

Annex I
Public
Registry Report on the Mapping Exercise

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Introduction

1. The Registry submits its report on the mapping exercise (“Mapping”) pursuant to paragraph 5(iv) of the Order for Submissions on Reparations issued by Trial Chamber IX on 6 May 2021 (“Chamber” and “Order”) in the case of *The Prosecutor v. Dominic Ongwen* (“Ongwen case” and “Case”).¹

I. Design and implementation of the mapping exercise

(i) Objectives

2. As previously defined in the Registry’s progress report of 5 July 2021 on the mapping exercise (“Progress Report”),² the Registry’s key objective is to produce a secure, ethical and survivor-centred mapping of victims potentially eligible for reparations in the present Case addressing all aspects highlighted in the Order. The Registry therefore, in consultation and cooperation with the Legal Representatives of the Victims (“Legal Representatives”, “CLR” and “LRVs” respectively)³ and the Trust Fund for Victims (“TFV”), aimed to collect key information on the main categories of victims: a) direct and indirect victims of the attacks against the Lukodi, Odek, Abok and Pajule⁴ IDP camps (“victims of the attacks”); and b) direct and indirect victims of thematic crimes committed by Mr Ongwen and the Sinia Brigade in Northern Uganda between 1 July 2002 and 31

¹ Trial Chamber IX, “Order for Submissions on Reparations”, 6 May 2021, ICC-02/04-01/15-1820.

² Registry, “Registry Progress Report on Mapping and Request for Extension of Time”, 5 July 2021, ICC-02/04-01/15-1863 (“Progress Report”).

³ The two teams of Legal Representatives in the present case are: the Common Legal Representative of Victims, namely Paolina Massidda of the Office for Public Counsel for Victims (“CLR”) and the legal representatives team composed of Joseph Akwenyu Manoba and Francisco Cox (“LRVs”).

⁴ The Registry notes that in the Trial Chamber IX, “Trial Judgment”, 4 February 2021, ICC-02/04-01/15-1762, para. 1173 (“Trial Judgment”), the Chamber stated that Pajule and Lapul, although registered as two separate IDP camps by the Ugandan Government, formed only one entity. In line with the Chamber’s approach, in the present submissions the Registry will refer to both camps jointly as Pajule IDP camp.

December 2005. This includes former child soldiers, victims of sexual and gender based crimes (“SGBV victims”) and children of war⁵ (altogether “thematic crimes victims”). Information that was sought included victims’ estimate numbers, their current location, all data that it may be able to obtain regarding the victims’ gender, age group, and particular vulnerabilities which may need to be taken into account by the Chamber when deciding on the reparations to be awarded.⁶

3. The second objective of the mapping exercise was to collect, to the extent possible, other information regarding victims potentially eligible for reparations in the present case, such as: their current needs; the most appropriate types and modalities of reparations; suggestions for prioritisation of reparations for certain categories of victims; and any indication whether victims may have received any form of compensation or reparations for the harm suffered as a result of the crimes underlying Mr Ongwen’s conviction.⁷ All the information collected on these issues is included in the Registry’s submissions on reparations.⁸

(ii) Methodology

a. Preparatory activities and tools

4. In preparation for the mapping exercise, the Registry, in consultation with the Legal Representatives and the TFV, compiled a list of interlocutors to be contacted and consulted during the mapping exercise (e.g. central and local authorities; international organizations and agencies; non-governmental organisations; civil society actors; community leaders). Based on this list, it established contact and entertained consultations with a number of interlocutors based both in Uganda

⁵ This category of direct victims is also referred to in reports and literature as “children born of sexual violence”, “children born of wartime rape”, “children born in captivity” or “children born in the bush.”

⁶ Order, para. 5(iv).

⁷ Order, para. 5(i).

⁸ Annex II.

and elsewhere in order to collect their views and recommendations for the process and as much data as possible.

5. Furthermore, the Registry submitted a formal request for information to the Government of Uganda for information as described in the Order⁹ and particularly on, *inter alia*, any record of children conscripted in the Sinia Brigade of the LRA, with an emphasis on the period from 1 July 2002 until 31 December 2005; any record regarding returnees from the Lord Resistance Army (“LRA”) from 2015 up to the present day; any record regarding victims of sexual and gender based crimes committed by the LRA in Northern Uganda, as well as any information regarding programs/initiatives related to these victims; census information for the *Ongwen* case locations (Abok, Odek, Lukodi and Pajule-Lapul IDP camps) as close as possible to the time of the Sinia Brigade attacks (2003-2004); and most recent census from districts in Northern Uganda with particular emphasis on the Acholi, Lango and Teso regions, as well as the four case locations.¹⁰ A response is still outstanding.
6. The Registry also developed a questionnaire to be used for interviews in order to obtain information in a standardized fashion from all interlocutors. Said questionnaire was shared with the Legal Representatives and the TFV for consultation.

b. Consultations and cooperation with the Legal Representatives and TFV

7. In order to ensure the proper use of the limited financial and human resources of the different teams and to avoid duplication of activities, after drafting an initial plan of activities in May 2021,¹¹ the Registry’s Victims Participation and Reparations Section (“VPRS”) and the VPR staff member in the Uganda Country

⁹ Order, para. 5(iv).

¹⁰ To date, no response to this request was received.

¹¹ Progress Report, para. 5.

Office (“CO”) organised, during the course of the mapping exercise, several meetings with the Legal Representatives and TFV, both at the HQ level and within the respective field teams.

8. Acutely aware of the restrictions imposed in Uganda as of 10 June 2021 as a result of the Covid-19 pandemic¹² and in order to ensure that as much ground as possible would be covered as soon as said restrictions are lifted, the Registry relied to an extent on the Legal Representatives in their efforts to obtain relevant information from their respective clients and any information at the Legal Representatives’ disposition regarding other victims potentially eligible for reparations. The Registry concentrated its activities on gathering said information and identifying potential gaps, such as for instance, reliable figures on former child soldiers, SGBV victims and their children of war; another focus was laid on producing an approximate general number across all case locations on victims of the crimes subject to Mr Ongwen’s conviction who did not participate in proceedings. By coordinating relevant activities and in jointly assessing and sharing available data, the Registry and the Legal Representatives strived to achieve, in the most secure and effective manner, a representative coverage of the affected victim communities both thematically and geographically. Input from the TFV both at HQ and particularly in the field proved very helpful.
9. Efforts were also made to ensure that good practices were followed in the engagement with intermediaries and interlocutors, and that the same intermediaries and interlocutors are not solicited for the purpose of the mapping by the different entities (*i.e.* Registry and Legal Representatives, but also by others, such as for instance potential *amici curiae*).¹³

¹² See also *infra*, paras. 14-16.

¹³ VPRS established, in consultation with the Legal Representatives, a list of intermediaries used by all three entities (Registry and the two LRV teams).

10. Largely due to COVID-related scheduling difficulties and restrictions, no joint field activities with the Legal Representatives or TFV were conducted, but informal meetings and information exchanges took place during the mapping exercise.
11. Prior to filing, the present report was shared with the Legal Representatives and TFV for input, which is included in the document.
12. The Registry expresses its gratitude to the Legal Representatives and the TFV for the efficient and effective cooperation and information-sharing during this exercise.

c. Desk-based research

13. In order to gather as much information as possible for its mapping exercise and report, the Registry analysed information on the Case file and application forms for participation received in the Uganda situation and the *Ongwen* case.¹⁴ It also conducted extensive open source research on the different categories of victims potentially eligible for reparations in the present Case. The findings are included in the present report whenever relevant.

d. Missions in Uganda

Background

14. As described in the Progress Report,¹⁵ the developments related to the Covid-19 pandemic in Uganda had a major impact on the Registry's plans and timeline for the mapping exercise.
15. Between 10 June and 1 October 2021 a number of measures, including the suspension of inter-district travel, a ban on all vehicular movement except for essential workers, a nightly curfew and a ban on public gatherings were in place in Uganda. During this period, all ICC missions were suspended, including in-

¹⁴ See relevant graphs and tables further below which may eventually serve as sampling information.

