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**International
Criminal
Court**

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Date: 13 April 2026

Before :

Judge Beti Hohler, Presiding Judge

Judge Joanna Korner

Judge Keebong Paek

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF THE PROSECUTOR v. ALFRED YEKATOM ET
PATRICE EDOUARD NGAÏSSONA**

Public Document

Submission of ARC-EN-CIEL on Reparations Issues (Amicus Curiae)

Source : Association des Réintégrés en Centrafrique (ARC-EN-CIEL)

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

☒ The Office of the Prosecutor
Specify the team(s) to be notified

☒ Counsel for the Defence

☒ Legal Representatives of the Victims
Specify the team(s) to be notified

☒ Legal Representatives of the Applicants

Unrepresented Victims
(Participation/Reparation)

Unrepresented Applicants

☒ The Office of Public Counsel for Victims

☒ The Office of Public Counsel for the Defence

☒ States' Representatives

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Other

EXECUTIVE SUMMARY

This submission is presented to the Chamber of the International Criminal Court in the capacity of *amicus curiae*, pursuant to paragraph 6(i) of the Order of 8 October 2025 and the Decision of 16 December 2025 in the case *The Prosecutor v. Alfred Yekatom and Patrice-Édouard Ngaïssona*. The contribution of the Association des Réintégrés en Centrafrique (ARC-EN-CIEL) aims to provide a general, neutral, contextual, and independent analysis relating to reparations within the framework of the Rome Statute system. It is strictly analytical and informative in nature, and does not address the assessment of facts, criminal responsibility, or the individual rights of victims. While respecting these limitations, this submission cautiously takes into account certain observable human realities in contexts affected by prolonged violence, where consequences may extend beyond the immediate events and persist over time, affecting family, social, and community structures. The submission examines several key dimensions that may assist the Chamber's reflection, including: the legal framework applicable to reparations before the International Criminal Court; the social and humanitarian realities of affected communities in the Central African Republic; different forms of vulnerability, including economic, psychosocial, and community-related dynamics; general categories of harm, including physical, psychological, material, and collective harm; forms of reparations recognized in international practice, including individual, collective, symbolic, and transformative measures; practical challenges related to implementation, including accessibility, security, institutional coordination, and logistical constraints; issues of participation, transparency, and accessibility of reparation mechanisms; questions relating to temporality, including prolonged delays and their effects on affected communities. The analysis highlights certain contextual realities observed in affected communities, including: the persistence of vulnerabilities related to displacement, loss of property, geographical isolation, and precarious socio-economic conditions; the long-term consequences of certain forms of serious violence, including their social, familial, and community impacts, sometimes experienced in a silent but prolonged manner; situations in which family and community ties may have been weakened, leading to forms of isolation or social reconfiguration; difficulties in accessing information and the Court's mechanisms, particularly in remote areas; expectations regarding accessible, secure, and context-adapted reparation mechanisms; the impact of prolonged delays,

with some communities referring to a waiting period of more than ten years, accompanied, in certain cases, by an expressed need for support or assistance prior to the effective implementation of reparations. The observations presented in this submission do not constitute a request for reparations, nor an analysis of evidence, nor a position regarding the parties to the proceedings.

They do not seek to identify individual victims or to determine specific reparation measures. Their sole purpose is to contribute, in an independent, neutral, and contextual manner, to the Chamber's reflection on reparations, while cautiously taking into account the social, humanitarian, and human realities observable within affected communities.

CHAPTER I – INTRODUCTION AND MANDATE OF THE AMICUS CURIAE

1.1 Procedural Context. This submission is presented before the International Criminal Court in the context of the case *The Prosecutor v. Alfred Yekatom and Patrice-Édouard Ngaïssona* (ICC-01/14-01/18). **It follows the Order issued by the Chamber on 8 October 2025 and the subsequent Decision of 16 December 2025, which authorize the submission of observations by an amicus curiae pursuant to paragraph 6(i).** The present contribution is therefore made within a defined procedural framework, and strictly in accordance with the scope authorized by the Chamber. It does not seek to intervene in the determination of criminal responsibility, nor to revisit the findings of the proceedings, but rather to provide general considerations that may assist the Chamber in its reflection on reparations.

