

Annex A

Trust Fund for Victims

Draft Implementation Plan for collective reparations to victims

Submitted to the Amended Reparations Order of 3 March 2015 in the case against

Thomas Lubanga Dyilo (ICC-01/04-01/06)

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I. Introduction

1. This Draft Implementation Plan (DIP) forms an integral part of the filing that the Trust Fund for Victims (Trust Fund) submits on 3 November 2015 to the Trial Chamber pursuant to the Appeal Chamber's Amended Order for Reparation of 3 March 2015 and the Trial Chamber's Decision on the Request for Extension of Time to Submit the Draft Implementation Plan of 14 August 2015. More specifically, the DIP is Annex A to the Trust Fund's filing on Reparations and Draft Implementation Plan of 3 November 2015 in the case against Mr. Thomas Lubanga Dyilo.
2. In developing the DIP, the Trust Fund has benefited greatly from consultations in Ituri; information informally shared by the Legal Representatives for Victims; the Expert Group discussions described in the filing. The Registry's victim mapping efforts and report have also helped to inform the approaches suggested for implementing collective reparations on this case.¹

II. Requirements and Procedures

3. The key parameters that guide the DIP, and described in the filing, are summarized below.

A. Victim Eligibility

4. The Court has detailed criteria as to who may be eligible to benefit from reparations in the present case.

¹¹ see VPRS victim mapping report in Annex 1.

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5. In particular, the Appeals Chamber instructed that collective reparations be awarded to victims of Mr. Lubanga.² In consideration of the scope and extent of the harm, the Appeals Chamber determined that collective reparations are appropriate due to the number and the scope, forms and modalities of reparations are deemed more appropriate.³
6. Reparations may benefit direct and indirect victims. Eligibility criteria are considered cumulatively. The beneficiary of reparations must fall within the definition of victim. This may include:

B. Direct victims

7. Direct victims are persons that were children, younger than 15 years of age at the time of their conscription, enlistment, and service as a soldier in ranks of the Union Patriotique du Congo (UPC)/Force Patriotique pour la Libération du Congo (FPLC).⁴

C. Indirect victims

8. Indirect victims pertains to family members of direct victims,⁵ persons who attempted to prevent the commission of one or more of the conviction crimes,⁶ persons who suffered harm when helping or intervening on behalf of direct victims,⁷ and persons who suffered personal harm as a result of the offenses.⁸

D. Institutional victims

9. In accordance with Rule 85b of the Rules of Procedure and Evidence (RPE) victims “may include organisations or institutions that have sustained direct harm to any of their property which is dedicated to religion, education, art or science or charitable purposes and to their historic monuments, hospitals, and

² Paragraph 53, Amended Reparations Order, 3 March 2015.

³ Rules 97.1 and 98.3, RPE. Paragraph 53, AC Order for Reparations. Reg. 69 Regulations of the Trust Fund for Victims.

⁴ Rule 85, RPE. Paragraphs 6 and 8 of the AC Order for Reparations, 3 March 2015.

⁵ Paragraphs 6.b.i., 7, and 63 of the AC Order for Reparations.

⁶ Paragraph 6.b.ii., of the AC Order for Reparations.

⁷ Paragraph 6.b.iii., of the AC Order for Reparations.

⁸ Paragraph 6.b.iv., of the AC Order for Reparations.

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other places and objects for humanitarian purposes.” In the present case, for instance, a school participated as a victim in the trial proceedings. As victims within the definition of Rule 85 of the RPE, eligible organisations and institutions may also benefit from reparations. In this instance, institutional victims may only be considered as a sub-form of indirect victim.

E. Temporal scope

10. The period over which the harm must have been suffered in this case is from 1 September 2002 to 13 August 2003. Therefore, in the case of direct victims, all those minors under the age of 15 years that were forced to be child soldiers, enlisted, conscripted, or serving in the service of the UPC/FPLC within the period of 1 September 2002 through 13 August 2003 may be eligible for reparations as direct victim beneficiaries.
11. In the case of indirect victims, the temporal requirements apply accordingly. In other words, only those close family members whose children were made child soldiers within the relevant time frame or those who attempted to prevent the commission of one or more of the conviction crimes,⁹ persons who suffered harm when helping or intervening on behalf of direct victims,¹⁰ and persons who suffered personal harm as a result of the offenses can benefit if the harm that they suffered was caused by an event that falls within the time period of 1 September 2002 through 13 August 2003.

F. Geographic scope

12. Those former child soldiers that possess an association to the relevant localities in Ituri Province may be eligible for reparations. The geographic parameters of the conviction pertain to localities mentioned in the context of paragraph 915 of the conviction decision.¹¹ Those localities include, but are not limited¹² to: Bunia, Tchomia, Kasenyi, Bogoro, Kobu, Songolo, Mongbwalu, Rwampara, Mandro,

⁹ Paragraph 6.b.ii., of the AC Order for Reparations.

¹⁰ Paragraph 6.b.iii., of the AC Order for Reparations.

¹¹ Paragraph 56, Appeals Chamber Order for Reparations. 3 March 2015

¹² Paragraph 915, [... proves that children were deployed as soldiers in Bunia, Tchomia, Kasenyi, Bogoro, and elsewhere and they took part in fighting including ...]. The relevant language in the conviction, “elsewhere” and “including” is illustrative of eligible localities rather than limiting or proffering a finite list of localities. Lubanga conviction decision. 14 March 2012.

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Aru, Nyamavi, Katoto, Centrale, Iga-Barriere, Tchenyanabu (Tinyamahibu), Mabanga, Watsa, Bambu, Nizi, Kilo, and elsewhere.¹³

13. In the Trust Fund's understanding, the relevant language in the conviction, "elsewhere" and "including" is illustrative of eligible localities rather than limiting or proffering a finite list of localities for purposes of eligibility.

G. Harm

14. For direct victims, the Appeals Chamber listed as forms of relevant harm:

- physical injury and trauma;
- psychological trauma and the development of psychological disorders, such as, inter alia, suicidal tendencies, depression and dissociative behaviour;
- interruption and loss of schooling;
- separation from families; exposure to an environment of fear;
- difficulties socializing with family and communities;
- difficulty controlling aggressive impulses; and
- the non-development of civilian life skills" resulting in the victim being disadvantaged, particularly as regards employment.

15. For indirect victims, the Appeals Chamber listed as forms of relevant harm:

- psychological suffering experienced as a result of the sudden loss of a family member;
- material deprivation that accompanies the loss of the family member's contributions;
- loss, injury or damage suffered by the intervening person from attempting to prevent the child from being further harmed as a result of the relevant crime; and

¹³ *Ibid.*

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- psychological and material sufferings as a result of the aggressiveness on the part of the former child soldiers being relocated to their families and communities.

16. The harm associated with Mr. Lubanga's crimes may include physical and psychological trauma, as well as, sociological and material losses exemplified by diminished educational opportunities and disadvantaged employment prospects.¹⁴

H. Causality and standard of proof

17. The harm must be caused by the crimes for which Mr. Lubanga was convicted. Persons shall provide sufficient proof that but/for the crime their harm would not have occurred. The crime must be the proximate cause of their injury.¹⁵

18. The wealth of social science literature, and the Appeals Chamber,¹⁶ acknowledge that it is appropriate to make a presumption of psychological harm once it has been established that a child participating in military activities. The Trust Fund considers the fact of a child being separated from his or her family and community to participate in military activities to be sufficient disruption of the healthy developmental pathway typically experienced by children in these communities, that harm should be assumed.

19. Children under the age of 15 years enlisted, conscripted, and serving in the ranks of the UPC/FPLC are presumed to have been injured by their service. Similarly, all indirect victims must be presumed to have suffered at least some degree of psychological harm¹⁷.

I. Issues related to the ethnic composition of prospective victims

20. In addition to application of the above mentioned cumulative eligibility criteria in implementing collective reparations, two further dimensions should be addressed. Firstly, the ethnic dimension and the likely composition of victims will be a point of consideration in implementing reparations. Secondly, the

¹⁴ Paragraph 58, Appeals Chamber Order for Reparations. 3 March 2015.

¹⁵ Paragraph 11, 22, and 59, and 65 Appeals Chamber Order for Reparations. 3 March 2015.

¹⁶ Ibid.

¹⁷ See discussion in the Trust Fund filing at paras. 270-278

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performance of certain reparation initiatives in the view of the Trust Fund will require the inclusion of other persons not characterized as direct or indirect victims.

21. The children recruited by Mr. Lubanga were primarily from his ethnic group the Hema. In addition to Hema children, children within the ranks of the UPC/FPLC included those from the Alur ethnic group as well.¹⁸ The controlling definition of victim in this case skews the ethnic representation of those that may benefit from collective reparations to the exclusion of other prominent groups in the region. The ethnic dimension of eligibility for collective reparations in this case may exacerbate pre-existing ethnic tension in the region.
22. The problem is exacerbated when consideration is given to the other two Ituri affiliated cases before the Court, the case of the Prosecutor versus Katanga and the Prosecutor versus Ntaganda.¹⁹ To quote a respondent from Ituri, the Hema “could very well receive reparations in both the Lubanga and Katanga cases, while the Lendu and other civilians will not benefit.”²⁰

III. Operational issues

23. Implementing reparations that benefit victims of Mr. Lubanga is important because it will recognize and attempt to vindicate the legal rights of those victims to reparation. The participatory process of developing and implementing the collective reparations programme recognizes that victims occupy a central role in the process of designing and implementing reparations that are meaningful and beneficial to victims. Recall the exposition in section III of the filing illustrating the consultative process and participatory role that communities and potential victims have contributed thus far in the process. At the collective level, reparations for rehabilitation programmes ensure that victims receive proper treatment and involve culturally appropriate and locally relevant forms of repair. Reparations serve to publicly acknowledge wrongdoing, restore victims' dignity, raise public awareness about the impact of the violence on victims and their

¹⁸ The Trust fund for Victims, Public Redacted Version of the Trust Fund for Victims Report on Reparations, 1 September 2011, para. 67.

¹⁹ Para. 10, of the Trust Fund Reparation filing Nov. 2015.

²⁰ Public redacted version of Trust Fund for Victims' First Report on Reparations ICC-01/04-01/06, para 174.

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communities; and when appropriate, assist with enabling positive social transformation.²¹

A. Considerations related to the number of victims vis-à-vis the limited funds available

24. As discussed in the filing, the number of potentially eligible victims is very difficult to estimate but is likely to number in the thousands. It is, therefore, almost certain that because of the limited funds available, the number of victims will exceed those who will in the end be able to benefit from the initiatives outlined in this draft implementation plan.

25. As has been explained in the filing²², the liability of Mr. Lubanga exceeds what may be complemented by the Trust Fund, i.e. there will be harm caused to victims by the crimes that he committed that cannot be redressed through the activities outlined in this plan.