¹⁵ Progress Report, paras. 17-21.

country missions (i.e. from Kampala to locations in Northern Uganda). Moreover, because of the extreme poverty in Northern Uganda, exacerbated by the pandemic,¹⁶ most ICC interlocutors struggled to cover their most basic needs, with no capacity to engage in activities to support of the Court (interlocutors reported that they had no cash for mobile phone credits or for travelling inside their district, with public transport options also being more limited since the start of the pandemic). As a result, the VPRS did not manage to carry out any field activities throughout this period; the VPR officer in the Country Office was likewise heavily restricted due to the above-referenced situation.

16. Starting 1 October 2021, ICC essential missions were reinstated, but delays were encountered in having scheduled VPRS Missions approved, due to vaccination requirements (i.e. COVID and other vaccines) for mission participants, including for support staff in the Country Office. A number of prevailing Covid-19 related restrictions represented additional hurdles during the VPRS missions, including notably a nightly curfew, limitations on the number of people allowed to travel in the same vehicle and limitations on the number of people allowed to gather. Most of these restrictions continue to apply at present and are expected to tighten again due to the worsening global situation regarding COVID.
17. Against this backdrop, the Registry conducted two missions in Uganda: (1) between 14 and 21 October 2021 in the Lango and Teso sub-regions of Northern Uganda; and (2) from 25 October to 8 November 2021 in the Acholi, Teso and Lango sub-regions (“VPRS missions”).¹⁷ Meetings with various interlocutors were also organized in Kampala.

¹⁶ According to the Uganda National Survey Report 2019/2020, the poverty rate in Uganda is estimated at 20,3% with Acholi being the most impoverished sub-region (68% poverty rate in 2020 from 33% in 2017) followed by Karamoja (68%). The Lango sub-region is 6th on the list (23%), Teso on the 7th place (22%) and West Nile – number 8 (17%).

¹⁷ The Registry did not have sufficient time to travel to the West Nile sub-region, where a number of thematic crimes victims currently reside, but some potentially eligible victims from this sub-region travelled to Gulu and participated in one of the focus-group interviews.

18. During the VPRS missions, the Registry had a total of 56 meetings and focus-group interviews with approximately 330 individuals (victims of the attacks subject to Mr Ongwen's conviction; former child soldiers; SGBV victims and their children of war; intermediaries; local, religious and cultural leaders; representatives of community-based, non-governmental and international organisations with human rights or humanitarian mandates). Thirteen focus-group interviews were organized in the four former IDP camps subject to the attacks for which Mr Ongwen was convicted. Thirteen additional focus-group interviews with 134 victims of thematic crimes took place in various locations of the Acholi, Teso and Lango sub-regions of Northern Uganda,¹⁸ with victims of the Sinia Brigade from the West Nile sub-region also attending one of these meetings. Furthermore, 29 meetings were organized in various locations in Northern Uganda and in Kampala with representatives of national and international organizations that have extensive knowledge of the Northern Ugandan war and its victims.
19. All activities were conducted by Registry staff from VPRS and VPR of the Country Office, in a secure and low profile manner, respecting confidentiality and relevant good practices, with a focus on informing people about the ICC process and its limitations, as well as victims' rights before the Court, in order to avoid that unrealistic expectations are created.

Methodology

20. Victims in the present Case are not a homogenous group and therefore not all victims have the same views, concerns, experiences, needs and wishes. In order to ensure an inclusive and representative mapping result, the Registry aimed to listen to and include in its mapping report and submissions on reparations as many different victims' voices as possible. These meetings and interviews included

¹⁸ The Registry was informed that the focus-group discussions organized by the VPRS represented, for many of the groups met, a first opportunity to meet since the start of the pandemic. It was reported that the members of these victim groups struggle to provide for themselves and their children and that the little money they have left is often insufficient to cover travel costs to engage with the Court.

women, men, children, youth, elderly, and victims with different types of disabilities who have suffered harm as a result of the many crimes Mr Ongwen was convicted of.

21. In this vein, thirteen focus-group interviews were organized in the four former IDP camps subject to the attacks for which Mr Ongwen was convicted. 152 victims of the attacks (men, women and children), intermediaries, as well as local/religious/cultural leaders were consulted on the various issues raised in the Order.
22. In meetings with representatives of victim groups in each of the four former IDP camps, the Registry organized its activities as follows: (1) one separate and/or joint focus group discussion with intermediaries and local authorities; (2) one focus group discussion exclusively with girls and women victims potentially eligible for reparations;¹⁹ and (3) one focus group discussion with both male and female victims potentially eligible for reparations of different ages, who suffered harm as a result of different crimes for which Mr Ongwen was convicted, and with various forms of disabilities.
23. For its focus-group discussions, the Registry mobilized the current leaders in the locations of the former IDP camps and, whenever possible, also the leadership of the IDP camps at the time of the attacks. Religious and cultural leaders were contacted through their own established networks.
24. With respect to intermediaries, the Registry has used the two missions also to re-activate its intermediary network.²⁰ Whilst some of the individuals mobilized for

¹⁹ This was done in order to ensure that the female participants feel more comfortable to open up and share their views and concerns.

²⁰ The VPRS notes that since the start of the *Ongwen* trial, it did not conduct any notable activities in Northern Uganda. As a result, considerable ground work is needed to fill in the information vacuum, especially outside the case locations. The VPRS is also in the process of re-assessing and refreshing its network of intermediaries in Northern Uganda, notably in the West-Nile, Acholi, Lango, Teso and Karamoja sub-regions.

the focus-group discussions are exclusively VPRS intermediaries, others are shared with the Outreach Section of the Registry or the Legal Representatives.²¹

25. The Registry made special efforts to identify and consult victims of the thematic crimes considering the very small number of victims from this category that participated in the proceedings.²² In this vein, with the support and assistance of a number of organizations and survivors' groups based in various locations in Northern Uganda, the Registry organized separate focus-group discussions with former child soldiers, SGBV victims and children of war. Whenever possible, the Registry organized separate discussions with men, women and children victims of the thematic crimes in order to offer an environment in which they would feel most comfortable to share their views, concerns, needs, etc. The consulted victims of thematic crimes were identified with the help of other victims, victim committees and organisations working directly with survivors.
26. The script for all focus-group discussions²³ was as follows: (1) brief overview by the Registry of the current stage of proceedings and most recent procedural developments; (2) information about reparations and the Chamber's Order; (3) discussion of the various issues mentioned in paragraph 5 of the Order (participants' views and concerns on these issues are included in the submissions on reparations). The participants were also asked if they have any estimate numbers of victims belonging to the different categories; these numbers are provided below, in the "Results of the Mapping" subsection;²⁴ (4) questions and answers.

²¹ Consultations with the Legal Representatives on relevant intermediaries used by all parties helped considerably in this exercise, see *supra* at para. 9.

²² Approximately 2% out of the 4,095 participating victims are victims of thematic crimes committed outside the four IDP camps.

²³ Both for victims of the attacks and victims of thematic crimes.

²⁴ As also highlighted further down in this report, the Registry only obtained limited information related to numbers and only from interlocutors in the four former IDP camps. In some cases the numbers received were not consistent and the Registry's efforts to obtain clarification and follow-up information/lists after the meetings were unsuccessful to date; efforts in this regard are ongoing.