1.2 Legal Basis of the Intervention. The present submission is grounded in **paragraph 6(i) of the Order of 8 October 2025, as confirmed by the Decision of 16 December 2025.** These instruments provide the legal basis for the participation of external contributors in the form of amicus curiae observations, with the purpose of assisting the Chamber on matters within its consideration. The intervention is thus limited to a strictly analytical and informative role, without constituting representation of any party or participant in the proceedings.

1.3 Purpose and Scope of the Observations. The purpose of this submission is to present general, neutral, and contextual observations relating to reparations within the framework of the International Criminal Court. Its scope remains strictly limited to considerations that may assist the Chamber's analysis, without addressing issues of fact, evidence, or individual responsibility.

The observations do not aim to determine the existence of specific harms, nor to identify individual victims, nor to propose specific reparation awards. They are intended solely to contribute to a broader understanding of the context in which reparations may be considered.

1.4 Interest of the Amicus Curiae. The **Association des Réintégrés en Centrafrique (ARC-EN-CIEL)** submits this contribution based on its general interest in issues relating to social reintegration, community resilience, and humanitarian considerations in post-conflict contexts. This interest does not derive from any procedural role in the case, nor from any representation of victims or parties, but from a general commitment to supporting reflections on the social and human dimensions of justice mechanisms.

1.5 Local and Contextual Expertise of ARC-EN-CIEL. The contribution of **ARC-EN-CIEL** is informed by its general experience in contexts affected by prolonged instability and social disruption. This includes observations relating to community dynamics, challenges of reintegration, and the persistence of vulnerabilities in environments marked by past violence. Such contextual elements are presented cautiously and in a general manner, without reference to specific individuals or situations within the case.

1.6 Methodology and Analytical Sources. This submission is based on a qualitative and analytical approach. It relies on general observations, contextual understanding, and references to existing legal and institutional frameworks, including the Rome Statute and relevant international principles. No primary evidence, witness testimony, or case-specific data is presented. The methodology remains consistent with the limited and supportive role of an **amicus curiae**.

1.7 Independence and Impartiality. The present submission is prepared independently of the parties, participants, and organs of the Court. It reflects no alignment with the Prosecution, the Defence, or any group of victims. The observations are formulated in a neutral and impartial manner, with the sole objective of assisting the **Chamber**.

1.8 Absence of Representation of Victims. This submission does not constitute legal representation of victims. It does not seek to speak on behalf of any individual or group, nor to present claims, requests, or positions relating to specific rights or entitlements. All observations are presented at a general and analytical level.

confidential information, personal data, or identifying elements relating to individuals. All references are formulated in general terms, in order to ensure respect for privacy, dignity, and security considerations.

1.10 Compliance with the Mandate. The present submission strictly complies with the mandate defined by **paragraph 6(i) of the Order of 8 October 2025 and the Decision of 16 December 2025**. It remains within the limits established by the **Chamber**, both in its scope and in its nature as a neutral and independent contribution.

CHAPTER II – LEGAL FRAMEWORK APPLICABLE TO REPARATIONS

2.1 Purpose of the Chapter. The purpose of this chapter is to present the general legal framework applicable to reparations before the International Criminal Court. It provides an overview of the relevant legal provisions, principles, and jurisprudence that may guide the **Chamber's** analysis, without engaging in case-specific determinations.

2.2 Sources of Law (Article 21 of the Rome Statute). The legal framework of the **International Criminal Court** is primarily governed by Article 21 of the **Rome Statute**. This provision establishes the hierarchy of applicable sources of law, including: the **Statute**, the **Elements of Crimes**, and the **Rules of Procedure and Evidence**; applicable treaties and principles of international law; general principles of law derived from national legal systems. These sources collectively inform the interpretation and application of reparations within the Court's mandate.

2.3 Participation and Protection of Victims (Article 68). Article 68 of the **Rome Statute** provides for the participation and protection of victims in proceedings before the Court. It establishes that the Court shall take appropriate measures to protect the safety, physical and psychological well-being, dignity, and privacy of victims. This provision also allows for the presentation of victims' views and concerns at appropriate stages of the proceedings, in a manner consistent with the rights of the accused and the requirements of a fair trial.