26. In practical terms, one of the limitations of the reparation programme will be that its implementation will take place in a particular geographic region, i.e. Ituri Province, where the highest number of victims is concentrated and most direct link with the crimes exists. The limited resources will reach a maximal number of eligible victims within the region and those resources will be utilized in the most efficacious manner to the benefit of the victims. However, the Trust Fund considers it likely that some victims may have relocated elsewhere in the intervening years; and while these victims should ideally be able to also receive redress, this will unfortunately not be feasible.

27. As discussed below, the dilemma caused by the limitation of available funds will also result in the need for prioritizing the potentially eligible victims who should benefit.

28. The Trust Fund also notes that for planning purposes, and despite all the considerations outlined in the filing²³, it is necessary to formulate an estimate of the potentially eligible victims (direct and indirect) in the design and drafting of

²¹"Advancing Justice and Making Amends through Reparations - Legal and Operational Considerations," Kristin Kalla, Chapter 5.4, Gender and Conflict, Oxford Handbook, (expected 2016).

²² Para. 115 and 116, of the Trust Fund filing Nov. 2015.

²³ See discussion on potentially eligible victims in the filing at paras 237-253

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the implementation plan which is set at 3,000 victims. The estimated number of 3,000 potentially eligible victims is accompanied by the caveat that a final determination of the number of eligible victims will be made during application of the Draft Implementation Plan. As discussed in detail, the figure is merely an estimate for purposes of collective reparation programme planning and budgeting at the design stage, and a final tabulation will be verified in the course of implementation.

B. Victim screening process

29. The Trust Fund is proposing a *screening process during the implementation phase* which obviates the need for prior submission of applications and justifying documentation by victims. The identification of eligible victims will take place on entry into the programme, based on the eligibility criteria summarized above. Once eligibility is confirmed, it will be determined who are the most vulnerable victims with priority needs. The screening process, as outline below in section IV, of potentially eligible victims shall be performed by the Trust Fund, in conjunction with, implementing partners to be selected and contracted for the purpose of implementation of the reparations plan.
30. The Trust Fund shall utilize an *eligibility screening tool* (see more details below and at the end of this document) in conjunction with its' implementing partners to apply the definitional criteria of victim as articulated above and from the Reparations Order. Careful application of the eligibility criteria will ensure that the beneficiaries of the collective reparations initiative comport with the legal strictures of the Reparations Order. The Trust Fund will perform its due diligence in the screening process.
31. The victim screening process will likely identify a number of victims that is higher than the number for whom, due to the limited funds, the full range of reparations is not available. The vulnerability criteria will then be applied in a manner that prioritizes the most vulnerable victims, and those in urgent need of attention to benefit from the reparation initiatives. The vulnerability criteria shall be explained to the communities to avoid any confusion or frustration.

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C. Options for the Trust Fund's approach to address gender dimensions of reparations

32. In the DRC, gendered social norms work to generally disadvantage women in social, political, economic and cultural arenas. In its 2011 response to the State Party report by the DRC, the UN Committee on the Elimination of Discrimination Against Women (CEDAW), noted that in the DRC:

33. "Family relations are built on underlying inequality between man, the husband and father who is head of the family, and woman, the wife and mother who manages the household."

34. The Court has limited the scope of reparations to those within the Judgment, and within direct liability of Mr. Lubanga to enlistment, conscription, and use of child soldiers. Clear within this case is that:

- boys and girls were enlisted, conscripted and used as child soldiers;
- that gender norms and dynamics of this specific context were instrumentalised in this crime and that the crime was experienced on a gendered basis by boys and girls;
- that specific gendered harms were experienced by boys and girls during their capture; and
- that the impacts of these gendered harms are being felt in the aftermath of their experiences, particularly for girls who live with the physical and emotional impact of assault, socio-cultural stigma and branding and children as a result of rape.

35. The Decision and Order for Reparations allows for:

- a concept of harm that denotes "hurt, injury, and damage" personal to the victim that may be material, physical, and psychological" (para 10);
- a process whereby "reparation is to be awarded based on the harm suffered" (para 11);

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- a process of reparation that addresses any “underlying injustices” and provides for a gender-inclusive, non-discriminatory approach and tackles and transforms gender inequalities (paras 16, 17, 18); and
- modalities of reparation that, if they are to be successfully achieved, require a gender-sensitive understanding of the harm experienced, an approach that tackles inequalities and a process of repair and rehabilitation that is fulsome and addresses all aspects of the gendered nature of the crime and resulting harms.

36. The Trust Fund is presented with a number of strategic considerations in its approach to addressing the gendered dimensions of the filing.

37. The approach to integrating a gender-inclusive perspective into reparations programme requires elucidation, including the scope and interpretation of “harm,” the “standard of causation” and the “scope of Mr. Lubanga’s liability for reparation.” This will need to be further elaborated following the victim identification and consultation process, and may be included in subsequent reports to the parties and Chambers, as needed.

38. “A gender sensitive approach to implementing the collective reparations programme implies consciously creating an environment that reflects an understanding of the realities of the lives of women or men within their social setting. This means that there should be an attempt to understand the realities of the lives of women within their social setting. By this it means that the practice or mechanism in question should take into account the manner in which women’s marginalised status negatively affect their ability to access justice within their own local settings.”²⁴ Integrating a gender dimension to reparation orders will ensure that women are involved in the design, implementation and monitoring of the reparation process; and that reparations are responsive to women’s vulnerability and their roles vis-à-vis their communities.²⁵

39. The Trust Fund will also continue to apply its own independent application of its assistance mandate within the bounds of its legal authority in the situation to

²⁴ “Advancing Justice and Making Amends through Reparations - Legal and Operational Considerations,” Kristin Kalla, Chapter 5.4, Gender and Conflict, Oxford Handbook, (expected 2016).

²⁵ UN WOMEN, *In Pursuit of Justice, 2011-12, Progress of the World’s Women*; electronically available at <<http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf>>

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support victims of sexual and gender-based violence²⁶; and continue to advance its gender policy as set out in the *Trust Fund for Victims Strategic Plan (2014-2017)*.

D. Gender disaggregated and response to the harm of enlistment, conscription, and use

40. The Trust Fund intends to apply a “thick approach” when addressing the various dimensions and manifestations of harm suffered by victims in this case. Such a *thick description* of a human behaviour is one that explains not just the behaviour, but its context as well.²⁷ In particular, it will be impossible to disaggregate the harm of sexual and gender based violence from the range of other harms that male and female soldiers have experienced as a result of their enlistment, conscription and use under Thomas Lubanga e.g. when providing psychological rehabilitation the counsellor will have to address harm in all its dimensions to enable healing and cannot simply deny a part of the personal history of the person that he/she is trying to rehabilitate.

IV. Intake and screening

41. Reparations intake and screening procedures, as articulated below, are consistent with the provisions of the Amended Reparations Order and section VI of the filing.

A. Communication and consultation with prospective victims

42. Once the Court approves the DIP, the Trust Fund team, relevant sections of the Registry, Legal Representatives for Victims, and implementing partners²⁸ will initiate the identification of victims through a consultative dialogue²⁹ concerning the case and the particulars of the conviction. This will assist the community to

²⁶ on the interplay of the Trust Fund’s mandates see filing 151-158

²⁷ In anthropology and other fields, a **thick description** of a human behavior is one that explains not just the behavior, but its context as well, such that the behavior becomes meaningful to an outsider. Cf. Geertz, Clifford. “Thick Description: Toward an Interpretive Theory of Culture”. In *The Interpretation of Cultures: Selected Essays*. New York: Basic Books, 1973. 3-30.

²⁸ Trust Fund implementing partners are a necessary aspect of the victim mobilization process because of their role in organizing outreach and communication with the community in addition to their administrative and programmatic implementation function at the behest of the Trust Fund.

²⁹ The community dialogue may be done in cooperation with specific stakeholders specialized in conflict analyse and resolution.

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better understand the framework of collective reparations and to support the identification process. Implementing partners shall establish communication channels with the various stakeholders within their area of responsibility, to include but not limited to, local government, traditional or cultural leaders, village elders, women's groups, youth groups, religious leaders, victim associations and groups, UN agencies, nongovernmental organisations (NGOs), and individuals; and to assemble a comprehensive understanding of the pertinent victim population in a given area.

43. During the consultative dialogue, the implementing partners will consult with local stakeholders about the collective reparations modalities available; and share with the community the victim identification criteria to ensure they are well understood. They may have to refine their identification criteria of potentially eligible victims by community, household, or at an individual level depending on the findings of the consultation. Stakeholder consultations enable implementing partners to reduce the resentment, gain acceptance and reduce possible contestation of the selected victims.
44. Collective reparations require the inclusion of more persons beyond the few that have applied to the Court or that may seek eligibility as direct or indirect victim in order to be successful and relevant to redressing the harm caused by his crimes more broadly. The Appeals Chamber clearly stated³⁰ that collective reparations will be extended to those that have not filed an application with the Court. The prospective pool of beneficiaries will be screened at the time of implementation.

B. Identification of eligible victims

45. The Trust Fund, in conjunction with implementing partners, will conduct interview with direct victims to establish their status as an eligible victim in accordance with the collective reparations criteria.³¹ At this stage, victims represented by counsel (Legal Representatives for Victims) may, if they so choose, have their legal representative present during the interview. Non-participant victims or non-applicant victims may have their legal rights

³⁰ Paragraphs 1, 9, 12, 14, 29, 54, and 79 of the Amended Order for Reparations and paragraphs 211, 148.f., 151, and 152 of the Appeals Chamber Judgement on the appeals against the "Decision establishing the principles and procedures to be applied to reparations", issued 3 March 2015.

³¹ Each partner and project will have distinct rehabilitation or support objectives intended to address certain harm categories of victims (e.g. child soldier psychosocial, trauma counselling, and medical treatment, etc.) within a particular geographic location.

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represented by the Office of Public Counsel for the Victims (OPCV) during the interview. No other entities (Defence or Prosecution) shall be present during the interview.