II. Challenges

27. The Registry's ability to collect consistent and sufficient information during its mapping exercise to date was impacted by a series of factors and challenges. The most important factors have been the limited amount of time effectively dedicated to the mapping exercise in light of the COVID-19 pandemic-related restrictions and the limited (human) resources at the Registry's disposal. As a result, the Registry has been able to consult only a limited number of interlocutors in the field compared to the extremely large number of victims potentially eligible for reparations in the present Case. Moreover, the Legal Representatives' limitations due to COVID²⁵ in producing key information relevant to the Registry mapping have further impacted the wealth of information for the present report. As Registry missions could resume only in October, time constraints impacted most likely also on the quality of the consultations as the Registry did not have sufficient time to properly prepare the victims met for the focus-group discussions; other potential interlocutors could not be reached in time to attend relevant discussions.
28. During focus-group discussions, the main challenges noted by the Registry were:
- i)* the very high level of expectations victims have from the Court when it comes to reparations; *ii)* the varying levels of information about the Court and the ICC reparation process, particularly outside the four case locations²⁶; *iii)* victims' fatigue in sharing their stories repeatedly with different individuals and organisations without receiving any proper feedback or follow-up; *iv)* victims' need of continued direct access to the Court²⁷. The Registry also noted that as a result of the pandemic there was a decrease, or in some cases, a cut of external

²⁵ LRVs, "Victims' Request for an extension of the time limit to submit their observations on reparation proceedings", 9 November 2021, ICC-02/04-01/15-1890.

²⁶ This informs Registry efforts of continued engagement with victims communities to update them on procedural developments.

²⁷ Victims' access to the Court, usually facilitated through the legal representatives of participating victims and Registry outreach activities, has been impacted by COVID-related restrictions in the more recent past.

funding for NGO projects that facilitate victims' access to communication tools to engage with the Court, and that less resources are allocated to various programs supporting victims.

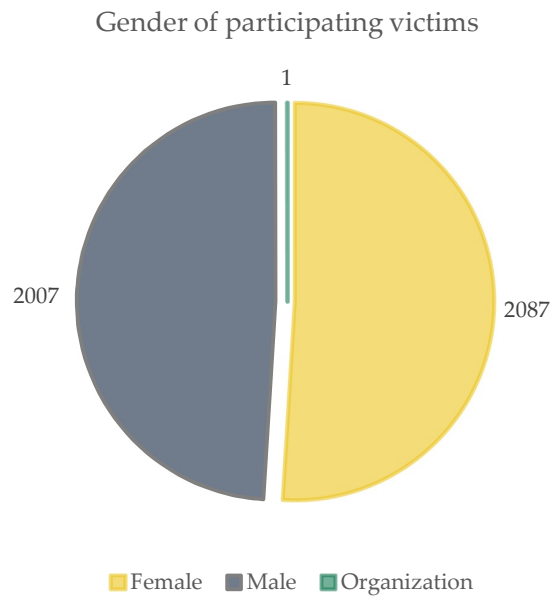
29. An additional challenge is posed by the legal and factual aspects to be considered for the identification of thematic crimes victims eligible for reparations, notably the lapse of time which makes it all the more difficult for these individuals to establish the identity of the perpetrators or affiliation with Sinia Brigade superiors.

III. Results of the Mapping

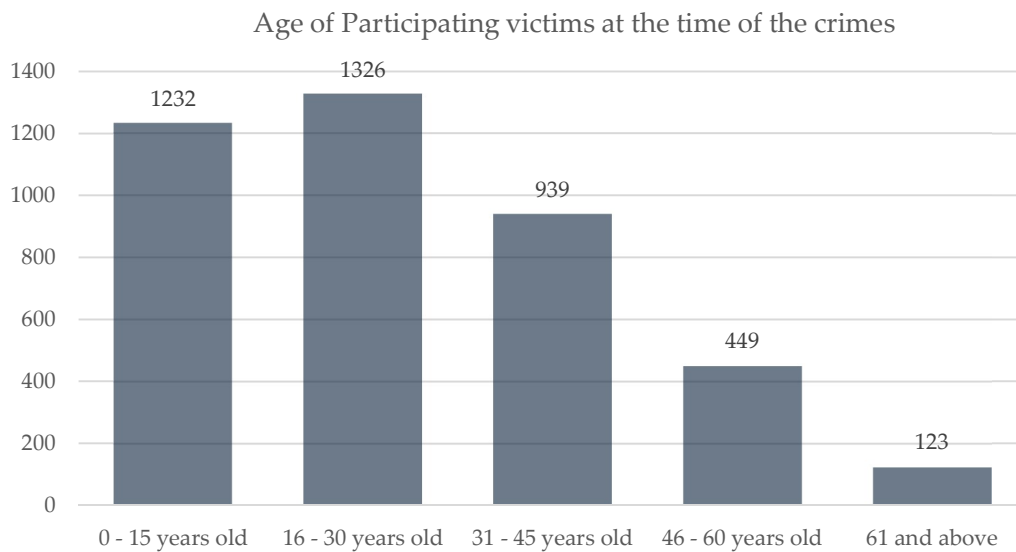
30. As part of its mapping, the Registry also sought to verify whether the data already on file for the 4095 participating victims provides a sufficiently solid basis as a sample across the four IDP camps as well as for the thematic crimes, in order to extrapolate relevant statistical data on main victim categories, gender, age group and vulnerabilities to the estimate overall numbers of victims potentially eligible for reparations in the present case (further below).²⁸ In consultation with the Legal Representatives, such an assumption would appear reasonable and, in particular, is not contradicted by additional data collected so far by the Legal Representatives and the Registry. A more definite answer is expected at the new filing timeline of 7 February 2022 subject to additional data collected regarding the representativeness of the statistics below.²⁹ In the following, a number of graphs and charts are provided which speak to a gender breakdown, main categories of victims, and types of crimes (incl. per location) for the participating victims.

²⁸ See Order, para. 5(iv).

²⁹ The LRVs informed the Registry in particular of its more recent discovery that especially SGBC victims may not have disclosed the victimisation at the application phase because it appears they were not confident to disclose this information at the time. Relevant data is collected and may affect the overall percentage of SGBC victims.



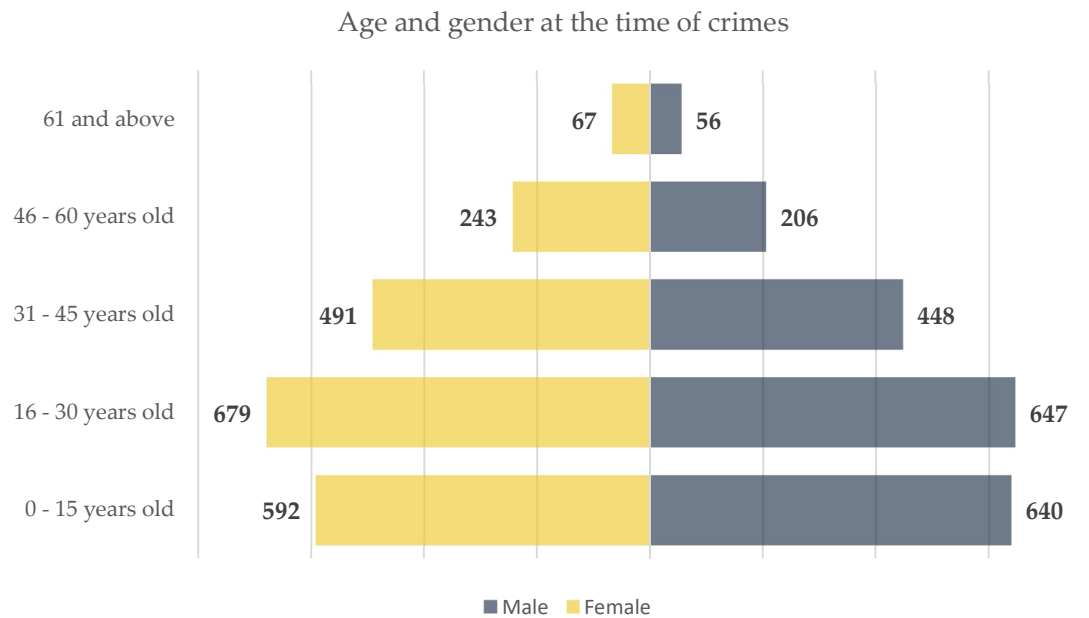
- Data shared by the CLR on their contacts with potential further beneficiaries not yet participating display a percentage of female victims slightly lower than in the above graph (30-45% across the camps).³⁰