2.4 Reparations before the Court (Article 75). Article 75 of the **Rome Statute** constitutes the central legal basis for reparations. It empowers the Court to establish principles relating to reparations to victims, including restitution, compensation, and rehabilitation. The Court may determine the scope and extent of any damage, loss, or injury, and may order appropriate reparations against a convicted person.

This provision also allows the Court to make orders on an individual or collective basis, as appropriate.

2.5 Trust Fund for Victims (Article 79). Article 79 establishes the Trust Fund for Victims. The Trust Fund may support the implementation of reparations ordered by the Court and may also provide assistance to victims and their families, independently of judicial orders. Its role is therefore complementary to the Court's reparations framework and contributes to the broader system of support available to affected populations.

2.6 General Principles Relating to Reparations. Reparations before the Court are guided by general principles recognized in international law. These include, in particular: the principle of repairing harm suffered by victims; the recognition of both individual and collective dimensions of harm; the need for proportionality between harm and reparation; respect for the dignity of victims. These principles contribute to shaping a coherent and balanced approach to reparations.

2.7 Jurisprudential Approach (Lubanga, Katanga, Ongwen). The Court's jurisprudence has progressively clarified the approach to reparations, notably in the cases of **Lubanga, Katanga, and Ongwen**. These decisions have addressed key aspects such as: the identification of beneficiaries; the forms of reparations; the role of the Trust Fund for Victims;

the implementation of collective programs. They provide guidance for the development of consistent and context-sensitive reparation frameworks.

2.8 References to International Principles (United Nations, 2005). The Court's approach is also informed by international instruments, including the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation (2005). These principles recognize various forms of reparation, including restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition. They contribute to a broader understanding of reparations in international practice.

2.9 Limitation of the Scope of the Observations. The present submission does not seek to interpret the law in a binding manner, nor to apply legal provisions to specific facts of the case. Its purpose is limited to presenting general legal considerations that may assist the **Chamber**, without encroaching upon its judicial function.

2.10 Compliance with the Mandate. This chapter complies fully with the mandate defined by the **Chamber**. It remains within the limits of a neutral, analytical, and contextual contribution, consistent with the role of an amicus curiae.

CHAPTER III – CONTEXT OF AFFECTED COMMUNITIES

3.1 Purpose of the Chapter. The purpose of this chapter is to present general contextual elements relating to communities affected by prolonged violence. It aims to provide a broad and cautious overview of social and humanitarian realities, without referring to specific individuals or making factual determinations in relation to the case.

3.2 General Social and Humanitarian Realities. Communities affected by prolonged violence may experience complex and persistent social and humanitarian challenges. These may include disruptions to daily life, limitations in access to basic services, and long-term consequences on living conditions. Such realities are often shaped by a combination of historical, social, and economic factors.

3.3 Internal Displacement and Cross-Border Dynamics. Situations of violence may lead to internal displacement, as well as cross-border movements of populations. Displaced persons may face challenges related to housing, access to services, and reintegration. These dynamics can also affect family structures and community cohesion over time.

3.4 Limited Access to Rural and Remote Areas. Certain affected communities are located in rural or geographically isolated areas. Access to these areas may be limited due to infrastructure constraints, distance, or security considerations. This may result in reduced access to information, services, and institutional mechanisms.

3.5 Economic and Community Consequences. Prolonged instability may have significant economic consequences for affected populations. These may include loss of livelihoods, destruction of property, and reduced economic opportunities. At the community level, such factors may contribute to increased vulnerability and long-term socio-economic challenges.

3.6 Disruption of Social Structures. Violence may lead to the disruption of traditional social structures and community networks. This may include the weakening of family ties, changes in community roles,

and the reconfiguration of social relationships. Such changes may persist over time and influence processes of recovery and reintegration.

3.7 Presence of Victims Abroad. Some individuals affected by violence may reside outside the country. This may be due to displacement, migration, or other circumstances linked to insecurity. Their situation may present additional challenges in terms of access to information and participation in institutional processes.

3.8 Contribution of Local Organizations. Local organizations may play a role in supporting affected communities. Their activities may include community support, social reintegration efforts, and humanitarian assistance. Such contributions are generally grounded in proximity to the communities and contextual understanding.

3.9 Contextual Contributions from Local Expertise. Observations informed by local experience may provide insight into the lived realities of affected populations. These may include general understandings of community dynamics, patterns of vulnerability, and challenges related to recovery. Such contributions are presented cautiously and without reference to specific cases or individuals.