46. Indirect victim interviews will be conducted by the Trust Fund in conjunction with implementing partners and without the presence of counsel or legal representatives.
47. Victims seeking reparations can have their identity verified through multiple methods that may include: identification card, voter registration cards/electoral cards, lists obtained from former commanders, demobilization card for those that passed through a formal DDR process, health clinic card, school identification card, or a statement signed by two credible witnesses denoting identity.
48. The Trust Fund will need to take into account “women’s greater difficulties in complying with formal requirements for obtaining reparations (such as identification, certificates, official documents, etc.); their greater difficulty in accessing information (linguistic barriers, illiteracy, etc.) or having a bank account; their degree of involvement in civil society organisations that function as intermediaries in either the identification and registry of victims or the delivery of services; and their geographical distance from the agencies that decide on reparations or deliver services.”³²
49. To establish the interviewees status as a former child soldier, the interviewer may elicit their knowledge, understanding, and familiarity of the structure of the armed group that would illustrate tenure in the UPC/FPLC. Additionally, the interviewee may offer or present military effects or paraphernalia (insignia, clothing, or kit) as a basis of illustrating eligibility or tenure within the armed group.
50. DDR information will not be utilized in a manner to exclude a victim from benefiting from collective reparations merely because their name is absent within the received materials. The Trust Fund is well aware of the limitations of such data. DDR records that may be made available to the Trust Fund will not be a complete and definitive record of demobilized persons. In particular, DDR processes do not adequately reflect the gender composition of the forces from

³² Gender and Reparations: Challenges and Opportunities, Ruth Rubio Marin, International Center for Transitional Justice, 2010, white paper; and The Gender of Reparations Unsettling Sexual Hierarchies while Redressing Human Rights Violations, Editor: Ruth Rubio-Marin, May 2011.

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which they are drawn.³³ DDR processes underrepresent the female composition of the forces from which they were drawn; females are more likely to have auto-demobilized and returned to their communities of origin without passing through a formal DDR process.

51. Should information collected in the framework of previous Demobilization, Disarmament, and Reintegration (DDR) programmes be received from either United Nations agencies, non-governmental organisations, and governmental sources, the Trust Fund proposes to use this information for purposes of corroborating victim status. In other words, it would be used as an additional piece, not a prerequisite, of information to cross-check statements by prospective victims or their reference persons.
52. Implementing partners will have protocols in place to ensure that victims traditionally less visible in the community such as women, young people, survivors of sexual and gender-based violence, highly traumatized persons and handicapped persons will be identified with given due consideration.
53. There may be instances when testimony is contradictory and inconsistent and there may be reasons to believe that the person does not fall within the eligibility criteria. However, the Trust Fund is very aware that the inconsistency in the story of a person may be due to his/her trauma. In this case, the absence of consistency should not be a reason to disqualify a victim. Careful and professional protocols will be applied to avoid re-traumatisation and help the person to express him or herself.

C. Harm assessment

54. As part of the interview process, the Trust Fund in conjunction with implementing partners shall collect the information necessary to determine whether the victim has suffered harm as a result of the commission of a crime for which Mr. Lubanga was convicted, and what that harm is.
55. The time required to make this harm assessment will depend on the particular characteristics of each interviewee and the degree to which information is

³³ Between 2004 and 2006 the demobilization process in Ituri yielded 30,594 child soldiers of which only 10-15% of those children were girls within the DDR process. Research indicates that nearly 40% of the children associated with armed forces and groups of Ituri were girls. Spanish Ministry of External Affairs summary on the DDF in DRC, <http://ascolapau.uab.cat/img/programas/desarme/mapa/rdcongo08i.pdf>.

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available or becomes available on which to render a final determination. In most instances the Trust Fund anticipates that a determination may be made immediately following an interview. In the instance that additional time is required to adequately consider or corroborate information in respect of the eligibility criteria the period of determination shall normally not exceed 14 days. In either case, victims shall be informed promptly of their eligibility status.

D. Prioritization

56. The Trust Fund in conjunction with implementing partners will conduct one-on-one interviews to determine their victim status and eligibility to benefit from collective reparation programmes. The selection criteria will be applied in a manner that prioritizes selection of the most vulnerable victims. Vulnerability will consider those in urgent need of attention and those suffering from a form of harm that can be addressed by the program. The selection criteria or vulnerability criteria shall be explained to the communities to avoid any confusion or frustration.

57. Selection criteria for the most vulnerable victims are not cumulative:

- Victims exhibiting an injury or harm requiring an immediate response or urgent care,
- Single parent heads of households, women, young mothers with children, widows and widowers, orphans, and the elderly,
- Persons with disabilities or handicaps, and
- Victims who have not previously benefitted from rehabilitation or assistance,

58. The Order for Reparations recognizes that “[p]riority may need to be given to certain victims who are in a particularly vulnerable position or who require urgent assistance.” This includes “affirmative action” approaches where and when necessary, an approach that lends itself towards accounting for the impact of specific harms that require specific forms of redress. As the Order also states that “awards ought to be appropriate to the harm, injury, loss and damage as established by the Court,” there is a basis here for scheduling a reparations regime that repairs harm in a way that is responsive to the depth and breadth of the harm that has occurred.

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59. Organisations that work in the DRC context to assist affected populations recognize the gendered reality and experiences of victims of harm. As a result, they adopt gendered approaches to their work in order to adequately respond to the lived experiences of the communities they serve, and the gendered ways in which the conflict is experienced by men and women. Protection surveys conducted by some international NGOs, for example, have shown that violence and abuse is “highly gendered in terms of its targeting and impact, both in the short term and longer term.” This thereby requires approaches that are tailored to the ways in which men and women experience harm.
60. The Trust Fund has the responsibility to train the staff and the implementing partners on the identification and selection process. A good understanding and acceptance of the process is key for successful and focused projects. The Trust Fund ensures that each implementing partner will benefit from a theoretical and practical training on the screening process. Concrete examples will be used giving an opportunity to partners to experiment with the criteria established by the Court. Training will be adapted to the criteria of the case and the type of collective reparation projects to be implemented.

E. Selection of the reparation modality

61. Selection of the type of reparation appropriate for the harm and placement shall be done by the Trust Fund in conjunction with implementing partners without the presence of counsel, legal representatives, or others. Following a positive determination of the victim’s eligibility, the Trust Fund in conjunction with implementing partners, shall conduct an injury and placement assessment. For example, for a victim with a manifest physical injury, the Trust Fund will consider the necessity of their placement in a physical rehabilitation project. An interview and diagnostic consultation with the victim shall seek to inquire about the nature and circumstances of the individuals injury,³⁴ when did it occur, how did it occur, what treatment they may have received for their injuries and where, what relevant medical records they possess.
62. Based on the information obtained the victim will be informed about the reparation modalities proposed and how to obtain it. The victim will have the option to elect the reparation modality that pertains to their circumstances.

³⁴ Inquiring about the circumstances will enable the implementing partners to distinguish whether an injury or trauma is the consequence of an accident (e.g. common automobile accident) versus a conflict related incident directed against a civilian.

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F. Ensuring transparency and confidentiality

63. As a matter of respect and transparency, the Trust Fund shall explain to ineligible victims (direct and indirect) the reasons for the negative decision. In an effort to dispel conjecture, confusion, or animosity against victims selected for collective reparations, the Trust Fund, in conjunction with implementing partners, shall explain the rationale as to why a prospective victim was or was not selected.
64. The Trust Fund ensures the need for the implementing partners to keep all the information about the potential beneficiaries and selected victims in a management information system (MIS) confidential. Information shall be kept confidential in a secure location with the assistance of the Registry's IT section. If required, the Trust Fund may provide training and guidance on management of information.

V. Modalities and forms of the reparations proposed

65. "Regardless of the reparations mechanism, designing multifaceted reparations programmes maximize impact, resources, and victim satisfaction."³⁵ When a minor enters an armed group, the first thing he or she loses is the right to an identity and a family to have ties to in the community. His or her right to play-time, education, parental affection, and social protection is also violated.
66. Based on the community consultations in Ituri, discussions in the Expert Group, and consultations with the Legal Representatives for Victims, it was noted that several former child soldiers said that they would feel compensated by access to an education and job opportunities. They requested help to overcome social rejection, which prevents them from finding employment, as well as, psychological support and access to medical services for their injuries.
67. Collective reparation measures for these former child soldiers should also acknowledge their status as victims, and clarify the context and nature of recruitment as a serious crime that must be renounced. Collective reparations

35 "Advancing Justice and Making Amends through Reparations - Legal and Operational Considerations," Kristin Kalla, Chapter 5.4, Gender and Conflict, Oxford Handbook, (expected 2016).

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should also take into account pre-existing mechanisms for child protection and the reintegration of former paramilitaries. Measures must also consider the different effects of recruitment on girls, as well as, on the victims' communities. Reparations should remedy the loss of childhood and—to the extent they can—the opportunities lost with it. The process of reparation should be geared towards helping the youth rebuild his or her personal, family, community, social, and economic networks, ties, and links.

68. Therefore, the Trust Fund proposes the following collective reparations programme, emphasizing rehabilitation, and complemented with resources of the Trust Fund's voluntary contributions. Collective reparations will be directed at assisting qualified former child soldiers; and their families and affected communities as indirect victims—aimed at strengthening the community acceptance, healing, and integration. The collective reparations programme will promote rehabilitation and healing; and will contain provisions for medical and psychological treatment of trauma experienced by recruited youth, as well as, offer socio-economic support initiatives. For the families, there will be a group therapy programme, in order to understand and re-signify the boys' and girls' time in the armed group (UPC/FPLC) and to counteract illegal ethics, practices, and socialization models.
69. Other aspects of the collective reparations programme supported by the Trust Fund's resources will include vocational and accelerated literacy training; and improving the capacity of victims to access economic opportunities; conflict resolution and gender training for victims and communities, life skills development, gender-sensitive training addressing gender-based violence, peace education and promotion of a culture of peace in affected communities.
70. One challenge that the reparations programme may be faced with is that it must ensure that the projects are perceived as constituting reparations and not as humanitarian or development projects. While collective reparations projects are important for communities, in many cases they are activities that the government is already obligated to provide to citizens and communities as components of development, and not reparations policies specifically. This is especially true in regards to building or improving roads, schools, and health clinics. Therefore, ensuring proper messaging through a community outreach, consultation and victim participation strategy will be key elements during implementation.

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*Psychological trauma as a cross cutting issue and how the Trust Fund proposes to be mindful of this dimension in implementation*³⁶

A. Presumption of psychological harm

71. It is feasible and appropriate to make a presumption of psychosocial harm once it has been established that a child³⁷ participated in military activities. While the basic eligibility checks need to be made as part of the reparations programme, the Trust Fund argues against a full harm assessment as part of any such eligibility check.
72. The same position was put forward by the Prosecutor in this case³⁸ and has been argued extensively in academic sources. Cabrejo (2010), discussing the culpability of child soldier recruiters, argues that:

“Indeed criminalizing the act of recruitment per se, under all its forms and not only the forcible abduction, means that the prohibition is built on the presumption of harm stemming from the posterior participation in the hostilities. To create a prohibition based on a presumption of posterior harm is certainly an original but legitimate decision when the harm is very likely to happen and there is a political will to proactively prevent it. One more interpretative step could be done to further this policy. The preventive power of the prohibition would be highly strengthened by putting the recruiters in front of their responsibilities for the whole consequences of child recruitment.”³⁹

36 Conceptualized and drafted by one of the experts from the expert consultation in Belfast, Mr. Craig Higson-Smith and Dr. Shannon Golden from the Center for Victims of Torture (CVT). Since 1985, the Center for Victims of Torture has worked toward a future in which torture ceases to exist and its victims have hope for a new life. They are an international nonprofit organisation dedicated to healing survivors of torture and violent conflict. They provide direct care for those who have been tortured, train partners around the world who can prevent and treat torture, and advocate for human rights and an end to torture. - See more at: <http://www.cvt.org/>.