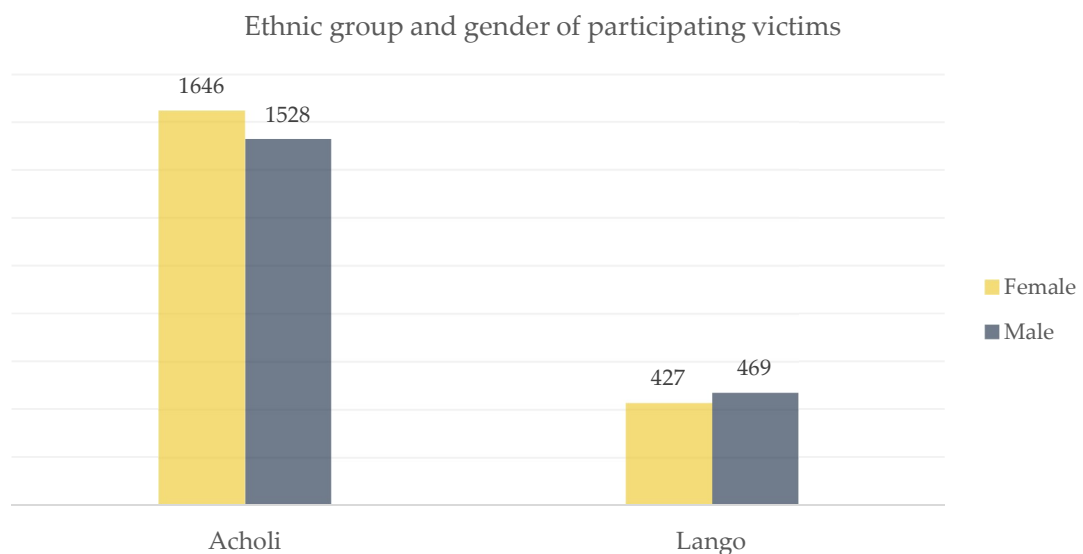
- Based on a total of 4069 victims (25 victims reported in their application that they could not remember the year/date of the crime and 1 victim is an organization).

³⁰ Relevant data is, however, only a percentage of the estimated overall figure of potential beneficiaries and remain to be amalgamated with forthcoming figures collected by the LRVs.

- *The age of participating victims at the time of the crimes is calculated according to the date of birth provided and the date of crime reported in the application form.*

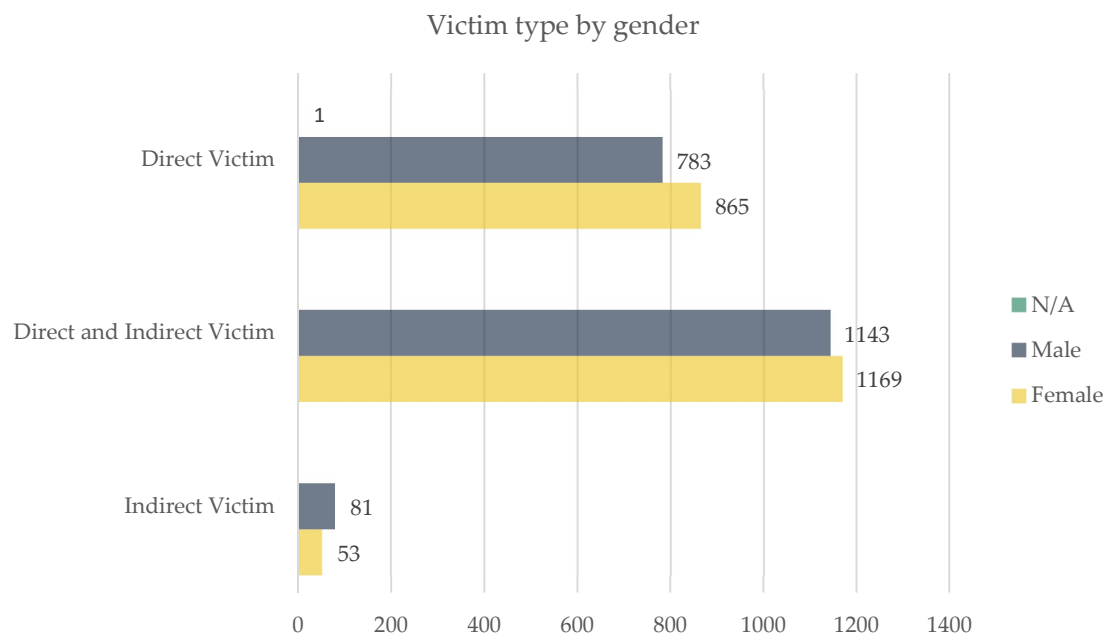
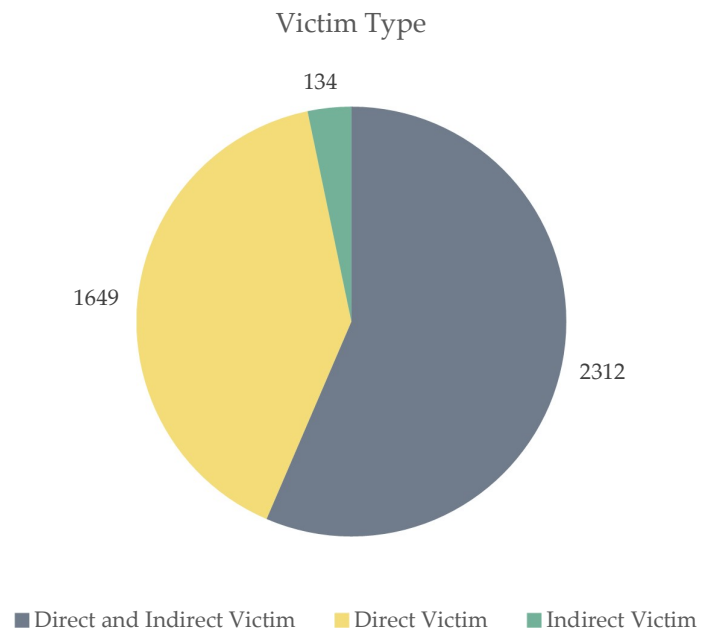


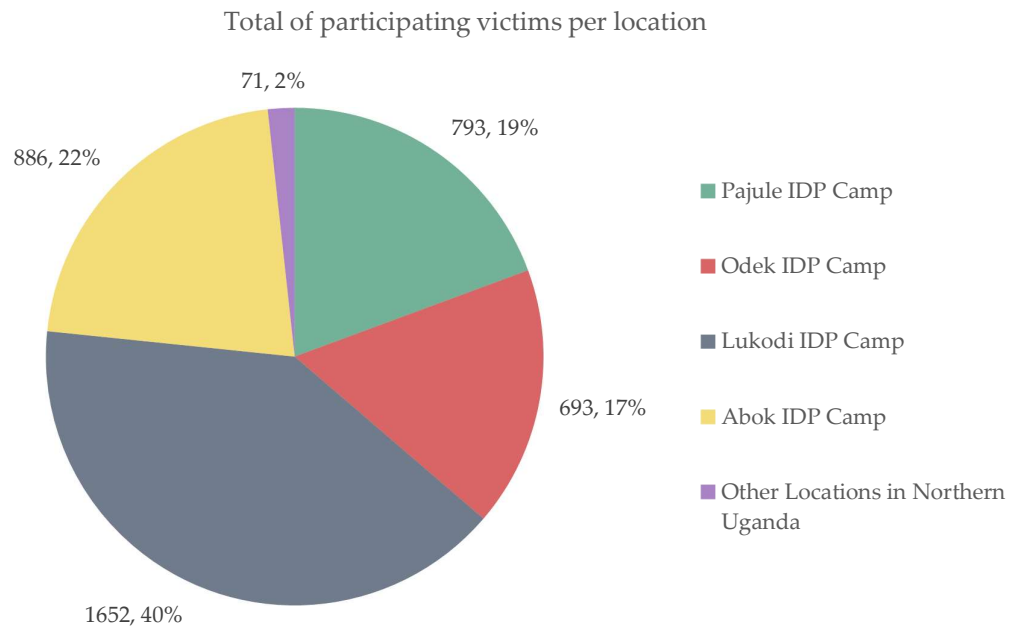
- *Most affected group: 16 – 30 years old – majority female*
- *Second most affected: 0 – 15 years old– majority male*



