

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/04-01/15
Date: 6 November 2025

TRIAL CHAMBER II

Before: Judge María del Socorro Flores Liera, Presiding Judge
Judge Kimberly Prost
Judge Nicolas Guillou

SITUATION IN UGANDA

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

Public

CLRV's Response to the Registry Request for Extension of Time

Source: Office of Public Counsel for Victims

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

☐ The Office of the Prosecutor

☐ Counsel for the Defence

☒ Legal Representatives of the Victims

☐ Common Legal Representatives for Victims

☒ The Office of Public Counsel for Victims

☐ The Office of Public Counsel for the Defence

☒ Trust Fund for Victims

REGISTRY

☒ Registrar

Mr Zavala Giler, Osvaldo

☒ Victims Participation and
Reparations Section

I. PROCEDURAL HISTORY

1. On 28 February 2024, Trial Chamber IX issued the Reparations Order (the “Reparations Order”), finding that at least 49,772 individuals were potential eligible beneficiaries for reparations, awarding collective community-based reparations focused on rehabilitation, and symbolic and satisfaction measures, and setting Mr Ongwen’s liability at EUR 52,429,000.¹

2. The Trial Chamber also directed the Registry to complete the identification of beneficiaries, the assessment of their eligibility and the notification of the outcome of their application (together the “Administrative Eligibility Process”) within two years from the issuance of the Reparations Order.²

3. On 31 October 2025, the Registry submitted a Request for Extension of Time (the “Registry Request”), seeking a postponement of the originally set deadline of 28 February 2026³ to continue the Administrative Eligibility Process. The Registry further informed the Chamber that it will set the date of 15 December 2025 as “*the final deadline for all input from the victims’ legal representatives for participating victims*”.⁴

¹ See the “Reparations Order” (Trial Chamber IX), [ICC-02/04-01/15-2074](#), with Annexes I, II and III, 28 February 2024 (the “Reparations Order”).

² *Idem*, paras. 810 and 813.

³ See the “Registry Request for Extension of Time”, [No. ICC-02/04-01/15-2111](#), 30 October 2025, para. 25 (the “Registry Request”).

⁴ *Idem*, para. 26.

II. OBSERVATIONS

4. The CLRV submits, first, her observations on the Registry Request and subsequently addresses two matters related to the reparations process.

a. Request for extension of time

5. The CLRV takes note of the challenges outlined in the Registry Request and of the fact that so far only 5% of the estimated total conservative number of potential beneficiaries have been identified and assessed, 21 months after the issuance of the Reparations Order.⁵

6. She observes that the current pace of progress is significantly slower than anticipated, despite the absence of unforeseeable circumstances such as an upsurge of violence or security concerns in the country. She further emphasizes that, given the nature of the reparations awarded —namely, collective reparations— no individualized or complex eligibility assessments are required.⁶

7. While the limited number of potential beneficiaries identified thus far is regrettable, the CLRV does not oppose the requested extension of time. She considers that a number of eligible individuals remain to be identified and that excluding them solely because the Court was unable to reach them within the prescribed timeframe would contravene the purpose of reparations proceedings, as well as the spirit of the Reparations Order and the “do no harm” principle.

8. However, considering that the Registry indicates that it has now put in place a system allowing to speed up the process,⁷ she posits that a maximum of one (1) year extension is justified in the circumstances.

⁵ See the Reparations Order, *supra* note 1, para. 800.

⁶ *Idem*, para. 809 (c).

⁷ See the Registry Request, *supra* note 3, paras. 17 and 19-22.

b. Matters related to the reparations process

(i) Submission of information to the Registry and procedure for resumption of action

9. Concerning the deadline of 15 December 2025 set by the Registry to receive all input from the legal representatives of participating victims, the CLRV informs the Chamber that it appears reasonable and she will endeavour to provide the remaining information for her clients by that time limit.

10. The CLRV also informs the Chamber that, because of the time elapsed since the commission of the crimes, a number of participating victims has died. Regrettably, it is anticipated that additional victims will pass away as time continues to progress and as the reparations programme is still to be implemented. Said situation calls for the establishment of a systematic centralised procedure.

11. So far, the CLRV has collected the required documentation and transmitted it to the Registry.⁸ However, considering the framework set in the Reparations Order, a progressive disengagement of the legal representatives in the process has to be envisaged at this stage. Therefore, concerning resumption of action, after the deadline of 15 December 2025, when informed about the passing of a participating victim, the CLRV will transmit said information to the Registry, informing the concerned individuals that they will be contacted by the Registry to discuss the most appropriate way to resume the action.

12. This approach in which the Registry progressively takes over the tasks of ensuring the completeness of the files, including for participating victims, is indeed in line with the Reparations Order which (i) indicates that the legal representatives shall simply ensure the referral of their clients to the reparations programme; and (ii) provides for the continuous involvement of the Office of Public Counsel for Victims

⁸ See the Reparations Order, *supra* note 1, paras 511-515.

to support applicants assessed ineligible. A similar approach was also adopted in the *Ntaganda* case.⁹ Said approach will foster coherence, as well as administrative and judicial economy with the Registry being responsible for the totality of the Administrative Eligibility Process.

(ii) Establishing the victims' identity

14. For a number of victims, the CLRV submitted a National Identification Registry Authority ("NIRA") Form for the purpose of establishing their identity. The NIRA Form is the official document required to initiate the process of obtaining a national identity card. Submission of said Form ultimately results in the persons receiving their identity document.

15. On 31 October 2025, the Registry has advised the CLRV that it considers said Forms insufficient to establish the identity of the applicant because they are *"available on NIRA's website and filled out by applicants themselves (without any indication of acceptance by the relevant authority)"*.¹⁰

16. In this regard, the CLRV informs the Chamber that the Ugandan Government is currently undertaking a "Mass Enrolment" to renew 15.8 million cards expired in June 2025 and register 17.2 million Ugandans citizens. To facilitate the process, NIRA personnel is deployed to each parish in the country. Normally, citizens complete the Form in the presence of a NIRA officer. The completed Form is then provided to the applicants who will be subsequently invited to a designated NIRA office to collect their identity cards. Local authorities, such as LC1 Chairmen, council members and defence secretaries, assist in the identification and registration of individuals.¹¹ From information provided by the Field Assistant to Counsel based in the country, it appears

⁹ *Idem*, para. 807.

¹⁰ Email from Registry to the CLRV dated 31 October 2025 at 8:26am.

¹¹ See information available at the following link: <https://www.nira.go.ug/publications/press-release-on-mass-enrolment-and-renewal-exercise> (last consulted on 5 November 2025).

that citizens applying for an identity document for the first time must complete the Form in the presence of NIRA personnel and are issued a document to be filled out by the LC1 of their village for recommendation and that must be subsequently endorsed by security officers of both their sub-county and district. Upon obtaining this documentation, the applicants return that letter to NIRA to complete the process of registration.

17. In light of these circumstances, the CLRV has asked the Registry that applicants who provided a NIRA Form to prove their identity and whose files are otherwise complete are treated as eligible, pending submission of a valid ID at the time of intake into the reparations programme. The Registry could communicate this requirement to the applicants at the time of notification of the eligibility assessment.

18. The CLRV posits that this pragmatic approach promotes efficiency and administrative economy, while safeguarding the integrity of the reparations process. Under this proposal only victims who subsequently provide a valid ID will benefit from reparations. This would also prevent the unnecessary expenditure of significant financial and human resources in attempting to secure additionally documentation, pending receipt of the identity cards.

Respectfully submitted.



Paolina Massidda

Dated this 6th day of November 2025

At The Hague, The Netherlands