37 There has been debate surrounding definitions of “child,” as notions of childhood vary widely across contexts. For some, “childhood” ends when an individual assumes adult social roles in their community or undergoes specific rites of passage. For others, “childhood” is defined by biological processes (puberty) or psychological processes (development). Due to this on-going contestation, we defer to the international legal standard of “child” as any individual under age 18. See *Convention on the Rights of the Child*, 1990, <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>.

38 “Decision Establishing the Principles and Procedures to Be Applied to Reparations (ICC-01/04-01/06)” (International Criminal Court, August 7, 2012), <http://www.icc-cpi.int/iccdocs/doc/doc1447971.pdf>.

39 Amanda Cabrejo, “A Proposal to Come Full Circle: Recruitment of Children to Participate in Hostilities, Atrocities Committed by Child Soldiers and Coherent Responsibility of the Recruiter” (Masters, University of Amsterdam - Columbia Law School, 2009).

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73. A child separated from his or her family and community to participate in any form of military activities is such a significant disruption of the child's healthy developmental pathway that harm should be assumed. Caring and dependable relationships between a child and significant adults in his/her life are central to healthy psychosocial development. When such relationships are disrupted, lasting negative consequences for the child's physical, emotional, cognitive and social development ensue.⁴⁰
74. While contextual and cultural factors do influence attachment patterns, the core need for secure attachment is universal. Importantly, child soldiers separated from primary attachment figures will often fulfil their attachment needs by bonding strongly with the military unit, a survival strategy which makes the process of demobilization and reintegration into the community particularly difficult.⁴¹ One of the key roles that attachment figures play is to mediate the child's experience of the world in an age-appropriate way. Through this process, children develop the internal capacities and interpersonal skills to navigate the world as independent adults. When these relationships are disrupted, children may be prevented from achieving their full adult potential.
75. The Trust Fund submits that a presumption of harm is valid regardless of the age at which the child was recruited, the circumstances under which the child was recruited, or the activities or events to which the child was exposed. While it is true, for example, that many fifteen-year-old children in the DRC work in various capacities, such work remains within the ambit of the family and close community (to the extent that it does not, such work may also be harmful to children's healthy psychosocial development). Such work is intentionally designed to prepare older children to become productive adults in the community. These children work under guidance from caring adults and gradually assume greater responsibility as they grow in experience.
76. This is not the situation for children engaged in military activity. Rather, children with war-time military exposure are likely to develop skills and role expectations

40 Carlo Schuengel, Mirjam Oosterman, and Paula S Sterkenburg, "Children with Disrupted Attachment Histories: Interventions and Psychophysiological Indices of Effects," *Child and Adolescent Psychiatry and Mental Health* 3, no. 1 (2009), doi:10.1186/1753-2000-3-26.

41 Roos Haer and Lilli Banholzer, "Group's Attachment and the Successful Reintegration of Child Soldiers," *Journal of Development Effectiveness* 6, no. 2 (2014): 111-27.

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that will put them at odds with community life in times of peace, thus increasing the risk of perpetuating cycles of violence.

77. It is true that some children have “volunteered” their services to military groups rather than being forcibly abducted. However, in healthy societies, adults in the family and close community take responsibility for protecting children from dangers borne out of youthful inexperience. Such protection was not afforded to the children in affected communities. Children have compromised agency or consent, both under the law and in terms of capacity to consent to treatment or participation in research. Scientific research has confirmed that the period between twelve and eighteen years of age is a time of very significant physical, cognitive, and emotional development. Adolescents typically engage in more risky activities than adults and are highly vulnerable to external influences from peers and powerful people in their community.⁴² Thus, claims that a child “volunteered” should not make him or her ineligible to benefit from the reparations programme.
78. It may be argued that some children, despite spending time with military forces, were not directly exposed to any violent or traumatic events. Given general knowledge about military life, this seems unlikely. However, even if direct exposure to traumatic events was limited, the Trust Fund submits that the removal of children from their homes, close communities, and from the adults who protected and guided them, represents sufficient disruption of the typical and healthy developmental process that harm must be presumed.
79. Finally, the Trust Fund notes based on the expert advice it has received that any in-depth psychosocial assessment to “determine harm” is likely to cause further stigmatization and re-traumatization, especially in a context where people suffering from mental illnesses are often misunderstood, feared, and poorly treated.
80. **Implication:** For these reasons, no in-depth psychosocial harm assessment should be required as a precondition for participation in the reparation programme and all eligible persons should be offered a foundational level of psychosocial support. Any eligibility checks should be comprised of the absolute minimum number of questions at a minimum level of invasiveness.

⁴² Larry Cunningham, “A Question of Capacity: Towards a Comprehensive and Consistent Vision of Children and Their Status Under Law,” *Journal of Juvenile Law & Policy* 10, no. 2 (2006): 275–377.

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B. Mitigating stigma and avoiding harm

81. A second principle is that of vigilance against further stigma, which is a key component of the widely accepted medical ethical principle of non-maleficence or doing no harm. The present circumstances of the victims, their families, and their communities create a strong potential for inadvertent harm during the implementation of reparations, particularly through further stigmatizing already vulnerable individuals and groups.
82. Victims are mostly young, impoverished, and many are marginalized due to their associations with armed forces. They have missed opportunities for education, employment, and marriage, which are key pathways to increased social power or position within their communities. It is also likely that many victims suffer emotional, inter-personal, and physical consequences from their experiences as child soldiers. In contrast, community leaders and people associated with the Court, the Trust Fund, and their partners enjoy far greater social power. Former officers and adult soldiers also enjoy significant power in the community, not to mention the convicted person himself following his release. People with comparatively less social power are much more vulnerable in the face of stigmatizing attacks, such as being accused of lying, exaggerating, or being traitors. Recognizing this vulnerability, the reparations program should take extreme great care to not contribute to the social stigma that many former child soldiers already face.
83. The collective reparations programme intends that direct and indirect victims overcome their harm, lead a dignified life, and contribute towards reconciliation and peace building with their communities.' To reach this objective, the Trust Fund posits that victims should not be further stigmatised and should be accepted by the communities. Based on the Trust Fund's experience under the assistance mandate, the Trust Fund considers that the context in which reparations in this case will be implemented is characterised by general poverty, instability, inequity, and an absence of social services.
84. Accordingly, the Trust Fund considers it possible that inhabitants of the affected region could be of the mind that most victims might not understand the screening and determination process of the collective reparations process. In fact,

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the implementation of collective reparations, if not carried out carefully, may lead to new tensions or to animosity against the victims.

85. In the interest of the victims, and for the ownership and sustainability of the projects, it may be required to integrate members of their household and the community into certain aspects of collective reparation initiatives to avoid causing additional harm, stigmatisation, and discrimination. As discussed throughout section VIII of the Trust Fund filing, objectives such as reconciliation, reintegration, and mitigating stigma demand the inclusion of members of the household and or the community to achieve.
86. In addition to current power differentials within communities, the reparations programme could potentially sow division by being seen to provide assistance to some people but not to others. It should not be assumed that the reparative philosophy (and associated processes and selection criteria) is understood or supported by the communities which stand to benefit from a collective reparations programme. It is quite possible that extending reparations to a particular group within the communities will cause harm to or divisions within the communities themselves, in particular further isolating and stigmatizing those that the programme is intended to assist.
87. **Implications:** Given these factors, the Trust Fund submits that great care must be taken for the protection of victims, their families, and their communities, in all aspects of the reparations implementation plan. Key to such care is to:
 - a. Build a package of collective reparations that acknowledge the costs of the war to communities broadly, not merely a selected group of beneficiaries;
 - b. Develop methods for eligibility checks and delivery of individual and collective reparations that are inclusive, respectful, upholding of personal and collective dignity, non-stigmatizing, non-pathologizing, trauma-sensitive, and victim-centered;
 - c. Train all personnel involved in eligibility checks, harm assessment, and the delivery of reparations in how to avoid stigma and to promote the principle of non-maleficence when working with vulnerable people;
 - d. Support and supervise all personnel involved in the delivery of reparations to ensure that potential for inadvertent harm and stigma is reduced.

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C. Supporting personal and collective narratives

88. Thirdly, the Trust Fund would like to note the principle of supporting personal and collective local narratives of suffering, resilience, and recovery. Collective reparations should support individual victims, their families, and communities to develop narratives of past experiences and to bear collective witness to those narratives. As Judith Herman so eloquently writes, “[t]he ordinary response to atrocities is to banish them from consciousness. Certain violations of the social compact are too terrible to utter aloud: this is the meaning of the word *unspeakable*”.⁴³ Mechanisms that allow people and communities to describe their own experiences and learn about the experiences of others create opportunities for internal healing and community reconciliation. They also reduce the possibility of past traumatic experiences being manipulated or distorted in the future.

89. Such narratives also provide additional evidence of eligibility for reparations, as well as a qualitative account of harm. In so doing, they differentiate the work of collective reparations from more general aid or development projects.

90. **Implication:** For this reason, the Trust Fund submits that the reparation programme includes mechanisms by which individuals have the opportunity to recount their experiences and listen to the experiences of others. These narratives should be assembled into an archive that documents this period in the history of the affected communities, serving as a repository of collective memory, and these narratives should play a central role in any collective memorialization that occurs under the plan. The psychosocial programmes recommended directly contribute to the generation and preservation of narratives.

D. Psychosocial health is key to integrated programming

91. Psychosocial health is foundational to an integrated reparations programme for the victims of Mr. Lubanga’s crimes. The psychosocial consequences of the crimes of which the accused has been convicted are profound, particularly in that these consequences are likely to undermine victims’ capacity to benefit from other forms of reparation that might be made available under the programme. For example, a young person who is unable to sleep properly and whose concentration is impaired is less likely to benefit from an accelerated education programme; someone who is unable to manage feelings of low self-esteem,

⁴³ Judith L. Herman, *Trauma and Recovery: The Aftermath of Violence--From Domestic Abuse to Political Terror* (Basic Books, 2015).

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violence, or anger might be limited in his or her capacity to resolve inter-personal disputes that might arise in the course of a collaborative income generation project. Therefore, addressing core elements of psychosocial health is a precondition to any measure of success in other reparations programmes.