3.10 Compliance with the Mandate. This chapter remains within the scope defined by the Chamber. It provides general contextual elements in a neutral and analytical manner, consistent with the role of an *amicus curiae*.

CHAPTER IV – VULNERABILITY OF AFFECTED PERSONS

4.1 Purpose of the Chapter. The purpose of this chapter is to present general considerations relating to the vulnerability of persons affected by prolonged violence. It aims to highlight, in a cautious and contextual manner, certain factors that may contribute to situations of vulnerability, without referring to specific individuals or making factual determinations in relation to the case.

4.2 Economic Vulnerability. Affected persons may experience significant economic vulnerability as a result of prolonged instability. This may include loss of income, destruction or sale of property such as houses or land,

and reduced access to economic opportunities. In certain contexts, individuals or families may have relocated to remote or isolated areas due to insecurity, which may further limit their access to livelihoods and basic services.

4.3 Psychosocial Vulnerability. Psychosocial vulnerability may arise from exposure to violence and its long-term consequences. Such vulnerability may manifest in different forms, including emotional distress, trauma, or prolonged psychological impact. In some situations, certain experiences may remain unexpressed or insufficiently addressed, while continuing to affect individuals and communities over time.

4.4 Vulnerability Related to Gender and Age. Certain groups may experience specific forms of vulnerability linked to gender or age. This may include women, children, and other individuals in situations of dependency or reduced protection. In a general and cautious perspective, some contexts affected by violence have included reports of serious forms of harm, including sexual violence or collective acts of violence, which may have long-term social and familial consequences. Additionally, certain situations may involve children associated with armed groups, or children born in circumstances related to violence, whose status and recognition within communities may present complex challenges.

4.5 Consequences of Serious Violence. Serious acts of violence may have consequences extending beyond the immediate events. These consequences may affect individuals physically, psychologically, and socially, and may also have implications for families and communities. In some

CHAPTER V – IDENTIFICATION AND ANALYSIS OF HARM

5.1 Purpose of the Chapter. The purpose of this chapter is to present general considerations relating to the identification and analysis of harm in contexts affected by prolonged violence. It aims to outline broad categories of harm that may be observed, without making any factual determinations in relation to the present case or identifying specific individuals.

5.2 General Approach to Harm. Harm in situations of prolonged violence may take multiple and interconnected forms. These may affect individuals, families, and communities, and may extend beyond immediate events to produce long-term consequences. A general and contextual approach allows for the recognition of both visible and less visible forms of harm.

5.3 Physical Harm. Physical harm may include bodily injuries or other forms of physical suffering resulting from violence. Such harm may have immediate effects,

as well as long-term consequences where access to medical care is limited or delayed. In certain contexts, untreated injuries may contribute to prolonged vulnerability.

5.4 Psychological Harm. Psychological harm may arise from exposure to traumatic events or prolonged insecurity. This may include emotional distress, trauma, or other forms of mental suffering that may persist over time. In some situations, such harm may remain unaddressed due to limited access to psychosocial support.

5.5 Material Harm. Material harm may include loss or destruction of property, housing, or personal belongings. In certain contexts, individuals or families may have sold houses or land in order to relocate due to insecurity or to survive economically. Such situations may contribute to long-term instability and reduced access to resources.

5.6 Collective and Community Harm. Harm may also have a collective or community dimension. This may include the disruption of social cohesion, weakening of community structures, and changes in traditional systems of support. In some contexts, entire communities may experience shared consequences of violence, affecting their collective identity and functioning.

5.7 Complexity of the Assessment of Harm. The assessment of harm may be complex, particularly in contexts where consequences are multiple, interconnected, and evolving over time. Certain forms of harm may not be immediately visible or easily measurable, including those of a psychological or social nature. This complexity may require a cautious and contextual understanding.

5.8 Challenges Related to the Identification of Affected Persons. Identifying persons affected by harm may present practical and contextual challenges. These may include: displacement or geographical dispersion; lack of documentation or formal recognition; limited access to information; situations where some individuals may not be aware of ongoing proceedings. In certain contexts, there may also be risks of exclusion or marginalization of persons who are not reached by institutional processes, particularly in remote or isolated areas.