- *25 victims were of other ethnic groups or provided no information. Other ethnic groups include Koulango, Kuman, Muganda, Mukonjo Kanzi, Teso and Rwandan.*
- *Largest affect ethnic group: Acholi.*

- Majority of female victims affected within Acholi ethnic group.
- Majority of male victims in Lango ethnic group.





- Majority of participating victims are from the Lukodi IDP Camp.

31. As for approximate numbers of victims potentially eligible for reparations, the Registry submits that an approximate overall number of victims residing in the camps at the time of the attacks can presently be fixed at a range between 41.000 and 50.000 individuals. A rough indicator for thematic crimes victims can be set at 10,250 individuals. Details are outlined in the following. The current estimates will be presented for each category of victims: (i) victims of the attacks and (ii) thematic crimes victims.

(i) Victims of the attacks

32. During the meetings conducted in the four former IDP camps in the course of the second VPRS mission, the Registry received estimate numbers of victims potentially eligible for reparations from local leaders or intermediaries, as listed below. As far as they were available, relevant figures and estimates as provided by the Legal Representatives are indicated as well:

*Lukodi IDP camp:*³¹

33. The consensus in the groups consulted by the Registry during its recent missions was that there were around 6,000 residents in the camp during the attack of 19 May 2004; with one camp leader specifying that there were between 800 and 1000 households in the Lukodi IDP camp at the time of the attack, with families having, on average, 6 to 8 members.³²

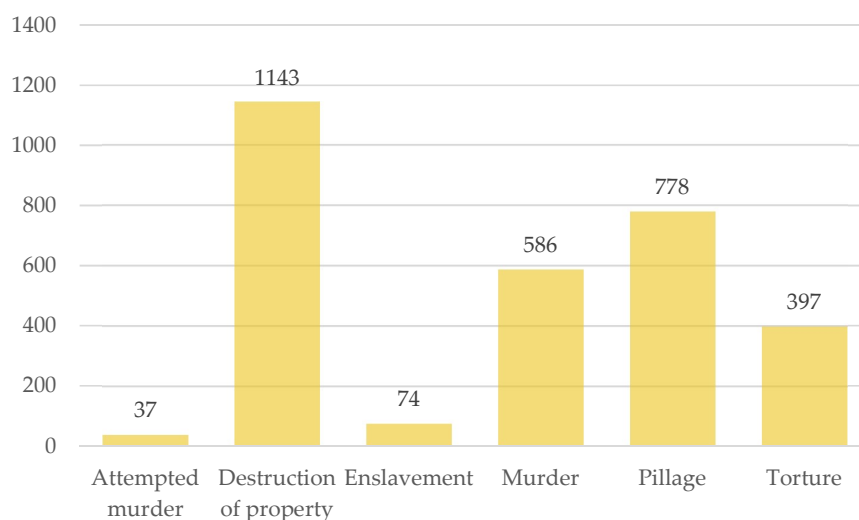
³¹ The Registry recalls the following numbers retained by the Chamber in the Trial Judgment, paras. 186, 187, 1644 and 1779: "[...] the Chamber is unable to make a definitive conclusion as to the number of civilians that lived [in] Lukodi IDP camp. However, in light of the evidence, including the evidence of camp residents testifying about their experiences within the camp, the Chamber is satisfied that a large number of civilians lived within Lukodi IDP camp at the time of the attack."; "Approximately 210 civilian huts in the camp were burnt."; "LRA fighters abducted at least 29 civilians, men, women and children, to carry looted goods from the camp."; "The Chamber is satisfied that the evidence shows that at least 48 persons were killed by the LRA in the course of the attack on Lukodi IDP camp [and] that the evidence shows that the LRA attempted to kill at least 11 other persons."

³² This corroborates the aforesaid approximate figure.

34. The LRVs have also collected further data on the potential beneficiaries that had been residing in Lukodi IDP camp at the material time of the attack. Through their activities in the field, the team has to date identified 3,261 individuals that may be eligible as potential beneficiaries for reparations for the Lukodi IDP camp attacks.³³ This figure represents 716 households of which 257 are headed by women. These numbers are not conclusive as the LRVs hope to gather additional data on this group of potential beneficiaries.
35. The LRVs are in agreement with the Registry that an approximation of 6,000 resident of the Lukodi camp at the material time may represent the upper limit of the potential beneficiaries for the attack on the camp.

³³ This number is inclusive of victims of the attack on Lukodi IDP camp that are already participating in the case. The individuals identified include persons and family members residing in Lagot Kicol, Laco Anga, Lalweny, Loyoboo, Lukodi, Paranga and Onyayo Rwot parishes within Gulu district.

Most Reported Crimes – Lukodi IDP Camp³⁴



- *Attack against civilian population and persecution were not included in the graph, since they are umbrella crimes reflected for all victims of the attacks.*

Odek IDP camp:³⁵

36. During the focus-group interviews conducted in the former Odek IDP camp, different figures were provided that range from 6,800 to 7,500 residents of the camp at the time of the attack. These numbers do not include the individuals from neighbouring villages who were visiting the camp on the day of the attack

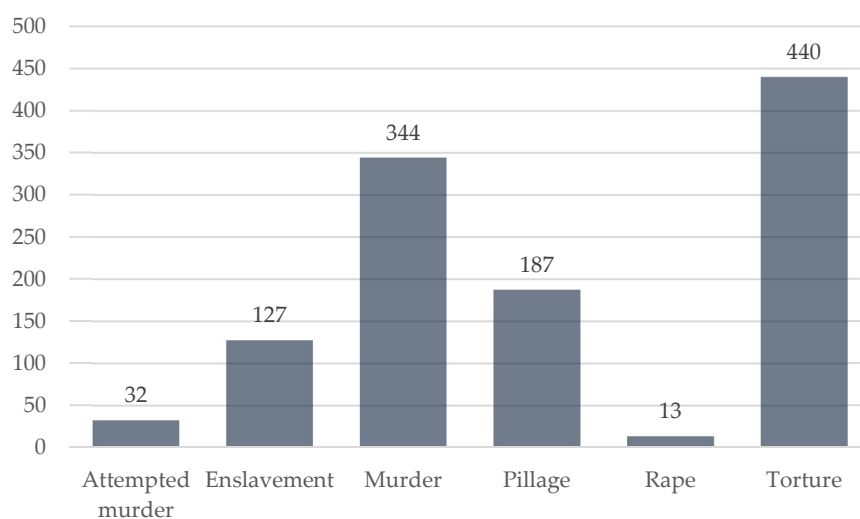
³⁴ This and the following graphs per camp are based on data available for the 4095 victims that participated in trial proceedings. The Registry notes that all the graphs on crimes and harm contained in the present report and in the Registry's submissions on reparations need to be read with the following explanations in mind: the Registry performed its legal assessment at the pre-trial and trial stages under tight deadlines. As long as, from the information included in the application form, the Registry could assess the application as falling in the scope of the case based on at least one crime Mr Ongwen was charged with, not all crimes mentioned in the said form were necessarily systematically listed in VAMS. The Registry also considers that particularly victims who suffered harm as a result of sexual and gender based crimes, did not report all crimes suffered when they filled in the participation forms.