92. **Implication:** The Trust Fund therefore recommends that a broad-based life-skills programme and psychosocial group counselling be included as core components of the proposed reparations scheme. After completing these programmes, participants should receive ongoing support from a “mentor,” to assist them in applying skills learned in the life-skills programme and supporting them through difficult times during the lifespan of the reparations programme. Such life skills programmes have been used successfully with former child soldiers in a range of contexts, most notably by the International Labour Organisation (ILO).^{44, 45}

1. Conceptual model of psychosocial harm from child soldiering

93. The psychosocial consequences of a child’s involvement with military activities should be considered based on a broad understanding of the longer term impacts on psychosocial health and adjustment. As various researchers have concluded, a conceptual model that focuses *only* on traumatic stress overly medicalizes the aftermath of war, and presents a picture that is highly Westernized and often far removed from the experiences of people in other parts of the world.^{46, 47}

- a. A focus on deficits and symptoms is likely to overlook many strengths and resources that are essential to beneficiaries’ health and development.
- b. Theories of traumatic stress are essentially concerned with intra-personal dynamics such as intrusive thoughts and memories, arousal, beliefs about the world, and so forth. However, many cultures (as in the DRC) define health and mental health in more relational terms. That is, a healthy person is defined primarily as someone who is able to fulfil their role in

44 “How-To’ Guide on Economic Reintegration: Children Formerly Associated with Armed Forces and Groups” (International Labour Office, 2011), http://www.ilo.org/wcmsp5/groups/public/@ed_emp/documents/publication/wcms_159089.pdf.

45 Mark JD Jordans et al., “Reintegration of Child Soldiers in Burundi: A Tracer Study,” *BMC Public Health* 12, no. 905 (2012).

46 Derek Summerfield, “A Critique of Seven Assumptions Behind Psychological Trauma Programmes in War-Affected Areas,” *Social Science & Medicine* 48, no. 10 (1999): 1449–62.

47 Derek Summerfield, “Effects of War: Moral Knowledge, Revenge, Reconciliation, and Medicalised Concepts of ‘Recovery,’” *BMJ* 325, no. 1105 (2002).

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the family and community, such as participating in social events or customs and developing appropriate relationships.

- c. Models that over-emphasize post-traumatic stress run the risk of adding another layer of stigma to what these victims must already overcome.

94. The Trust Fund proposes a simple conceptual model that locates traumatic stress as *one* of several ways in which wartime experiences impact former child soldiers, alongside disrupted development pathways and lowered social status within the community due to stigma. Taken together, traumatic stress, disrupted development, and social stigma result in reduced internal and external resources, which then lead to poorer psychosocial health and adjustment outcomes. This model is summarized in Figure 1 below.

95. With respect to *wartime experiences*, it is important to note that the experiences of child soldiers are extremely varied. Public media (and to a lesser extent academic work) has tended to portray former child soldiers as either hopelessly crippled by psychological disorder or as hardened killers without remorse or moral capacity. For example, an article in The Telegraph describes the “years of therapy involved in rebuilding of [a child soldier’s] personality.”⁴⁸ Similarly, a CNN article speculates that “without intervention, [child soldiers] could grow up to become a lost generation of migrant professional killers.”⁴⁹ In fact, virtually no child soldiers fit either of these descriptions, and, given the necessary opportunities, most grow up to become healthy and productive members of their communities.^{50, 51, 52}

96. Some children spent many years as soldiers, while others may only have been in the military situation for a few weeks or months. This has important implications for understanding the impacts on development. A child who spends many years as a soldier has a much more disrupted development process. Because child

48 Will Storr, “Kony’s Child Soldiers: ‘When You Kill for the First Time, You Change,’” *The Telegraph*, February 12, 2014, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/uganda/10621792/Konys-child-soldiers-When-you-kill-for-the-first-time-you-change.html>.

49 Ann O’Neill, “Stolen Kids Turned into Terrifying Killers,” *CNN*, February 12, 2007, <http://www.cnn.com/2007/WORLD/africa/02/12/child.soldiers/>.

50 Liliana Cortes and Marla Jean Buchanan, “The Experience of Columbian Child Soldiers from a Resilience Perspective,” *International Journal for the Advancement of Counselling* 29, no. 1 (2007): 43–55.

51 N Boothby, J Crawford, and J Halperin, “Mozambique Child Soldier Life Outcome Study: Lessons Learned in Rehabilitation and Reintegration Efforts,” *Global Public Health* 1, no. 1 (2006): 87–107.

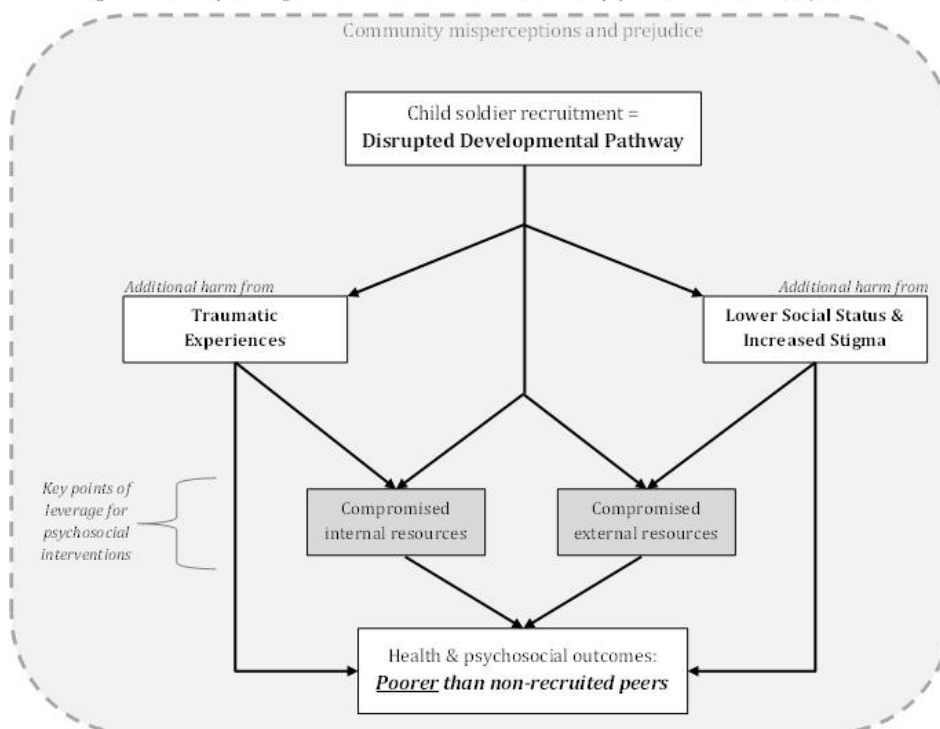
52 Jordans et al., *op. cit.*

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development is somewhat plastic and many children display resilience, some children are able to compensate for the developmental impacts, especially if their time as a soldier was limited.

97. Also, the means by which a child became a soldier is important. While some children are violently abducted and tortured in order to make them fight, other children willingly join and others are sent by their families. These factors have important implications for the degree to which they are traumatized, the meaning they attach to their experiences as young adults, and the manner in which they are received by their families and communities when they return. Finally, the nature, duration, and frequency of traumatic experiences while a soldier are also important. Each of these factors interacts with the others and with the individual child's personality and developmental state.
98. However, despite these important variations in the wartime experiences of child soldiers, the Trust Fund submits that *any child soldier experience at all leads to psychosocial harm*.

Figure 1: Pathways through which child soldier recruitment harm psychosocial health and adjustment



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99. *Traumatic stress* refers to the emotional and inter-personal effects of experiencing or witnessing horrifying or life threatening events. Although much of the research on child soldiers focuses on post-traumatic stress disorder (PTSD), childhood exposure to war has been linked to a much broader range of sequelae including higher rates of physical illness with a wide range of bodily symptoms, depression and suicidality, dissociation and de-realization, impaired cognitive functioning, and developmental delays.^{53, 54, 55}
100. *Disrupted developmental pathways* include anything that interrupts or changes the healthy developmental process that is common among children in the communities in the region. This element of the model is unique to children and adolescents who experience war, particularly prolonged exposure to war experiences through child soldiering; while war experiences are certainly harmful to adults as well, exposure to war early in the life-course adds a layer of psychosocial harm. Key examples of disrupted development include:
 101. Separation from families and peers and being placed within a highly authoritarian military environment at a time when children are developing their inter-personal and social skills;
 102. Loss of learning and educational opportunities during critical developmental periods;
 103. Physical injury to the growing body and possible chronic loss of physical function due to torture, forced labour, long marches, military training, combat injury, increased exposure to disease and infection, inadequate medical care, and premature sexual activity;
 104. Inappropriately early role definition (such as “soldier” or “wife”) at a time when individual identity is still emerging; and,

53 Elisabeth Schauer and Thomas Elbert, “The Psychological Impact of Child Soldiering,” in *Trauma Rehabilitation After War and Conflict: Community and Individual Perspectives*, ed. Erin Martz (New York: Springer, 2010), 311–60.

54 Fionna Klasen et al., “Multiple Trauma and Mental Health in Former Ugandan Child Soldiers,” *Journal of Traumatic Stress* 23, no. 5 (2010): 573–81, doi:10.1002/jts.20557.

55 Christophe Pierre Bayer, Fionna Klasen, and Hubertus Adam, “Association of Trauma and PTSD Symptoms With Openness to Reconciliation and Feelings of Revenge Among Former Ugandan and Congolese Child Soldiers,” *The Journal of the American Medical Association* 298, no. 5 (2007): 555–59.

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105. Inappropriate early exposure to alcohol and drug abuse, as well as early and often forced sexual debut.^{56, 57, 58}
106. *Stigma and lower social status* refer to the common situation of former child soldiers who, upon returning to their homes, discover that they have been relegated to a much lower status than people who were previously their peers. Again, lower social status may also affect adults who experienced war, but this effect is particularly harmful for children and adolescents, who are at a life stage where support from their community is particularly influential in shaping their long-term adult trajectories, including the social support that will be afforded to (or withheld from) their own children.^{59, 60}
107. They may be distrusted by others as a result of their association with military forces and so are not given the support or opportunities they might otherwise have enjoyed. Even if they are genuinely welcomed back into the community, they have not had the opportunity to develop local friendships and networks. Such “social capital” is essential for finding work, starting a family, and so on. Social stigma may be particularly pernicious for girls or young women, many of whom experienced sexual and gender-based violence, or have returned home with children born during their time as child soldiers. Other individuals with higher stigma may be those who have been publicly accused of committing particular violent acts, those with marked psychological symptoms, or those with physical disabilities. The Trust Fund recommends that the psychosocial programmes specifically seek out highly stigmatized beneficiaries, as they are likely to be particularly vulnerable but also unlikely to come forward of their own volition. Such outreach must be approached with sensitivity, however, to avoid further stigmatizing these individuals.
108. As a result of the parallel pathways of traumatic exposure, disrupted development, and stigma and low social status, young people who have been

⁵⁶ Schauer and Elbert, *op. cit.*

⁵⁷ Beth Verhey, “Reaching the Girls: Study on Girls Associated with Armed Forces and Groups in the Democratic Republic of Congo” (Save the Children UK and the NGO Group: CARE, IFESH and IRC, November 2004), <http://mhps.net/?get=54/1368486636-Reachingthegirls.pdf>.