5.9 Contextual Observations from Local Expertise. Observations informed by local experience may provide general insight into patterns of harm within affected communities.

These may include situations of prolonged displacement, loss of property, family separation, and persistent socio-economic vulnerability. Such observations are presented cautiously and without reference to specific individuals or cases.

5.10 Note of Caution. The considerations presented in this chapter remain general and contextual. They do not constitute findings of fact, nor do they seek to establish the existence, extent, or attribution of harm in the present case. They are intended solely to assist the Chamber's broader reflection in a neutral and analytical manner.

5.11 Compliance with the Mandate. This chapter fully complies with the mandate defined by the Chamber. It remains within the limits of a neutral, independent, and contextual contribution, consistent with the role of an amicus curiae. contexts, such consequences may include loss of relatives, separation of family members, or situations where individuals have lost contact with loved ones over time.

4.6 Health Conditions and Aggravated Vulnerabilities. Certain situations of vulnerability may be aggravated by health-related conditions. This may include limited access to healthcare, untreated injuries, or long-term health consequences. In a general and cautious perspective, some contexts may also involve exposure to diseases or health conditions that require sustained care and support.

4.7 Marginalization and Practical Obstacles. Affected persons may face various forms of marginalization and practical obstacles. These may include: geographical isolation in remote or hard-to-reach areas; limited access to means of communication; linguistic or educational barriers; constraints related to movement and security. Such factors may limit access to information, institutional mechanisms, and available forms of support.

4.8 Principle of Dignity and Recognition. In all circumstances, considerations relating to vulnerability are closely linked to the principle of dignity and recognition. Acknowledging the experiences and challenges faced by affected persons may contribute to a broader understanding of their situation, while respecting their integrity and their place within their communities.

4.9 Contextual Contributions from Local Observations. Observations informed by local and contextual experience may provide insight into patterns of vulnerability within affected communities. These may include general observations relating to displacement, loss of property, social reconfiguration, and the persistence of fragile living conditions.

Such contributions are presented cautiously and without reference to specific individuals or cases.

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5.6 Collective and Community Harm. Harm may also have a collective or community dimension.

This may include the disruption of social cohesion, weakening of community structures, and changes in traditional systems of support. In some contexts, entire communities may experience shared consequences of violence, affecting their collective identity and functioning.

5.7 Complexity of the Assessment of Harm. The assessment of harm may be complex, particularly in contexts where consequences are multiple, interconnected, and evolving over time. Certain forms of harm may not be immediately visible or easily measurable, including those of a psychological or social nature. This complexity may require a cautious and contextual understanding.

5.8 Challenges Related to the Identification of Affected Persons. Identifying persons affected by harm may present practical and contextual challenges. These may include: displacement or geographical dispersion; lack of documentation or formal recognition; limited access to information; situations where some individuals may not be aware of ongoing proceedings. In certain contexts, there may also be risks of exclusion or marginalization of persons who are not reached by institutional processes, particularly in remote or isolated areas.

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5.11 Compliance with the Mandate. This chapter fully complies with the mandate defined by the Chamber. It remains within the limits of a neutral, independent, and contextual contribution, consistent with the role of an *amicus curiae*.

CHAPTER VI – FORMS OF REPARATIONS

6.1 Purpose of the Chapter. The purpose of this chapter is to present general considerations relating to the forms of reparations recognized in international law and in the practice of the International Criminal Court. It aims to outline different categories of reparations in a neutral and contextual manner, without proposing specific measures in relation to the present case.

6.2 General Principles Governing Reparations. Reparations are generally guided by principles recognized in international law. These include the objective of addressing harm, the need to respect the dignity of affected persons, and the consideration of both individual and collective dimensions of harm. Reparations may take different forms depending on the context and the nature of the harm.

6.3 Restitution. Restitution aims to restore, as far as possible, the situation that existed prior to the harm. This may include the return of property, restoration of rights, or access to services. In certain contexts, restitution may be difficult to implement due to displacement, destruction of property, or changes in living conditions over time.

6.4 Compensation. Compensation refers to financial or material forms of reparation intended to address harm that cannot be fully remedied through restitution. It may relate to physical, psychological, or material harm. In a general perspective, considerations relating to compensation may include accessibility, fairness, and practical modalities of distribution.

