

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 31 May 2021

TRIAL CHAMBER IX

Before:

Judge Bertram Schmitt-----
 Judge Péter KovácsTitle
 Judge Raul C. PangalanganTitle
 Choose ICC Judge...Title
 Choose ICC Judge...Title

SITUATION IN UGANDA

IN THE CASE OF
THE PROSECUTOR v. Dominic Ongwen

Public Document

Public Order for Submission of Reparations

Source: [Acholi Religious Leaders Peace Initiative (ARLPI)]

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

The Office of the Prosecutor

[Ms Fatou Bensouda
Mr James Stewart]

Counsel for the Defence

[Mr Krispus Ayena Odongo]

Legal Representatives of the Victims

[Mr Joseph Akwenyu Manoba
Mr Francisco Cox]

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

[Ms Paolina Massidda]

**The Office of Public Counsel for the
Defence**

[2 names maximum]

States' Representatives

Competent authorities of the Republic of
Uganda

Amicus Curiae

REGISTRY

Registrar

M. Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

Mr Pieter de Baan

1. Introduction

The Acholi Religious Leaders Peace Initiative (ARLPI) respectfully request the leave to submit *amicus curiae* submission on reparations in pursuant to Rule 103 of the Rules of Procedure and Evidence (the 'Rules'), and regulations 24*bis*, 34 and 38(2) of the Regulations of the Court (the 'Regulations'), in the situation in Uganda in the case of the Prosecutor v. Dominic Ongwen (hereafter referred to as '*the request*').

ARLPI is an interfaith peace building and conflict transformation organization that was formed in 1997 and inaugurated in February 1998 to provide a proactive response to the conflict in Northern Uganda.

ARLPI brings together the religious leaders of the 7 different religious denominations that is Anglican, Catholic, SDA, Born Again, Islam, United Methodist Church and Orthodox and their respective constituencies, namely; Diocese of Northern Uganda, Diocese of Kitgum, the Church of Uganda, the Archdiocese of Gulu, the Orthodox Diocese of Gulu (North) and all Eastern Uganda, Acholi Muslim district, Kitgum Muslim District, Northern Uganda Mission of the Seventh Day Adventists (SDA) Acholi sub region, the National Fellowship of Born Again Pentecostal Churches Acholi sub region and the United Methodist Church, Acholi sub region; to participate effectively in transforming conflict through mediation, reconciliation and transitional justice. Inspired by their faith, the religious leaders come together for a common course to advocate for and lead their followers (flock) out of the violent conflicts in the religion.

ARLPI has grown from small Core team members with a small secretariat to a governing body with Technical Committees and well established secretariat. ARLPI's program has also grown covering the districts of Acholi sub region and beyond and networking with other organizations and the government. The Head Office and secretariat of ARLPI is in Gulu headed by the Secretary General.

ARLPI has focused on dialogue and mediation initiatives between conflicting communities within Acholi land and its immediate neighbors; Lango, Teso, Karamoja, West Nile region and South Sudan. Religious leaders advocated for a peaceful resolution to the conflict in Northern Uganda at local, national and international levels while carrying out community based peace building activities. In 2005, the women empowerment strategies (WES) was incorporated to empower the women to positively contribute to engendering conflict resolution, human rights, sustainable peace, transitional justice and reconciliation process in Acholi sub-region and compliment the work of the religious leaders.

During the Juba peace talks between the Government of Uganda and the Lords Resistance Army (LRA) ARLPI played an advisory and observational role that led to successful signing of all the agreements except the last one which was supposed to be signed by the LRA leader and the President of the Republic of Uganda. So far most of the agreements have been implemented with ARLPI taking role in the implementation of most of them. ARLPI contributed in initiating the Amnesty bill which was later adopted by Parliament and government of Uganda into the Amnesty law that saw very many victims returned from LRA captivity and reintegrated into their communities.