³⁵ The Registry recalls the following numbers retained by the Chamber in the Trial Judgment, paras. 171, 1384, 1550: "The evidence indicates that there were between 2,000 and 3,000 residents in the camp at the time of the April 2004 attack"; "In the course of the attack, LRA fighters abducted at least 40 civilian residents from the camp: men, women and children."; "[...] at least 52 persons were killed in the course of the attack on Odek IDP camp by the LRA, both in the camp and during the retreat. The Chamber is also satisfied that the evidence shows that the LRA attempted to kill at least ten people".

(between 100 and 200 people). The interlocutors recommended that the Registry consult the former block leaders, as they were keeping records at the time of the events. The Registry's efforts to obtain these records have been, to date, unsuccessful.

37. Through data gathering activities in the field, the LRVs have identified 2,956 individuals that may be eligible as potential beneficiaries for reparations for the attack on the Odek IDP camp.³⁶ This figure represents 503 households of which 165 are headed by women.
38. This figure is however not conclusive as the LRVs hope to continue to gather more concrete data on this group of potential beneficiaries and process the information together with the Registry in order to identify the entirety of potential reparation beneficiary (including all victims that already participated at the trial stage) more conclusively.

Most Reported Crimes – Odek IDP Camp



- *Attack against civilian population and persecution were not included in the graph, since they are umbrella crimes reflected for all victims of the attacks.*

³⁶ The individuals identified include persons and family members residing in Abedo Kilonge, Agen Munu, Agwengtina, Bedo Iwi Lobo Tek, Ladwonyo Dwiong, Ongono, Pe Nongi, Record, Te Cwaa, Te Lira, Tee Lucoro, Te Tido and Wang Tangi Ot Yat parishes in Gulu district.

*Abok IDP camp:*³⁷

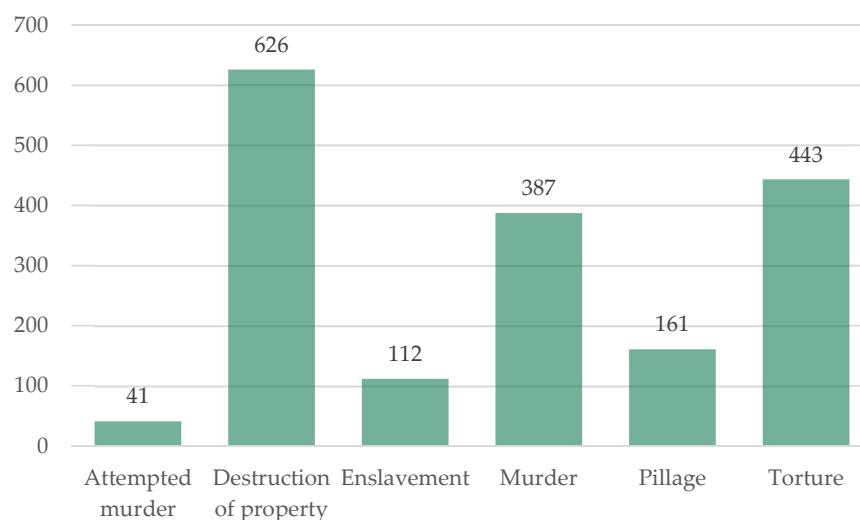
39. According to the information received during the Registry focus-group interviews, there were approximately 13,000 people living in the Abok IDP Camp at the time of the attack.
40. The LRVs have received significant data on the potential beneficiaries for the attack on the Abok IDP camp through their activities in the field. So far, 11,044 individuals have been identified who had been resident in the Abok IDP camp at the material time of the attack.³⁸
41. Due to the volume of the data, the disaggregation of the demographic information is yet to be finalised to generate data on the demographics and the distribution of the identified persons within the various parishes in Abok sub-county.³⁹
42. The LRVs concur that an approximation of 13,000 individual residents of the Abok IDP camp at the material time may represent the upper limit of the potential beneficiaries for the attack on the camp.

³⁷ The Registry recalls the following numbers retained by the Chamber in the Trial Judgment, paras. 197 and 1858: “While the evidence is not uniform on this point, estimates range from there being at least 7,000 to just over 13,000 residents in the camp at the time of the June 2004 attack”; “The attackers killed at least 28 civilian residents of the camp.”

³⁸ This number includes individuals that are already participating in the case.

³⁹ At present, it can already be confirmed that the data is comprised of individuals and family members residing in Ajerijeri, Ariba, Atek Ober, Bar, Barrio, Central Ward, Itubara, Lalia, Lwala, Ogowia Igwata, Okomo, Omito, Omolo, Oyeng-Opere, and Wang Lobo parishes within Oyam District.

Most Reported Crimes – Abok IDP Camp



- *Attack against civilian population and persecution were not included in the graph, since they are umbrella crimes reflected for all victims of the attacks.*

Pajule IDP camp.⁴⁰

43. In its meetings with intermediaries and local leaders, the Registry was informed that there were approximately 23,800 residents in the Pajule IDP camp at the time of the 10 October 2003 attack. They specified that this number does not include the large number⁴¹ of visitors present in the camp on the day of the attack to celebrate Uganda's Independence Day. The respondents also indicated that thousands of boys and girls were abducted from Pajule at the time of the attacks on the camps.

⁴⁰ The Registry recalls the following numbers retained by the Chamber in the Trial Judgment, at para. 1174: "The evidence indicates that an estimated 15,000 to 30,000 people lived within the entirety of Pajule IDP camp in October 2003", and fn. 2396 (in particular "[...] P-0008 lists of Pajule/Lapul residents, UGA-OTP-0137-0058, at 0058-9 (listing 17,432 residents on the Pajule side of the camp and 13,710 residents on the Lapul side as of November 2003). The Chamber notes that the document is stamped and signed by Okema John Brown (P-0008), as camp commandant of the Pajule IDP camp.") P-0008 lists of Pajule/Lapul residents, UGA-OTP-0137-0058, at 0058-9 (listing 17,432 residents on the Pajule side of the camp and 13,710 residents on the Lapul side as of November 2003). The Chamber notes that the document is stamped and signed by Okema John Brown (P-0008), as camp commandant of the Pajule IDP camp.

⁴¹ The Registry has to date not been in a position to receive any estimates as to the approximate amount of visitors in the camp on that day.

This lends further corroboration to the Chamber's relevant finding in the Trial Judgment.⁴² Respondents also stated that an extremely large number of children born in captivity later returned to the Pajule community together with their previously abducted mothers.

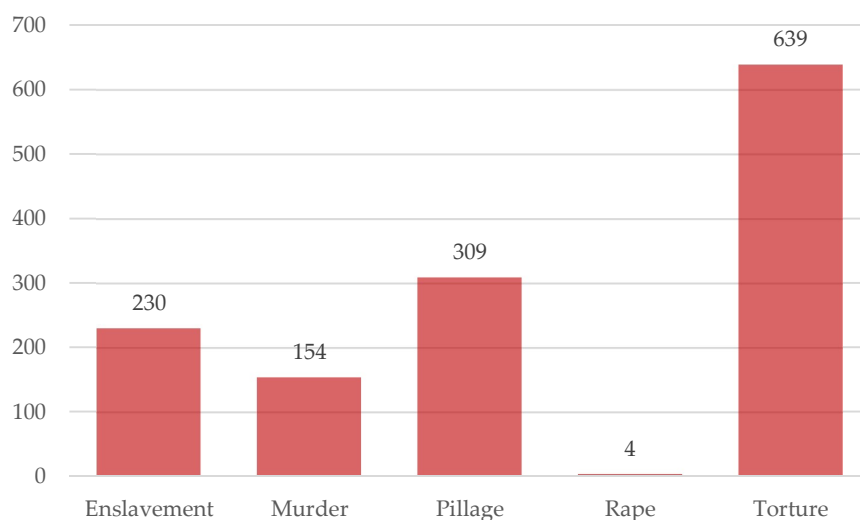
44. During relevant field activities, the CLR has identified 908 households as potential additional beneficiaries.⁴³ The vast majority are victims of the attack on the IDP camp, while some also suffered from other crimes (SGBC and child recruitment). Per household a number between 1 and 15 family members were also affected by the events.⁴⁴
45. It is noted that the figures the Registry has been able to ascertain correspond with what was submitted in evidence at trial; in addition, the figures reported by the CLR do not purport to cover the entirety of the Pajule IDP Camp population at the time of the attack. Still, the Registry notes that also owing to the potential overall size of the camp community at the time, the Registry estimation is approximate and will benefit from further confirmation in the coming months.