6.5 Rehabilitation. Rehabilitation may include medical, psychological, and social support measures. This may involve access to healthcare, psychosocial assistance, and support for social reintegration. In contexts affected by prolonged violence, rehabilitation may be particularly relevant in addressing long-term consequences.

6.6 Satisfaction. Satisfaction may include symbolic or non-material forms of reparation. These may involve acknowledgment of harm, public recognition, memorialization, or other measures contributing to dignity and recognition. Such forms may play a role in addressing the moral and social dimensions of harm.

6.7 Guarantees of Non-Repetition. Guarantees of non-repetition aim to contribute to the prevention of future harm. These may include institutional measures, awareness initiatives, or broader efforts to strengthen social and legal frameworks. Such measures are generally oriented toward long-term impact.

6.8 Individual and Collective Reparations. Reparations may be granted on an individual or collective basis. Individual reparations may address specific harm suffered by identified persons, while collective reparations may benefit groups or communities affected by violence. In certain contexts, collective approaches may be relevant where harm has a broad social dimension.

6.9 Practical Considerations in the Implementation of Reparations. The implementation of reparations may involve practical and contextual considerations. These may include: accessibility of beneficiaries, particularly in remote or isolated areas; security of distribution mechanisms, including the possibility of secure systems such as adapted delivery methods; risks of exclusion or marginalization of certain groups; coordination between institutions involved in implementation. Such considerations may influence the effectiveness and accessibility of reparations.

6.10 Temporal Considerations. Time may play a significant role in the perception and effectiveness of reparations. In some contexts, prolonged delays may affect expectations and the situation of affected communities. Certain observations may refer to extended periods of waiting, sometimes exceeding several years, and to the potential need for forms of support or assistance prior to the full implementation of reparations.

6.11 Note of Caution. The forms of reparations presented in this chapter are outlined in a general and non-prescriptive manner. They do not constitute recommendations or proposals addressed to the Chamber, but rather an analytical overview of existing frameworks and practices.

6.12 Compliance with the Mandate. This chapter remains fully within the mandate defined by the Chamber. It provides neutral, general, and contextual observations, consistent with the role of an *amicus curiae*.

CHAPTER VII – IMPLEMENTATION AND PRACTICAL CONSIDERATIONS

7.1 Purpose of the Chapter. The purpose of this chapter is to present general considerations relating to the practical implementation of reparations measures. It focuses on operational, logistical, and contextual challenges that may affect the effectiveness of such measures, without addressing case-specific determinations.

7.2 Accessibility of Reparation Mechanisms. Access to reparation mechanisms may be influenced by a variety of practical factors.

These may include geographical distance, lack of infrastructure, limited access to information, and difficulties in reaching affected populations. In certain contexts, persons located in remote or rural areas may face additional barriers to access.

7.3 Security Considerations. Security considerations may be relevant in the implementation of reparations. In some contexts, instability or insecurity may affect both beneficiaries and implementing actors. This may require adapted measures to ensure safe and effective distribution of assistance or benefits.

7.4 Institutional Coordination. The implementation of reparations may require coordination between different institutional actors. This may include judicial bodies, administrative structures, and support mechanisms such as trust funds or partner organizations. Effective coordination may contribute to consistency and efficiency in the implementation process.

7.5 Interaction with Local Organizations. Local organizations may play an important role in facilitating access to affected communities. Their proximity to the field and contextual knowledge may support outreach, identification, and assistance activities. Such collaboration may contribute to improving the accessibility and relevance of implementation measures.

7.6 Logistical Challenges. Logistical challenges may affect the implementation of reparations programs. These may include transportation difficulties, limited infrastructure, and constraints related to communication systems. Such factors may require flexible and context-adapted approaches.

7.7 Sustainability of Measures. The sustainability of reparations measures may be an important consideration. Long-term effectiveness may depend on the ability of programs to remain accessible, relevant, and adapted to evolving conditions. Sustainable approaches may also require ongoing monitoring and adjustment.

7.8 Contextual Observations from Experience. General observations from field experience may highlight recurring challenges in implementation contexts. These may include difficulties in reaching certain populations, limited awareness of available mechanisms, and the need for strengthened communication strategies. Such observations are presented in a general and cautious manner.