Even before the end of the LRA war and before the recent sentencing of Dominic Ongwen ARLPI supported and continue to support the reparation of many victims of the LRA war by receiving them from captivity, rehabilitating them in their communities, sponsoring them in schools, establishing Income Generating Activities (IGA) for them, building monuments and organizing annual memorial prayers in the LRA massacre sites in an effort to make the victims coupe up with life and live a decently.

When the trial of Mr. Ongwen started, ARLPI was represented by top religious leaders in The Hague at least three times to follow the proceedings in order to be able to come back home to encourage the people of Acholi to support the trial of Mr. Ongwen. Back at home ARLPI participated with the ICC Outreach Office to hold community sensitizations and update the communities on the progress in the case of Mr. Ongwen. They also participated in regular meetings in Gulu with the ICC and receive updates to be relayed to the communities in an accurate manner.

2. PROCEDURAL HISTORY

On 4 February 2021, the Chamber convicted Mr Dominic Ongwen ('Mr Ongwen') for the Commission of 61 counts of crimes against humanity and war crimes.

On 6th May, 2021, the Chamber sentenced Dominic Ongwen to a joint sentence of 25 years of Imprisonment. (Public Order for Submissions on Reparations, 6 May, 2021, No. ICC-02/04-01/15)

The Chamber notes that 4,095 victims were authorised to participate in the case pursuant to Article 68 (3) of the Statute and are currently represented by two teams of legal representatives. In the case of the Prosecutor v. Dominic Ongwen – (Public Order for Submissions on Reparations 6 May, 2021, No. ICC-02/04-01/15)

3. THE APPLICABLE LAW

Rule 103 (1) of the RPE provides that 'At any stage of the proceedings, a Chamber may, if it considers it desirable for the proper determination of the case, invite or grant leave to a State, organisation or person to submit, in writing or orally, any observation on any issue the Chamber deems appropriate.'

The RPE foresee that unsolicited applications can be submitted by States, organisations, or individuals interested in addressing issues of consequence to the proceedings.

4, THE SUBMISSION

ARLPI's submission will assist Trial Chamber IX in determining the most affected victims and the specific types and extent of harms suffered, types and modalities of reparations most appropriate to address individual and collective harm suffered by the victims of the crimes for which Mr. Ongwen was convicted and concrete estimates as to repair the harms suffered by the victims.

Or observation will focus on the following aspects of reparations ;

We will conduct a survey and generate a list of the victims or groups of victims with specific types and extent of the harm suffered of the crimes for which Dominic Ongwen was convicted and prioritise these so that they get reparations in the order of priorities

We will suggest the types and modalities of reparations both individual and collective that are appropriate to address the harms suffered by victims for the crimes for which Dominic Ongwen was convicted. We'll draw experience from what we and other stakeholders did on reparations in the past but also take into account that it fits within the Uganda government framework as well as that of the ICC and the Rome Statute. This will be accompanied by concrete estimates of the costs to repair the harms suffered by the victims in light of the most appropriate and practical modalities for addressing them.

In conclusions, when these reparation modalities are implemented they will go a long way in repairing the harms that were caused to the victims, it will console the victims and regenerate their lives to a decent level. It will serve as justice for the long awaited crimes and atrocities that were caused to the victims. Among other organisations, ARLPI stands a better chance of implemented these reparation modalities and we pray that we are leave to submit our observations.

5, RELIEF SOUGHT

ARLPI respectfully request the Pre-Trial Chamber for leave to submit *amicus curie* observations on reparations for victims of LRA in the case of Dominic Ongwen in particular the importance types and modalities of reparations appropriate to address the harm suffered by the victims for the crimes for which Mr. Ongwen was convicted, and how such redress and rehabilitation program can potentially address multidimensional harm of individual beneficiaries for the purpose of reparation.

Respectfully submitted,



[Mr Lokwiya Francis
Secretary General

on behalf of
Acholi Religious Leaders Peace Initiative

Dated this 30 May 2021

Gulu Uganda

At [place, country]