimated victims, which is awfully close to the LRV's estimate shown above.⁴⁵
26. The Defence advises the Chamber to take a conservative approach when determining the estimated number of potential beneficiaries for Lukodi IDP Camp, leaning more toward the estimates provided by the LRV.

iv. Abok

27. The Registry estimated the number of potential beneficiaries at 13,000 residents.⁴⁶ The Defence avers that this number is high considering the mapping exercises conducted by the LRV.⁴⁷ The mapping exercises undertaken by the LRV produced 11,185 potential beneficiaries.⁴⁸ The Defence worries with such a significant variance that the Registry's estimates are inflated without any official records.
28. The Defence notes that the Registry does not give an estimated number of households for Abok. The Defence highlights though that the records of the victim sample pool from Abok demonstrates that 29.3% of the victims in the sample pool had more than one hut.⁴⁹ The Defence urges the Chamber to use caution as information related to households is missing, and could prove to be a significant factor as a significant number of households had multiple homes.
29. The Defence advises the Chamber to take a conservative approach when determining the estimated number of potential beneficiaries for Abok IDP Camp, and that the Chamber should use caution and estimates on the lower end of the spectrum.

⁴⁴ See a/05397/15 ("the LRA had burnt my four (04) huts..."; a/05578/15 ("my two houses got burnt..."); a/05675/15 ("My houses were also burnt..."); a/06489/15 ("The rebels burnt all my huts..."); and a/06660/15 ("The LRA burnt 02 huts...").

⁴⁵ This number is figured out by 800 households, multiplied by 6 persons per household, then multiplied by 73.7%.

⁴⁶ Trial Chamber IX, *Registry's Mapping Report and Submission on Reparations*, [ICC-02/04-01/15-1919-AnxI](#), para. 39.

⁴⁷ LRV Submissions, paras 12-16.

⁴⁸ See LRV Submissions, para. 15 and Trial Chamber IX, *Decision on the Registry Additional Information on Victims*, [ICC-02/04-01/15-2024](#) para. 18 (noting that not all of the potential beneficiaries of Odek are not represented by the LRV).

⁴⁹ See a/00052/16; a/00055/16; a/00181/16; a/00360/16.

C. Defence responses related to transgenerational harm.

30. The Defence adopts its arguments made on 17 February 2023 in relation to transgenerational harm and puts forth further arguments herein where needed.⁵⁰

i. The scientific basis for the concept of transgenerational harm.

1. Comments on the LRV's Submissions

31. The LRV's first quotation⁵¹ starts with an inspiring opening paragraph from a research paper. Immediately following the quotation, the authors go on to elaborate that:

Many examples have been reported for trans-generational epigenetic effect in which environmental exposures lead to heritable phenotypic changes that pass through male, female and sometimes both germlines. Some of these factors are chemical agents, others involve irradiation, and others involve enriched (or impoverished) environments in mice and in humans. Whether genetic factors modulate susceptibility to trans-generational inheritance for these environmental exposures is unknown, but strain specificities in model organisms raise this possibility.⁵²

Interestingly, nowhere in the charges or evidence does anyone allege that Mr Ongwen, or the LRA for that fact, exposed persons from any of the IDP camps or the thematic crimes to chemical or irradiating agents during the war. Furthermore, issues related to malnutrition is one that permeated the entire war, not merely because of one attack. Epigenetic effects from malnutrition does not come because of being hungry for a day or two,⁵³ but over an entire season, which is something which goes beyond the crimes for which Mr Ongwen was convicted and is more to blame on the Government of Uganda for creating the IDP camps. Any inheritable changes caused by environmental factors of the war cannot be blamed, and reparations cannot be assessed, against Mr Ongwen.

32. In paragraphs 25-26 of the LRV Submissions, the LRV admits that "there is no exposure widely accepted to cause transgenerational epigenetic effects in humans" when referencing another scholarly article.⁵⁴ A plain language reading of this article highlights that

⁵⁰ See Defence Submissions, paras 21-42.