7.9 Note of Caution. The considerations set out in this chapter are general and operational in nature.

They do not constitute specific recommendations for the present case, but rather an overview of common implementation challenges in similar contexts.

7.10 Compliance with the Mandate. This chapter fully complies with the mandate of the Chamber. It remains within the scope of a neutral, independent, and contextual contribution consistent with the role of *amicus curiae*.

CHAPTER VIII – PARTICIPATION, TRANSPARENCY AND ACCESSIBILITY

8.1 Purpose of the Chapter. The purpose of this chapter is to present general considerations relating to participation, transparency, and accessibility in the context of reparations proceedings. It addresses broad principles that may guide inclusive and effective engagement with affected populations.

8.2 Participation of Affected Persons. Participation of affected persons is a key element in reparation processes. It allows individuals and communities to express their views and concerns in a manner consistent with procedural safeguards and judicial requirements. Such participation may contribute to ensuring that reparations are informed by lived realities.

8.3 Challenges to Effective Participation. Effective participation may be limited by various factors. These may include lack of awareness of proceedings, geographical isolation, linguistic barriers, or limited access to communication tools. In some contexts, certain individuals or groups may remain unaware of ongoing legal processes or opportunities for participation.

8.4 Transparency of Procedures. Transparency is an important principle in judicial and reparations processes. It contributes to trust, understanding, and legitimacy of institutional mechanisms. Clear communication regarding procedures, eligibility, and implementation modalities may enhance accessibility and engagement.

8.5 Accessibility of Information. Access to information is essential for meaningful participation. In some contexts, information may not reach all affected persons equally, particularly in remote or underserved areas. This may result in unequal awareness of rights, procedures, or available support mechanisms.

8.6 Language and Educational Barriers. Language and educational barriers may significantly affect accessibility. Limited literacy or lack of familiarity with formal procedures may prevent some individuals from fully engaging with institutional processes.

These barriers may require simplified communication strategies and adapted outreach methods.

8.7 Risks of Exclusion and Marginalization. There may be risks that certain affected persons are excluded from participation mechanisms. This may occur unintentionally due to logistical constraints, lack of information, or administrative limitations. Such exclusion may affect the perceived fairness and inclusiveness of reparations processes.

8.8 Role of Local Actors in Facilitating Participation. Local actors may contribute to improving participation and accessibility. Their proximity to communities and understanding of local contexts may facilitate communication and outreach. Such actors may help bridge gaps between institutional mechanisms and affected populations.

8.9 Digital and Physical Accessibility Constraints. Both digital and physical accessibility constraints may affect participation. Limited internet access, lack of digital infrastructure, or difficulties in physical mobility may restrict engagement with formal processes. These constraints may be particularly relevant in rural or remote areas.

8.10 Note of Caution. The considerations in this chapter are general and contextual in nature. They do not address specific procedural determinations in the present case but rather outline common challenges in participation and accessibility frameworks.

8.11 Compliance with the Mandate. This chapter remains fully within the mandate of the Chamber. It is presented as a neutral, analytical, and contextual contribution consistent with the role of an *amicus curiae*.

CHAPTER IX – ROLE OF THE TRUST FUND FOR VICTIMS AND ASSISTANCE MECHANISMS

9.1 Purpose of the Chapter. The purpose of this chapter is to present general considerations relating to the role of the Trust Fund for Victims and other assistance mechanisms in supporting affected persons. It focuses on the complementary nature of assistance and reparations within the broader framework of victim support.

9.2 Mandate of the Trust Fund for Victims. The Trust Fund for Victims is established under Article 79 of the Rome Statute.

It has a dual mandate, consisting of: implementing reparations awards ordered by the Court; providing general assistance to victims and their families, independently of judicial orders. This dual function allows the Fund to operate in both judicial and humanitarian dimensions.

9.3 Assistance Activities. Assistance activities may include medical support, psychological care, and socio-economic reintegration programs. Such activities are generally aimed at addressing urgent needs and supporting recovery processes in affected communities. In certain contexts, assistance may precede or complement formal reparations measures.

9.4 Complementarity Between Assistance and Reparations. Assistance and reparations are distinct but complementary mechanisms. Assistance may address immediate needs, while reparations aim to provide recognition and redress for harm suffered. The interaction between these mechanisms may contribute to a more comprehensive response to the needs of affected persons.