⁵⁸ Raphael Kabangwa Senga and Prosper Mukobelwa Lutala, “High Prevalence of Syphilis Among Demobilized Child Soldiers in Eastern Congo: A Cross-Sectional Study,” *Conflict and Health* 5, no. 1 (2011), <http://www.biomedcentral.com/content/pdf/1752-1505-5-16.pdf>.

⁵⁹ TS Betancourt et al., “Past Horrors, Present Struggles: The Role of Stigma in the Association Between War Experiences and Psychosocial Adjustment Among Former Child Soldiers in Sierra Leone,” *Social Science & Medicine* 70, no. 1 (2010): 17–26.

⁶⁰ Verhey, *op. cit.*

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associated with military forces as children will have fewer internal and external resources.

109. *Internal Resources* include a sense of oneself as a competent person who is connected to other people in healthy and fulfilling ways. This includes the ability to notice feelings and to take self-care steps in difficult situations, the capacity to talk about problems with trusted others, the ability to find solutions to life's challenges, a spiritual life that helps make sense of the world and find meaning and purpose in existence, and so on. Other internal resources include coping skills, language and occupational skills, relationship skills, conflict management skills, and many more.
110. *External Resources* include social support systems – the families, friendship circles, faith communities, and geographic communities who support one another when life is difficult. Other external resources include access to land and housing, employment opportunities, and basic social services.
111. Human beings depend on both their internal and external resources to adjust to change and to stay physically and emotionally healthy despite challenges. When these resources are lacking or compromised, people are more likely to struggle with a broad range of lasting medical, emotional, and interpersonal problems, and less likely to be able to function successfully as adults. Research bears this out – former child soldiers who have not received assistance have shown: lower school performance and more learning problems, less ability to solve problems in the workplace, troubled interactions with peers, lower employment levels than their peers, increased risk of chronic poverty, and increased risk of a range of emotional disorders, notably depression, anxiety, and post-traumatic stress disorder.

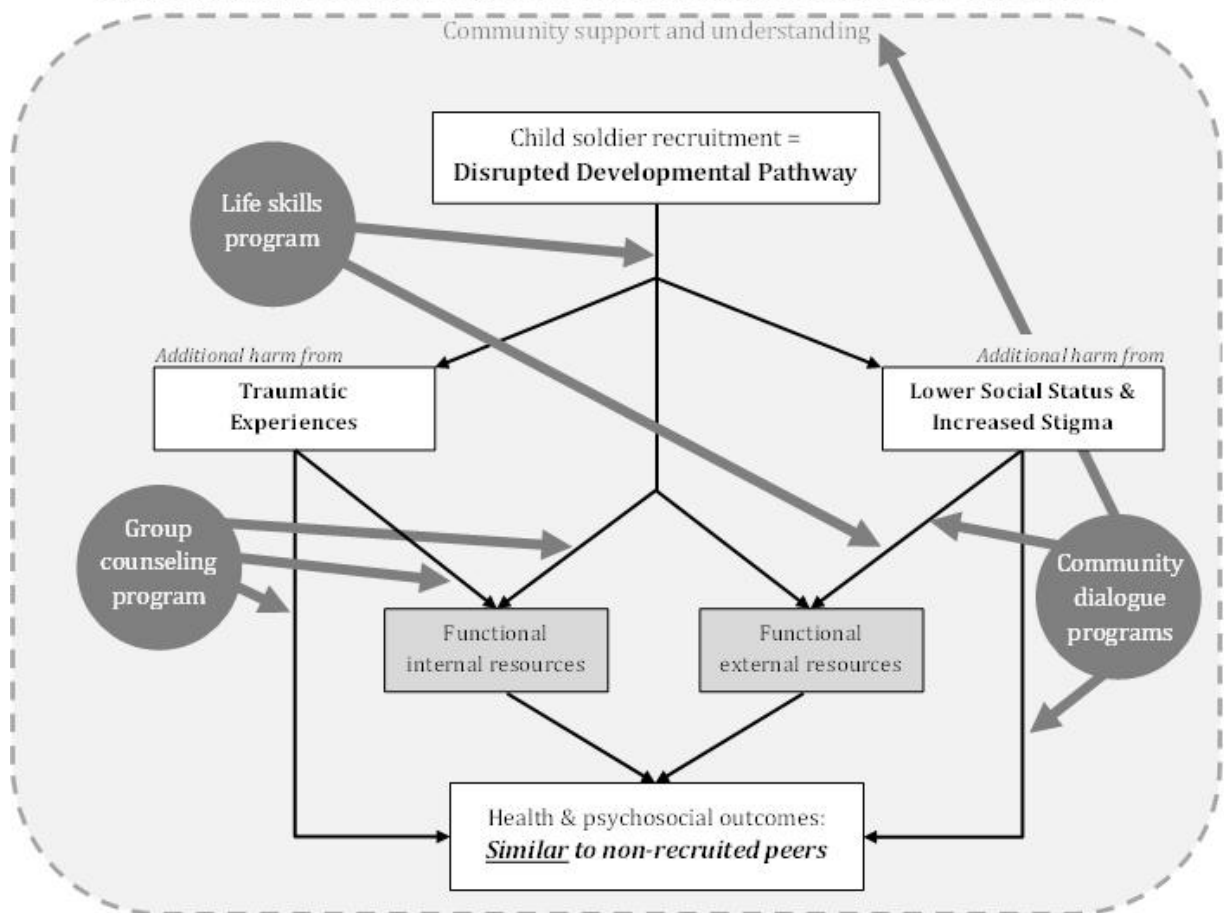
2. Recommended psychosocial components of collective reparations programming

112. The Trust Fund proposes a holistic programme of psychosocial interventions designed to strategically mitigate the negative impacts of disrupted development, traumatic experiences, and lower social status that come from child soldier recruitment. Our proposed interventions—indicated by dark circles in Figure 2 and discussed in detail below—strengthen both the internal and external resources available to help affected individuals cope with post-war life. It is

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emphasized that community support and understanding is a necessary condition for any psychosocial programme's effectiveness.

Figure 2: Psychosocial interventions to address harms from child soldier recruitment



113. The best-practices recommendations below, are derived from CVT's extensive experience of offering psychosocial services to survivors of war and torture in sub-Saharan Africa, including the south eastern provinces of the DRC. First, required staff and trainings are discussed. Second, two group-based interventions for former child soldiers are detailed: 1) life-skills training and 2) group counselling. Third, a community education component to improve the reception of former child soldiers is outlined. Finally, follow up and sustainability practices are suggested. Such multi-dimensional and layered intervention strategy is in line with the Inter-Agency Standing Committee (IASC) guidelines

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for mental health and psychological support in emergency settings.⁶¹ These guidelines suggest layered interventions including basic services and security; community and family supports; focused, non-specialized supports (life skills training and mentoring); and specialized services (group counselling).

3. Staff recruitment and training

Recruiting and supervising mental health professionals

114. Highly qualified mental health professionals (master's degree or higher in clinical social work or psychology) are essential to the creation and sustainability of any psychosocial programme. Given the extreme scarcity of such professionals in the DRC, it will be necessary to recruit ex-patriate workers into these roles. CVT's experience is that hiring pairs of ex-patriate workers for each programme site is most sustainable; workers are hired on single-year renewable contracts and offered terms similar to those of other international agencies providing services in humanitarian emergencies. Key considerations in recruitment will be fluency in French, experience living and working in low resource and potentially insecure environments, cross-cultural competencies, knowledge and experience working with traumatized children and adults, and experience in training and supervising non-professional counsellors.

115. These mental health professionals will in turn require supervision. Under the CVT model, this supervision is provided by advisors located at a headquarters office. Supervisors are in telephone contact with supervisees on at least a weekly basis and visit programme sites for at least two weeks several times per year.

Recruiting and training a cohort of non-professional psychosocial counsellors

116. The supervising mental health professionals must in turn recruit a cohort of local non-professional psychosocial counsellors. The counsellors should include a wide range of people from the community; experience shows that psychosocial counsellors are often drawn from existing pools of local people

61 "IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings" (Inter-Agency Standing Committee (IASC), 2007), http://www.who.int/mental_health/emergencies/guidelines_iasc_mental_health_psychosocial_june_2007.pdf.

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already involved in work helping people in the community – youth groups, women’s groups, traditional leadership, churches, and so on. A pair of mental health professionals can train, supervise, and manage the work of up to twenty non-professional psychosocial counsellors.

117. These workers are hired on single-year renewable contracts and offered terms similar to those of others providing services in the local economy. Key considerations in recruitment will be fluency in French and local languages, good communication and relationship skills, empathic ability, capacity to master new knowledge and skills, capacity to accept others as they are without imposing religious or cultural judgments or personal convictions, and capacity to utilize supervision. The team will need roughly equal numbers of men and women, as matching gender of client and counsellor can be vital in many cases, particularly in instances of sexual- or gender-based violence.
118. Under the CVT model, psychosocial counsellors receive an initial two weeks of intensive training that covers the psychosocial impacts of the human rights abuses that the beneficiary population have survived as well as skills to best assist members of that population. The training draws heavily on counsellors’ own experiences of both the consequences of human rights abuses and helping within their particular cultural, economic, and political context. The trainers also feed into the discussions their own experiences of work in other contexts and the findings of international research on the most effective intervention strategies. In the second week of training, counsellors are trained to administer a broad-based psychosocial assessment and to deliver a structured group intervention tailored to the needs and context of the beneficiary community. Gender sensitivity training for all counsellors is also recommended.
119. Thereafter, pairs of psychosocial counsellors work in collaboration with a mental health professional to conduct assessments and offer group intervention. During this process, they receive ongoing training and weekly group and individual supervision. Assessments of competency are conducted on a bi-annual basis to provide a formal opportunity for counsellors and supervisors to jointly reflect on each counsellor’s strengths and areas for development. The supervisors will also be responsible for ensuring counsellors are able to cope with the emotional and physical risks implicit in this type of work.
120. In addition to the direct services that the local psychosocial counsellors will provide to former child soldiers, the counsellors’ recruitment and training is

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itself an important form of collective reparations. After the formal programmes conclude, this cohort of counsellors will remain as a unique resource in their communities, equipped with specialized skills and knowledge in sensitively dealing with the effects of trauma.