⁵¹ LRV Submissions, para. 24.

⁵² Vivki R. Nelson and Joseph H. Nadeua, [Transgenerational Genetic Effects](#), Epigenomics, December 2010, p. 3 [internal citations omitted].

⁵³ See Gunnar Kaati, Lars Olov Bygren, Marcus Pumbrey and Michael Sjöström, [Transgenerational response to nutrition, early life circumstances and longevity](#), 25 April 2007 in European Journal of Human Genetics (cited by Nelson and Nadeua at footnote 53)

⁵⁴ LRV Submissions, paras 25-26 (citing Devakumar *et al.*, [The intergenerational effects of war on the health of children](#), BMC Medicine 2014, volume 12, article 57).

transgenerational harm is not a generally accepted science at this time, and that children specifically are better at buffering themselves from the exposures to harm which are associated with the still developing science.⁵⁵

33. Finally, the LRV points to one last article in the attempt to demonstrate transgenerational harm. Much to the Defence's surprise, this article was not written by a research scientist, a doctor or a medical professional – it was written by a professor of law at the University of Technology in Sydney. While flamboyant and well written, it offers little about the scientific basis for transgenerational harm, merely a legal opinion and perspective of it.

2. CLRV Submissions

34. The CLRV stated that “[a]ll four experts provided detailed information on the trauma suffered by victims of the LRA in Northern Uganda during the period of the charges, on its impact on their offspring and how the effects of those crimes materialise on the community as a whole, including on the next generations.”⁵⁶ Like above, the Defence takes issue with the CLRV's wording, especially as Mr Ongwen was not charged with starting the war or leading the LRA during the charged period. Her choice of words express to its readers that she wants Mr Ongwen to pay for all harms done to persons of the crime site locations, regardless of any connection to the charged crimes. Mr Ongwen is categorically not responsible for the “trauma suffered by victims of the LRA in Northern Uganda during the period of the charges”; Mr Ongwen is responsible for the crimes for which he was convicted.
35. With respect to the CLRV, she presents arguments mostly based on findings of long-term trauma and torture, not isolated incidents. The citations are about the Holocaust,⁵⁷ repeated domestic and political violence and “repeated and prolonged stress of a social or interpersonal nature” in the Asian-Pacific Islander in San Francisco.⁵⁸ The CLRV offers almost no explanation to the Chamber as to how persons who are affected by a singular attack undergo problems related to transgenerational harm. The Defence postulates that this information is

⁵⁵ See Devakumar *et al*, [The intergenerational effects of war on the health of children](#), BMC Medicine 2014, volume 12, article 57 in the section entitled “Intergenerational associations”.

⁵⁶ CLRV Submission, para. 12.

⁵⁷ See CLRV Submission, fns 3 (two citations), 5, 7 and 8.

⁵⁸ Birth-Melander (P.), Chowdhury (N.), Jindal (C.), & Efrid (J.T.), *Trauma Affecting Asian Pacific Islands in the San Francisco Bay Area*, International Journal of Environmental Research and Public Health, Vol. 14(9), p. 1053 (cited by the CLRV at fn. 5).

missing as there is little to no hard data to show transgenerational harm caused by a singular attack.

3. TFV Submissions

36. The TFV offers little insight as to whether transgenerational harm is an established science. The TFV states that, “multiple studies conducted by different researchers have demonstrated an increased risk for children to develop post-traumatic stress disorder (“PTSD”) as adults in the situation where their parents are suffering from PTSD themselves”, but it cites to only two (2) studies from 2009 and 2010.⁵⁹ It then immediately states that there are credible researchers who disagree with the epigenetic transmission theory of transgenerational harm. The Defence urges the Chamber to take note of this and decide that the epigenetic transmission theory of transgenerational harm it is not a settled science.
37. For the social transmission theory of transgenerational harm, the TFV does nothing more than state that there a theory. It does not state the scientific basis for it. As such, the Chamber should disregard the TFV Submission in this regard.