9.5 Accessibility of Assistance Mechanisms. Access to assistance mechanisms may be influenced by contextual factors. These may include geographical location, security conditions, availability of information, and institutional outreach capacity. In some cases, affected persons in remote or marginalized areas may face difficulties in accessing such mechanisms.

9.6 Identification of Beneficiaries. The identification of beneficiaries of assistance programs may present practical challenges. These may include lack of documentation, displacement, or limited awareness of available programs. Efforts may be required to ensure inclusive and non-discriminatory access to assistance.

9.7 Role of Local Partners. Local partners may play an important role in the implementation of assistance programs. Their involvement may facilitate outreach, identification of needs, and delivery of services. Such collaboration may strengthen the effectiveness and relevance of assistance activities.

9.8 Vulnerability-Based Prioritization. Assistance mechanisms may take into account levels of vulnerability in prioritizing beneficiaries. This may include consideration of specific needs related to health, displacement, or socio-economic conditions. Such an approach may help ensure that support reaches those most affected.

9.9 Transitional Support Measures. In certain contexts, transitional support measures may be provided before or alongside formal reparations. These measures may help address urgent needs and contribute to stabilization at the community level. They may also support longer-term recovery processes.

9.10 Note of Caution. The considerations in this chapter are general in nature and do not address specific determinations in the present case. They are intended to provide an overview of the role and functioning of assistance mechanisms within the broader reparations framework.

9.11 Compliance with the Mandate. This chapter remains fully within the mandate of the Chamber. It is presented as a neutral, analytical, and contextual contribution consistent with the role of an amicus curiae.

CHAPTER X – CONCLUSION AND FINAL OBSERVATIONS

10.1 Purpose of the Chapter. The purpose of this final chapter is to present concluding observations of a general and contextual nature. It summarizes the analytical perspectives developed in the preceding chapters without introducing new factual determinations or case-specific findings.

10.2 General Synthesis of the Analysis. The preceding chapters have outlined general considerations relating to harm, reparations, implementation challenges, participation, and assistance mechanisms. These elements collectively reflect the complexity of addressing harm in contexts affected by prolonged violence. They also highlight the importance of a structured, inclusive, and context-sensitive approach.

10.3 Importance of a Victim-Centred Approach. A victim-centred approach remains a key guiding principle in reparations frameworks. Such an approach emphasizes dignity, inclusion, and responsiveness to the diverse needs of affected persons. It also supports the objective of ensuring that reparations processes are meaningful and accessible.

10.4 Balance Between Legal Framework and Practical Realities. The implementation of reparations requires a balance between legal principles and practical realities. While legal frameworks provide structure and guidance, operational constraints may influence the effectiveness of implementation. A contextual understanding is therefore essential in bridging these dimensions.

10.5 Role of Contextual and Local Knowledge. Contextual and local knowledge may contribute significantly to the understanding of harm and implementation dynamics. Such knowledge may assist in identifying barriers, vulnerabilities, and appropriate response mechanisms. It may also enhance the relevance and effectiveness of institutional interventions.

10.6 Observations on Time and Urgency. Time is an important factor in reparations processes. Delays in implementation may affect the expectations and conditions of affected persons. In certain contexts, there may be a perceived need for timely support and transitional measures prior to the full realization of reparations.

10.7 Overall Concluding Remarks. The considerations presented in this document remain general, neutral, and contextual.

They are intended to assist in understanding the broader issues related to reparations without prejudging any judicial determination. The analysis reflects a cautious approach consistent with the role of an amicus curiae.

10.8 Final Statement on Mandate Compliance. This document remains fully within the scope of the mandate granted by the Chamber. It does not seek to replace judicial assessment but to provide contextual and analytical support in a neutral manner.

10.9 Closing Observation. The effectiveness of reparations frameworks ultimately depends on their ability to respond to the realities of affected populations while respecting legal principles and institutional constraints. A balanced and inclusive approach may contribute to strengthening both legitimacy and impact.

The Association ARC-EN-CIEL remains available to provide any additional information that the Chamber may consider useful, within the limits of its amicus curiae mandate.

Saint Vincent de Paul BENGOGATE

Executive President : Association des Réintégréés en Centrafrique (ARC-EN-CIEL)



Dated this 13 April 2026

At Bangui, Central African Republic