Training of others involved in providing other forms of collective reparation

121. Central to the success of all forms of collective reparation is sensitivity to the emotional and interpersonal functioning of each intended beneficiary. This is true whether people are conducting assessments of eligibility or harm, providing medical care, teaching skills, or facilitating a cooperative income generation project. Psychosocial awareness and education helps people to understand that many reactions and behaviours are part of the problem that collective reparations are intended to address, rather than part of the person who has been victimized. Such training should be provided to others involved in providing collective reparations and conducted by the ex-patriate mental health professionals and later by non-professional counsellors who have demonstrated competence and proclivity to training work.
122. This process should also contribute to the integration of different aspects of a collective reparations programme and increase the chances that practitioners in other spheres will draw on the resources of the counsellors to support beneficiaries who are struggling in their programmes.

E. Group opportunities for former child soldiers

Eligibility, documentation, and referral

123. As submitted previously, the likelihood of harm should be assumed for any individual who experienced child soldiering. All persons eligible for collective reparations should be encouraged to participate in the psychosocial programme. Due to the significant risk of in-depth assessments causing secondary victimization, it is recommended that any legal eligibility check conducted prior to participation in the programme be extremely limited in asking about any traumatic experiences. As the discussion below clarifies, such a psychological assessment should only be undertaken under the care of trained mental health trauma counsellors, in a context of providing support and mitigating harm. Additionally, it is recommended that the eligibility check

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process be conducted with the guidance or advice of the mental health professionals or non-professional counsellors described above.

124. The life skills programme and group counselling programme will include documentation of each beneficiary's experiences and a general psychosocial assessment. Such documentation and assessment will locate the collective reparations programme within the ambit of redress for past human rights violations and will facilitate the integration of different forms of collective reparation, with beneficiaries being directed to the services that will make the greatest positive impact in their lives.

125. Next, the Trust Fund would turn to specific recommendations for the life skills programme, the group counselling programme, and the community engagement programme. It is recommended that all affected individuals have the opportunity to participate in the life skills training and that affected communities receive a community education programme to support positive reception of former child soldiers and to address myths or understandings about former child soldiers. For higher-need, higher-risk, or more heavily traumatized individuals, an additional opportunity to participate in psychosocial group counselling sessions is recommended.

Required resources

126. The most significant resources required for psychosocial programmes are in terms of recruiting, training, and managing qualified personnel, as discussed above. Without skilled counsellors, these programmes will be ineffective at best and harmful at worst. Thus, the most significant investment is in terms of staff; other logistical considerations are comparatively minimal.

127. The Trust Fund recommends utilizing "found spaces" in the communities, such as holding group meetings in schools, churches, or homes. Safety is an important consideration, as spaces must offer privacy for participants to participate freely in group conversations and exercises.

128. Another logistical alternative is to construct small buildings in each affected community, designed to be safe spaces to hold all psychosocial group meetings. For example, CVT has successfully constructed "healing huts," made of local materials and located in convenient proximity to programme beneficiaries, in projects in Katanga Province in DRC; the Dadaab Refugee Camps in Kenya;

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and Northern Uganda. After the conclusion of formal group sessions, these huts can be transitioned to be used in community memorialization projects (described below).

Life skills programme

129. The life skills programme is designed to address the damage done by child soldiering experiences to victims' internal and external resources, as developed in Figure 1. This programme will strengthen affected individuals' internal resources and equip them to more effectively identify and utilize external resources available to them. Life skills training must be holistically integrated with the other two psychosocial programmes—group counselling for those who need additional trauma-specific interventions and community engagement to increase the actual external resources available to former child soldiers—as well as with the other parts of the reparations package.
130. In CVT's experience of similar work in the DRC and other countries in sub-Saharan Africa, this work is most successfully conducted in groups of ten facilitated by a pair of non-professional psychosocial counsellors. The group process should be highly structured, but counsellors and supervisors also should be sufficiently skilled and confident to be able to tailor the programme to the needs of particular groups. It is recommended that the groups meet weekly for a programme of twelve sessions (roughly 3 months) and that the psychosocial programme be located early in each beneficiary's engagement with the overall collective reparations programme.
131. It is also recommended that group participants be given the option of participating in gender-specific groups, as some individuals are likely to be much more comfortable sharing their perspectives among only men or only women.
132. Key components of the life skills programme include:
 1. *Broad-based psychosocial assessment* – This should include a personal history with emphasis on childhood association with military activities, demographic details, family structure and support, educational history, medical conditions and treatments, and injury and disability factors, as well as key measures of mental health including quality of life, daily functioning indicators, somatic expressions of distress, and symptoms of depression, anxiety, and post-traumatic stress disorder.

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133. A full assessment takes between two and three hours to complete and should be conducted individually. Psychosocial assessment requires an interviewer trained in the effects of trauma exposure on emotional health. Repeated assessments are exhausting and hold the potential secondary victimization. Early assessments to determine eligibility for reparations should be limited to a few essential questions, and the more comprehensive assessment should be conducted by trained psychosocial workers.

2. *Coping with adversity* – Participants reflect on the ways that they and others coped during the war and how they are coping with current challenges. Healthier coping is supported by helping participants identify and name existing internal resources and coping strategies and by learning from the coping strategies described by their peers. This conversation also draws attention to ways of coping that are ultimately self-defeating. By recognizing that these represent desperate attempts to survive in an overwhelming situation, space is created for former child soldiers to talk about unhealthy coping strategies without shame and to explore healthier alternatives.
3. *Staying calm when you have very strong feelings* – Participants are helped to identify and name the different emotional states that periodically trouble them. They practice skills of affect regulation - how to take care of oneself, remain calm, and interact skilfully with others even when feeling bad. This includes skills for coping with feelings of helplessness, hopelessness, frustration, anger, sadness, guilt, and shame.
4. *Skills for living in an insecure world* – Unfortunately, the region concerned is likely to remain somewhat insecure for the foreseeable future. Young adults and those with previous involvement with military activities are at particular risk of being further victimized in local and regional conflicts. Also, childhood traumatic exposure can have profound impacts on people's ability to assess and respond to risk in healthy ways. For some, the whole world seems more dangerous and even innocuous situations are interpreted as threatening. Others may lose the ability to notice and respond to signs of danger. In either case, the capacity to survive in a risky world is compromised.

134. During this part of the programme, participants reflect on the strategies that they use to protect themselves and their families from danger. They also

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have an opportunity to refine their capacity for risk assessment and safety planning.

5. *Hope, resourcefulness, and positive action* – The success of a reparations programme will depend upon the resourcefulness and energy that beneficiaries bring to it. It is sometimes difficult for young people who have been disadvantaged and who have limited support within their families and communities to remain hopeful of positive outcomes and persist through difficult periods in a project. They may despair of ever changing situations, drop out of development opportunities, or give up at the earliest signs of adversity. This Life Skills intervention is intended to inspire hope and develop skills for focused and persistent positive action.
6. *Effective communication skills* –The capacity to listen, understand others, and to express oneself clearly are key to success in all aspects of life. This is particularly important for young people who feel that they are misunderstood by peers and elders, if they are to build deep and supportive adult relationships.
7. *Managing inter-personal conflicts* – An extension of effective communication is the capacity to resolve inter-personal conflict, rather than simply becoming angry or withdrawn. This training will also include gender sensitivity training in the aim to reduce gender-based violence as an outcome of the conflict. Learning to stay calm in conflict, to understand what is being communicated, and to help others understand your experience are essential skills for staying connected to others despite situations of adversity and struggle.
8. *Reflecting on the impact of war* – This provides an opportunity for young people to reflect on how they, their families, and their communities at large have changed as a result of their exposure to the war. Such wide-ranging discussions normalize the experiences of the people in the group, reduce shame by recognizing that civilians and especially children are often powerless in the face of military forces, and develop a shared sense of the work that needs to be done to heal, both as individuals and as communities.
9. *Narratives of child soldier experiences and other human rights abuses* – As described above, shared and acknowledged narratives of victimization are

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central to individual and community recovery, as well as to locating the anticipated programmes within a reparations framework, as opposed to that of more general health programming. Participants will already have mentioned aspects of their experience during eligibility screening processes and during the broader psychosocial assessment described above. The narrative-building process will provide opportunities for participants to further document as much (or as little) of their personal experiences as they choose. Participants should be able to choose to write their own story (or to have someone else write their words while they dictate the story). This narrative process should focus on the events and actors as experienced and remembered by each victim.

135. This is not a psychological exposure exercise (as in exposure therapy, narrative exposure therapy, or other forms of therapy for PTSD and other trauma related mental health concerns). Participants are not probed for greater detail, nor asked to describe the thoughts and feelings they experienced. Rather, each participant will decide whether they wish to have their experience documented and what should be done with the finished document. Some will want to keep the story for themselves, perhaps to share with their families. Others may wish their stories to be added to a more public record of the history of the community. The objective of this exercise is to locate individual narratives in the broader collective memory.

10. *Building healthy families* – Finally, the intended beneficiaries of this programme are entering young adulthood and building families; many are already parents. They will have the opportunity to reflect on what makes for a healthy and happy family in their communities. Included in this part of the intervention will be discussion of healthy gender roles and positive child-rearing practices.

136. In summary, the life skills programme is not a psychotherapeutic programme. It is intended to redress some of the lost (or distorted) developmental opportunities that these young people would have had, had they grown up within the context of a family. Of course, it would be naïve to assume that a short group intervention can make up for years of disrupted development in. However, it is possible to raise young people's awareness of these key issues, to help them question some unhealthy assumptions and beliefs about themselves and others, and to encourage them to develop skills for living more successfully in a challenging world.

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137. This intervention should be supported by ongoing mentoring for all participants and further mental health intervention for beneficiaries who report lasting emotional disturbances.

Group counselling programme

138. A large body of research about young people whose lives have been disrupted by war suggests that a percentage of these people will suffer severe and lasting emotional and inter-personal consequences.⁶² This percentage varies greatly between contexts and depends upon the length of exposure to war and the nature of that exposure, as well as the opportunities and resources that are available to young people after the war. While the reparations programme broadly and the life skills programme specifically will go a long way towards meeting these needs, the Trust Fund should expect that a minority of participants (likely 15 to 25 percent) will require more intensive counselling in addition to the life skills programme, because they demonstrate lasting and severe effects of trauma that compromise their ability to function in the world.
139. In CVT's experience, an effective group counselling intervention can be successfully provided by non-professional counsellors with close supervision from qualified clinical psychologists and social workers experienced in post-war interventions. The CVT model advocates weekly counselling sessions in small groups of eight to ten people for approximately three months (10 sessions). Again, the option of gender-specific groups is strongly recommended, particularly as participants may have been victims of SGBV. CVT's group counselling model has the following core components:⁶³

SESSION 1: Orientation and creating a safe space - The establishment of trust and safety in the setting and relationships is the first task of counselling. In group counselling, this includes the relationship between counsellor and clients and the relationships among clients. Counsellors set the tone for safety in the group and develop a positive therapeutic relationship through warmth, friendliness, connection, and authenticity that should remain throughout the treatment.

