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No.: ICC-01/19

Date: 17 June 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 “Fifth Registry Report on Information and Outreach
Activities”, 17 June 2022, ICC-01/19-47-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 fifth 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 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;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 December 2022, the Registry filed four 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 December 2021 – 16 June 2022)

6. During the reporting period, the activities of the Public Information and Outreach Section (“PIOS”) and the Victims Participation and Reparations Section (“VPRS”) continued to be impacted by travel restrictions as well as competing priorities within the given resource constraints.

⁵ Registry, “Registry’s First Report on Information and Outreach Activities”, ICC-01/19-33-Conf, 6 July 2020 (A public redacted version was notified on 7 July 2020, ICC-01/19-33-Red); “Registry’s Second Report on Information and Outreach Activities”, ICC-01/19-39-Conf, 18 December 2020 (A public redacted version was notified on the same day, ICC-01/19-39-Red); “Registry’s Third Report on Information and Outreach Activities”, ICC-01/19-45-Conf, 18 June 2021 (A public redacted version was notified on the same day, ICC-01/19-45-Red); and “Fourth Registry Report on Information and Outreach Activities”, ICC-01/19-46-Conf, 17 December 2021 (A public redacted version was notified on the same day, ICC-01/19-46-Red).

a. Activities conducted by PIOS

7. During the reporting period, PIOS launched an “Open Dialogue” series, engaging [Redacted] through remote sessions organised [Redacted]. This activity reached [Redacted]. A first session was held to provide general information about the International Criminal Court (“Court” or “ICC”) and to pass messages related to the length of ICC proceedings, aspects of enforcement of warrant of arrests, the differences between the International Court of Justice, the ICC and other mechanisms currently investigating crimes committed against the Rohingya. It transpired that the expectations from the ICC are high. [Redacted].
8. PIOS continued preparations to hold online hybrid information sessions for [Redacted]. This activity could not be held during the reporting period as initially planned since, [Redacted], contacts and links had to be re-established. [Redacted]. In the upcoming period, the hybrid information sessions will be organized [Redacted]. This will allow speakers from the ICC to connect remotely from The Hague while participants are in a room [Redacted] with a good internet connection, sound system and interpretation.
9. As also previously reported, PIOS developed an information campaign (i.e. animations, tailored videos and audio interviews, etc.) to address the most common questions and concerns of the Rohingya population, in an effort to increase knowledge and understanding of the ICC amongst the affected communities. During the reporting period, the tools were translated and dubbed into Rohingya, and were distributed [Redacted]. These resources will be further distributed through WhatsApp to [Redacted]. In order to reach the largest possible number of people, the animations and videos will also be posted on the ICC social media accounts, including Facebook which

is particularly popular among the Rohingya population in Bangladesh and Myanmar.

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. It also continued to liaise with the Independent Investigative Mechanism for Myanmar (“IIMM”), contributing to its latest bulletin⁶ and exchanging information when relevant.

b. Activities conducted by VPRS

11. During the reporting period, VPRS was not in a position to carry out any physical mission to Bangladesh. 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.⁷
12. VPRS remained in contact with legal representatives of victims (“LRVs”), in order to, *inter alia*, exchange information about the respective activities and the situation of their clients. On 13 June 2022, VPRS received a written communication from one LRV containing information about the most relevant and important updates from her clients over the reporting period. Some of the issues raised are: *i*) increasing security risks and protection needs and concerns for those who advocate for accountability and publicly support justice initiatives including the ICC investigation; in particular the murder of a vocal Rohingya advocate for justice processes in October 2021 in a camp in Cox’s Bazar negatively impacted on the community’s

⁶ The latest IIMM bulletin can be accessed here: [2022-03-07-IIMM-Bulletin-EN.pdf \(un.org\)](#)

⁷ The content of relevant messages is coordinated between VPRS and PIOS.

willingness and ability to participate in accountability activities; *ii*) the reported rise in the presence of armed groups and criminal gangs within the camps continues to contribute to a climate of fear and repression; *iii*) the threat of coercive relocation to Bashan Char or forced repatriation to Myanmar in unsafe conditions is a constant cause of stress for the Rohingya; *iv*) the situation of the Rohingya community in Cox's Bazar which remains extremely precarious: in addition to bans on education, extremely limited healthcare, and poor access to water, there is increased fencing being erected around the camps, and between different sections of the camps; this reportedly exacerbates the challenges that already exist; *v*) fires, which were a frequent night-time occurrence in the camps in 2021, still continue, although with less frequency; this is causing extreme anxiety, loss of possessions, and loss of life.

13. As previously reported, VPRS maintains relevant connections and networks in order to be able to reach out quickly to relevant interlocutors in case of any pertinent judicial developments.⁸

B. Subsequent activities

a. PIOS

14. In an effort to ensure interactions even without regular presence in the field, PIOS intends to build on existing networks [Redacted] to gather questions related to the ICC on a regular basis, in order to create audio messages tailored to the most recent concerns [Redacted]. These messages would be disseminated on WhatsApp and social media as well as via these networks.

⁸ 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 apprised of the stage of proceedings, and importantly that their expectations are managed.

15. If financial and human resources allow it, PIOS aims to conduct a mission to Bangladesh [Redacted] in order [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

16. VPRS is in the process of organizing a mission [Redacted] in order [Redacted] continue the dialogue on victims' rights at the next stages of the ICC proceedings. [Redacted]⁹.

17. VPRS will continue to perform its functions remotely (e.g. respond to requests for information, provide trainings and application forms for participation and/or reparations upon request through IT means of communication) to the extent possible, and continue exploring further avenues to this end.

18. 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 17 June 2022

At The Hague, The Netherlands

⁹ [Redacted].