⁴² Trial Judgment, para. 1355 ("Estimates of the number of persons abducted by the LRA attackers from Pajule IDP Camp on 10 October 2003 range from 100 to 1,210. [...] the Chamber is satisfied that the evidence shows that the LRA abducted hundreds of civilians from Pajule IDP Camp.") and fn. 3102.

⁴³ *I.e.* potential beneficiaries that have not participated in the proceedings at trial. In particular, in Ogole Parish, in Palwo Parish, in Ogago Parish, in Otok Parish, in Ato Parish, in Koyo Parish, in Palenga Parish, in Oryang Parish, in Lukaci Parish and in Paiula Parish.

⁴⁴ This would lead to a figure of close to 7.000 potential further beneficiaries if one were to average a household with 7,5 family members.

Most Reported Crimes – Pajule IDP Camp



- *Attack against civilian population and persecution were not included in the graph, since they are umbrella crimes reflected for all victims of the attacks.*

46. The Registry notes that the figures mentioned above are only partly supported by documents and/or corroborated with other sources. Efforts to liaise with the former leadership of the camps in order to obtain and conserve records and lists have proven unsuccessful and will be made in the coming months. Similarly, the Registry has not been able to obtain relevant records from the competent Ugandan authorities as yet.⁴⁵ Furthermore, ongoing efforts of the Legal Representatives to determine the overall size of communities in the camps where their clients (used to) reside will further inform and corroborate present estimates.

47. The Registry submits that for a more precise estimate number of victims of the attacks per camp, a group/household identification and registrations process could be conducted together with the Legal Representatives with the support of local interlocutors in and around the camps.⁴⁶

⁴⁵ A follow-up Registry correspondence to its *note verbale* to the Ugandan authorities will be issued shortly.

⁴⁶ More information on the matter is included in the Registry's submissions on reparations.

48. The Registry submits that all the residents and other people present in the four IDP camps at the time of the attacks are direct victims of, at a minimum, the war crime of attack against civilian population and the crime against humanity of persecution,⁴⁷ with many of them being both direct victims of multiple crimes Mr Ongwen was convicted for, as well as indirect victims on account of the personal harm suffered as a result of crimes committed against their relatives.⁴⁸ With respect to the number of exclusively indirect victims of Mr Ongwen's attacks on the four IDP camps, the Registry notes that according to the information collected during the mapping exercise, entire families were residing in the four IDP camps with only isolated instances of family members living outside the camps. Therefore, the number of family members of direct victims who were not present in the camps on the day of the attacks would be relatively insignificant and could only be established, if at all, during a targeted identification and registration exercise.

(ii) Former child soldiers, SGBV victims and children of war

49. The Registry notes that none of the interlocutors consulted were in a position to provide estimate numbers of thematic crimes victims potentially eligible for

⁴⁷ Trial Chamber IX, "Trial Judgment", 4 February 2021, ICC-02/04-01/15-1762-Red, para. 3116, Counts 1, 10 (Pajule IDP Camp); 11, 23 (Odek IDP Camp); 24, 36 (Lukodi IDP Camp); and 37, 49 (Abok IDP Camp).

⁴⁸ As most recently reiterated by Trial Chamber VI in the *Ntaganda* case, "direct victims are those whose harm is the result of the commission of a crime for which the defendant was convicted, [whilst] indirect victims are those who suffer personal harm as a result of the harm suffered by the direct victims [...] brought about by the commission of the crimes for which the defendant was convicted", Trial Chamber VI, "Reparations Order", 8 March 2021, ICC-01/04-02/06-2659 ("*Ntaganda* Reparations Order") paras. 34-35. The four categories of indirect victims listed by Trial Chamber VI are: (i) family members of direct victims; (ii) anyone who attempted to prevent the commission of one or more of the crimes under consideration; (iii) individuals who suffered harm when helping or intervening on behalf of direct victims; and (iv) other persons who suffered personal harm as a result of these offences (*Ntaganda* reparations Order, para. 36). The Registry notes that many individuals, especially from the victims of the attacks category, are at the same time both direct and indirect victims on account of the direct harm suffered as a result of the crimes committed during the attacks but also of the personal harm suffered as a result of the victimization of their family members who were also present at the time of the attacks. This can also be the case for thematic crimes victims (for example siblings who are kidnapped at the same time).

reparations. Moreover, all reports by national or international organizations and scholars cover the crimes of the LRA as a whole and the information therein does not allow the Registry to extract estimate numbers and other information relevant only to the crimes committed by Mr Ongwen and the Sinia Brigade. Therefore, the Registry is unable to provide estimates at this juncture beyond a ballpark figure in the low thousands, as shall be outlined below.

50. Following its request of 15 September 2021 to the Chamber,⁴⁹ the Registry was granted access to a series of resources on the record of the Case, including to certain databases containing information about LRA abductees. The Registry notes however that the information in these databases did not allow for the determination of an estimate number of Sinia Brigade victims, as the information regarding the commanders or affiliation to a particular brigade or battalion was often missing, unclear or solely referring to the LRA as a whole.
51. The Registry further notes that there is a wealth of reports on LRA abductions carried out throughout the two decades-long war between the LRA and the Ugandan Government. Some of these reports are based on information from the various rehabilitation centres and parents' associations established in Northern Uganda, others on data from the Amnesty Commission,⁵⁰ as well as other sources.

⁴⁹ Registry, "Registry Request for Access to Prosecution Documents", 15 September 2021, ICC-02/04-01/15-1872.

⁵⁰ "The Amnesty commission was established to facilitate the implementation of the Amnesty Act of 2000. By the Amnesty Act, any forces that are fighting the government and wish to give-up are free to report and will be forgiven when they denounce their activities." See <https://www.mia.go.ug/departments/amnesty-commission>.

52. One such report published in 2007⁵¹ (which is widely cited in other articles and reports on the matter),⁵² is based on the databases of eight⁵³ out of the nine reception centres operating in early 2006 in Northern Uganda. According to this report, a total of 22,759 individuals were included in the aggregate reception centre databases and an additional 2,472 individuals were registered in the one other reception centre operating at the time.⁵⁴ The report however estimates that only about 43% of all abducted children passed through a reception centre.⁵⁵ The total number of 25,231 individuals set forth in the report does not take into account people who were abducted by the LRA and have not returned, people who were abducted by the LRA and returned but did not go through a reception centre, and people who did go through a reception centre but were not registered or whose records were lost.⁵⁶ With respect to the age of the abductees, according to the report, “although most of the reception centres were established to serve children, a little over one-third (34%) of all registered former abductees were over 18 years old and some were as old as 81 years of age; [t]hose younger than 12 years old represented 8 percent of the registered former abductees, including 4% who were born in captivity (897 children).⁵⁷ The majority of the former abductees at the

⁵¹ P. Phuong, P. Vinck, E. Stover, “Abducted: The Lord’s Resistance Army and Forced Conscription in Northern Uganda.” (UC Berkeley: Human Rights Center, 2007), <https://escholarship.org/uc/item/7963c61v> (“Berkeley Report”).