4. Conclusion

38. The Defence respectfully submits that the LRV, CLRV and TFV have failed to prove a strong scientific basis for transgenerational harm, especially as it applies to the case-at-bar. A significant amount of the research discusses the possibility of transgenerational harm, especially over prolonged periods of violence and trauma, but offers little in terms of isolated for which Mr Ognwen was convicted.⁶⁰ As such, the Defence urges the Chamber to conclude that it will not take into account transgenerational harm in its decision on reparations.

ii. The evidence needed to establish transgenerational harm.

39. The LRV dedicates little to this topic. It is two (2) long quotes and three (3) short paragraphs.⁶¹ The CLRV wrote nothing.

⁵⁹ TFV Submissions, para. 20 and fn. 23.

⁶⁰ The Defence refers to counts 1-49.

⁶¹ LRV Submission, paras 28-30.

40. The Defence asserts that if the Chamber decides that transgenerational harm exists, it must be incumbent on the victim to prove that their problems started when the crime occurred and that the victim's problems are mostly caused by the crime for which Mr Ongwen was convicted.
41. The alleged victim must be required to show tangible medical records proving said problems, preferably before Mr Ongwen surrendered in January 2015, and that they were directly caused by one of the 61 crimes for which Mr Ongwen was convicted. If a person alleges that they were malnourished and it caused birth defects, or a miscarriage, the alleged victim must be required to show how she was eating properly long before, and up to, the time of the crime for which Mr Ongwen was convicted.

iii. What are the evidentiary requirements for an applicant to prove transgenerational harm.

42. The Defence asserts that the Chamber must not use a presumption test when determining whether someone suffers from transgenerational harm. It is completely inane to presume that every single problem happening after the crime(s) caused or afflicted by someone who was a direct victim a conviction against Mr Ongwen should receive reparations. If the Chamber approves a presumption test, the flood gates will open. The Chamber needs to put its proverbial foot down on this far-reaching request.
43. The Defence reminds the Chamber of its short submission on the evidentiary requirements for an applicant to prove transgenerational harm.⁶² The Defence cannot stress enough the need for the alleged victim to prove that their problems are mostly attributed to the crimes for which Mr Ongwen was convicted. These camps were attacked many times,⁶³ and if one wants to receive reparations solely based on transgenerational harm, they must be required to prove the harm through one of the convictions.

iv. The need, if any, for a psychological examination of applicants and parents.

44. The Defence reminds the Chamber of its short submission on the evidentiary requirements for an applicant to prove transgenerational harm.⁶⁴ The Defence makes no further submissions on this topic.

⁶² Defence Submissions, para. 25.

⁶³ Pajule [XXX]; Odek [XXX]; Lukodi [Lukodi]; and Abok [XXX].

⁶⁴ Defence Submissions, paras 26-31.

v. The need, if any, to exercise caution in assessing applications based on transgenerational harm.

45. The Defence reminds the Chamber of its short submission on the evidentiary requirements for an applicant to prove transgenerational harm.⁶⁵ The Defence makes no further submissions on this topic.

vi. Whether Mr Ongwen is liable to repair such harm in the specific context of the case.

46. The Defence reminds the Chamber of its short submission on the evidentiary requirements for an applicant to prove transgenerational harm.⁶⁶ The Defence makes no further submissions on this topic.

IV. CONCLUSION

47. The Defence asserts that the Chamber should not take into account alleged harms of transgenerational harm as the science is neither proven to any standard acceptable to an international court nor is there a consensus among the scholars/professionals. To allow transgenerational harm to add beneficiaries to Mr Ongwen's reparations would go against the intent of the drafters of the Rome Statute and its guiding documents.

Respectfully submitted,



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Chief Charles Achaleke Taku
On behalf of Dominic Ongwen

Dated this 22nd day of March, 2023

At Maryland, United States of America

⁶⁵ Defence Submissions, paras 32-37.

⁶⁶ Defence Submissions, paras 38-42.