⁵² See, *inter alia*, T. Allen, J. Atingo, D. Atim, J. Ocitti, C. Brown, C. Torre, C. A Fergus, M. Parker, “What Happened to Children Who Returned from the Lord’s Resistance Army in Uganda?”, (Journal of Refugee Studies, Volume 33, Issue 4, December 2020), <https://academic.oup.com/jrs/article/33/4/663/5780446>, pp. 666, 669 and 672 ; S. Oola, L. Moffett, ““Cul Pi Bal”- Reparations for the Northern Ugandan Conflict, Stephen Oola and Luke Moffett, June 2020, Reparations, Responsibility & Victimhood in Transitional Societies”, (Reparations, Responsibility & Victimhood in Transitional Societies), <https://reparations.qub.ac.uk/report-cul-pi-bal-reparations-for-the-northern-ugandan-conflict/>, p. 7; J. Annan, C. Blattman, K. Carlson, D. Mazurana, “The State Of Female Youth In Northern Uganda: Findings from the Survey of War-Affected Youth (SWAY) Phase II.”, (Survey of War Affected Youth, 2008), <https://fic.tufts.edu/assets/SWAYIIreporthighres.pdf>, pp. 73 and 89.

⁵³ The eight reception centres are: Caritas -Gulu; Caritas -Apac; GUSCO - Gulu; KICWA -Kitgum; CCF - Pader; World Vision -Gulu; CPA – Kitgum; and CPA - Lira.

⁵⁴ Rachele rehabilitation centre in Lira.

⁵⁵ Berkeley Report (*see supra* fn. 51), p. 9.

⁵⁶ *Id.*, p. 20.

⁵⁷ *Id.*, p. 11.

reception centres were 13 to 18 years old (37%) and 19 to 30 years old (24%).”⁵⁸ Furthermore, women represent only 24% of the former abductees received at all reception centres.⁵⁹ After also considering information from other different sources, the report makes the inference that “the LRA has abducted 24,000 to 38,000 children and 28,000 to 37,000 adults as of April 2006”⁶⁰ with “the total number of abductions over the 2002-2006 period [being] at roughly 19,000 adults and 22,000 children.”⁶¹

53. These numbers refer to the abductees of all four LRA brigades: Sinia, Stockree, Trinkle and Gilva. The Registry has no information as to whether some of the brigades were more active than others during the relevant period, namely 1 July 2002 to 31 December 2005. Moreover, the Registry notes that according to the information it received during its missions, most abductees spent time in at least two LRA brigades, with some of the abductees who spent a longer time in the LRA having been part of/fighting alongside all four brigades mentioned above at some point during their time in captivity.
54. It follows that there are no specific records on the amount of child abductions and recruitments by the Sinia Brigade during the time relevant to Mr Ongwen’s convictions. Similarly, records are scarce and incomplete as regards SGBV violence and children born out of such violence within the temporal and geographic confines of the Trial Judgment. Challenges also include the complexities in tracking the movements of the different LRA brigades, the lack of documentation of the LRA movements, etc.⁶² The lapse of time is a compounding factor for all of the above. Registry interlocutors suggested that it may therefore be unrealistic to

⁵⁸ *Id.*, p. 11.

⁵⁹ *Id.*, pp. 2, 11, 18, 23.

⁶⁰ *Id.*, pp. 3 and 24.

⁶¹ *Id.*, p. 21. The Registry notes that abducted people continued to return after 2007, the year when this report was published. It is also unclear how many people are still currently with the LRA, but during consultations with returnees from as recently as 2020, it was mentioned that there are still groups wandering between the Democratic Republic of the Congo, Darfur, Central African Republic and Chad.

⁶² Annex II.

expect that an exhaustive number of thematic crimes victims will ever be established.⁶³

55. Nevertheless, in order to assist the Chamber with an approximate ballpark figure of potential beneficiaries, based on the rough estimate number of children and adults abducted between 2002 and April 2006 mentioned at paragraph 52 above (altogether 41,000, which would include SGBC victims and child soldiers), divided between the four LRA brigades, could provide a rough indicator of 10,250 individuals abducted by the Sinia brigade between 2002 and July 2006. Yet, there is also an overlap between the thematic crime victims and those counted *supra*. The Registry therefore sees much merit in a continuation of its and the Legal Representatives' current efforts as part of the mapping exercise and collect as much further information as possible in order to provide a more precise estimation at the time line the Chamber set for submissions on reparations.⁶⁴

56. As to the numbers of indirect victims linked to the thematic crimes victims, the Registry submits that the categories of indirect victims and their approximate number can be provided once the approximate number of direct victims is established.

IV. Recommendations

57. In order to provide more specific data particularly on victims' current location, gender, age group, and particular vulnerabilities, beyond any more specific data available by 7 February 2022, eventually a process of (group/household)

⁶³ The Registry notes reports that considered the exercise of counting the abducted to be "at best an exercise in educated guesswork." See J. Annan, C. Blattman, K. Carlson, D. Mazurana, "The State Of Female Youth In Northern Uganda: Findings from the Survey of War-Affected Youth (SWAY) Phase II.", (Survey of War Affected Youth, 2008), <https://fic.tufts.edu/assets/SWAYIIreporthighres.pdf>, p. 31

⁶⁴ Trial Chamber IX, Decision on the Victims' Request for an extension of the time limit to submit their observations on reparation proceedings, 18 November 2021, ICC-02/04-01/15-1910, p. 7.

identification and registration of new victims potentially eligible for reparations⁶⁵ may be conducive.

58. The entire reparations process, and in particular next steps in preparation of the implementation of reparations, needs to be victim-centred, field driven and conducted at the local level with the survivors fully contributing to defining, designing and taking ownership of the process.
59. The Registry is persuaded that the success of the reparations program depends, in part, on the Court's ability to reach victims and record their demands for justice in an effective and meaningful way. Providing estimate numbers that are not properly corroborated in the field can be problematic as it may close the door on potential further victims eligible for reparations. Particularly with a view to the scarceness of solid data regarding thematic crime victims, the Registry advises that the numbers provided in the present report may not yet lend themselves as a solid basis for the issuance of a reparations order.

V. Subsequent activities

60. As mentioned in the Progress Report, the Registry has in its possession a number of lists containing the names and other information of approximately 7,000 victims who wanted to fill in application forms for participation in 2016, ahead of the start of the trial, but who were not able to do so given the strict deadline imposed at the time.⁶⁶ It is estimated that these individuals are part of the victims of the attacks as outlined above. Given the limitations in terms of time and COVID-related restrictions to conduct the mapping exercise and the efforts needed to establish the current location of these victims, the Registry will proceed with the consultation of a sample of the approximately 7,000 victims in the coming two

⁶⁵ For detailed information, please see the Registry's submissions on reparations, Annex II.

⁶⁶ Progress Report, para. 15. The OPCV has indicated to the Registry that in its role of CLR it holds a similar list with names of additional potential beneficiaries of reparations.

months. The Registry aims at organizing another mission to Northern Uganda which would allow for the organisation of additional focus-group discussions with some individuals on these lists.

61. The Registry and the Legal Representatives will continue to collect data which may update, corroborate and/or amend data provided in the present report. A mapping exercise of the present magnitude is a continuing process which gains in precision of results as activities progress. In this vein, to the extent that further data has been collected by the Legal Representatives and the Registry, updates on figures presented in this report will be submitted to the Chamber by 7 February 2022. Ideally, the mapping would continue thereafter, also to best inform implementation efforts of reparations as may be ordered by the Chamber. The Registry stands ready to continually assist, including through periodic reports also beyond 7 February 2022.