⁶² Schauer and Elbert, *op. cit.*

⁶³ The descriptive notes in this section are excerpts from the CVT Group Counselling Training Manual.

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SESSION 2: Using resources to cope - By bringing awareness to external and internal resources that allowed them to survive traumatic experiences, clients can identify their existing strengths and resilience, thus strengthening their coping ability and deepening their sense of safety and stabilization and hope for improvement. Furthermore, by understanding the connection between thoughts, feelings, behaviours and physical reactions, clients can begin to gain mastery over their symptoms.

SESSION 3: Cultivating mind-body awareness – The body and mind are deeply connected, and constantly affecting and informing each other. When a person's body is injured, his or her emotional responses and beliefs about the world change. Similarly, emotional states (such as fear or sadness) affect physical energy levels and the body's capacity to fight off infection and tolerate pain and fatigue. When the functioning of mind and body are compromised, a person's ability to function in the world is immediately compromised. Trauma is stored in the body as memory. In trauma, the fear that is literally imprinted into clients' physiological and psychological experience can override and undermine that mind-body connection.⁶⁴ This is one of the things that makes being traumatized so difficult: the disconnection between what is felt in the body and what is known in the mind. Increased understanding of the relationship between mind and body, and the way in which this relationship is disrupted by trauma, helps young people to understand and manage their symptoms.

SESSION 4: Honouring life stories - In natural healing processes, the brain integrates difficult memories into an autobiographical narration that follows a chronological order. This autobiographical memory includes the context in which the events happened and integrates difficult memories with neutral or positive memories. Severe traumatic experiences often disrupt this process and create memories that are "unprocessed"– they become fragmented and disconnected from context. These memories trigger overwhelming feelings and the traumatic events feel as if they are happening in present time. These traumatic memories intrude in the brain, taking over and making it difficult to access other non-traumatic memories.

By placing events in chronological order and then talking about them in detail, the memories can be integrated into an autobiographical narration, allowing the client to place the events in time and place. Creating a lifeline chronology also helps clients recall non-traumatic and positive experiences and gain perspective

⁶⁴ Bessel van der Kolk, *The Body Keeps the Score: Mind, Brain and Body in the Transformation of Trauma* (Penguin Books Limited, 2014).

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on their lives. They are able to see the “big picture” of their life, a life full of both painful and joyful experiences.

SESSIONS 5 & 6: Learning to negotiate difficult moments - In order for a person to recover from the effects of trauma, the mind and brain must begin to change the fear response. By opening up and allowing the individual to experience the fear/trauma in a safe context, changes and re-organisation of the memories begin to happen, such that the fear will begin to lessen over time. Normally, this process of change occurs naturally after an emotional event without any specific intervention, but often due to avoidance of the fear/trauma by the survivor, this natural process is not given space to happen. Often, no matter how hard survivors try to avoid them, fear memories come back. This is the nature of the human mind: we try to make sense of what happened and overcome it. The fear memories enter into everyday life, both at night and during the day. Survivors may suddenly get upset, anxious, or detached from reality without knowing why. Reliving feelings, pictures, and bodily sensations feels miserable but is actually a normal, healthy reaction that indicates the mind is actively attempting to digest the trauma, to make it understandable. But this usually falls short because survivors push the memories away before they can be digested, because they are so painful and horrifying. This creates an endless cycle of remembering and avoiding, remembering and avoiding. Victims should be given space to begin to face these fears and break this cycle. One difficult memory should be explored together with the victim and hopefully open a path for them to understand and digest other very difficult memory fragments.

SESSION 7: Reconnecting with memories of lost loved ones - Many cultures have traditional ways of supporting the mourning process when a loved one dies. This session is not intended to replace that cultural practice, but rather support and supplement it. There are many cases, especially with multiple losses in traumatic experiences, in which individuals still need time to work through their grief, even after the traditional mourning period is over. By addressing the feelings of loss, the participant can find meaning in their situation, appreciate the things that the lost loved one brought to their life, and find ways to look to the future while still living with the pain of the loss.

SESSION 8: Living with loss - The dual process model of coping with bereavement draws attention to the fact that bereavement outcome is predicted by the victim's capacity to commit personal resources to coping with both the loss and the challenges of rebuilding a life without the deceased. This is particularly challenging for people who are living without the usual support networks of

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family and community. In this session, work is done to strengthen participants to respond more effectively to life under difficult circumstances and without the support of the deceased.

SESSION 9: Reconnecting to self, community, and future - Reconnecting with the dignity of the self and the support and interaction of the community are the primary goals of this session. Consolidating the gains of the therapeutic process in order to apply it to their life outside of the group draws from behavioural activation and reconnection – both important to the healing process and the person’s participation as a productive member of society, with a focus on functioning.

SESSION 10: Consolidating gains and finding closure - This session pairs reinforcing the positive work that participants have done with behavioural activation and setting the stage for positive expectation going forward. This continues the important work of reconnecting with their selves and their community, as well as demonstrating a healthy goodbye and reinforcing the relationships they have made in the group. This can model important relationship interactions that they may have in the future, as well as making space to honour and reflect on the time they have spent together, and how they have supported each other.

F. Community engagement programmes

140. The two group programmes described above involve individuals who were personally victims of child soldiering and related human rights abuses. Much of the focus of both the life skills and group counselling programmes is on strengthening the internal resources of these individuals, with an essential supplemental focus on strategies they can use to integrate successfully into their families and communities. However, this is just one side of a complicated equation.

141. No matter how much work individual victims do to heal wounds from their wartime traumas and to mitigate the developmental delays they experienced as a result of their victimization (see Figure 1), they are not able to personally change the external resources available to them. Psychosocial programmes help beneficiaries learn to maximize external resources, but if community reception remains hostile and they continue to deal with persistent social stigma, they will likely be unsuccessful in long-term community reintegration. For this reason, a psychosocial reparations programme must also contribute to improving the community’s attitudes towards and reception of

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former child soldiers. If the community environment is hostile and unsupportive, mental health gains made in the life skills or group counselling programmes will be undermined.

142. Community participation in shaping the reparation projects will be an important aspect of the programme to ensure community acceptance of the services and also to mitigate any additional stigma, discrimination, and insecurity for the victims who will benefit from the reparations programme.

143. In the context of reparation initiatives designed to promote reintegration, foster reconciliation, and non-repetition of the crimes, the Trust Fund considers it mandatory to engage with persons not characterized as victims that may be within the victims' household and or from the wider community. In order to achieve the intended objective of such reparations initiatives, e.g. mitigate stigma, foster reconciliation, promote the non-repetition of the crime, and facilitate reintegration, the active or passive participation of the wider community is necessary.

144. As the Appeals Chamber noted in the Amended Reparations Order that reconciliation should occur between victims their family and the community.⁶⁵ Mitigating stigma, promoting reconciliation, and fostering reintegration occurs within the context of the family and or community and therefore their inclusion and participation in collective reparations is required where appropriate to achieve the stated objective.

145. The Trust Fund recommends several community engagement components to strengthening the external community resources available to individuals directly affected by child soldier recruitment:

1. **Community leaders group:** This group should bring together key strategic leaders or community stakeholders, including religious leaders, cultural leaders, elders, and others. A particular focus should be on including both men and women from a diverse range of leadership positions. It is proposed that this group meet weekly for about a month with the support of psychosocial supervisors or counsellors, then periodically thereafter, as needed.

⁶⁵ Para. 46, Appeals Chamber Order for Reparations. 3 March 2015.

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This group is the cornerstone of the other community programmes, as they will provide locally-sensitive knowledge to identify the challenges facing former child soldiers in their community and identify the local strategies or resources that can be used to improve community perceptions and the resources available to former child soldiers.

Community leaders would discuss how the community has been affected by the return of former child soldiers and, on the other hand, how these returned individuals have been affected by the community. This group should focus generally on resolving conflicts, addressing stigma, and providing mentorship. Specifically, they should advise on locally-appropriate ways to: shift community perceptions through dialogue programmes; involve and support family members of former child soldiers; and integrate narratives from psychosocial programmes into memorialization initiatives.

2. **Community dialogue initiatives:** The goal of community dialogue is to directly combat negative perceptions about or stigma against former child soldiers. If the broader community context is ultimately unsupportive, the other psychosocial interventions are unlikely to succeed. Although there is an impulse to see this component as “educating,” these programmes need to be guided by the idea of a two-way conversation. It is important to listen to the concerns and perceptions of a range of community members, as the basis of a conversation about how former child soldiers can live at peace with the community.

The specific nature of community dialogue programmes should be determined in direct consultation with the community leaders’ group. Dialogue may be pursued through large community gatherings, call-in radio shows, integration into activities of religious institutions, collaboration with existing groups (such as women’s or youth groups), or a range of other possibilities.

3. **Reconciliation and public education peace-building campaign:** The Trust Fund proposes to conduct a reconciliation and public education campaign in Ituri District and throughout the communities identified in the case. Reconciliation and public education peace-building is meant to strengthen social cohesion. It is intended to promote reconciliation amongst people within groups and communities, more particularly so to foster reintegration of former child soldiers into their respective communities.

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Reconciliation and public education peace-building may comprise of carrying out traditional rites and other practices meant to reconcile family members who have fallen apart or reunite members of the community with those who were enlisted, abducted, and conscripted. Other activities intended to promote reconciliation include music, dance, and drama (MDD) and community sensitization. The music, dance, and drama performances will contain messages of peace and reconciliation by illustrating the negative consequences of conflict and child soldiering. These interventions will result in the re-establishment of social networks, safety networks, a reduction in the level of vengeful attitudes, stigmatization, and increased acceptance of victims. MDD help to strengthen group cohesion. A reduction in the level of stigmatisation towards former child soldiers permits their interaction with other members of the community and participation in group activity.

Public education campaigns intended to promote reconciliation will occur in the market, public gatherings and through radio programming to reach a larger audience. Music, Dance, and Drama groups may stage productions within the community as a way of sensitising the community and to communicate their perspective to the public. Such public productions, sensitization initiatives, and group activities may result in the reduction of stigmatization. In similar Trust Fund programming former child soldiers have reported a positive reduction in the “finger pointing” and starrng that experience in the community, the rate at which it occurred was no longer significant enough to affect their association with the rest of the community.

Reconciliatory initiatives may include the creation of peace builders. Whereby members of the community are chosen and given capacity building training in peace building and conflict management. These peace builders will have a mandate towards the community and they will work with their peers, local government, other stakeholders depending on the nature and gravity of the matter to resolve disputes and build trust at the local level. The peace builders model could be embedded into the design of interventions that are intended to build trust and foster reconciliation among members. The model is not only sustainable but it is also capable of reaching the wider community audience.

The public education peace-building component strives to foster peace and reconciliation among the members and households whose members are part of the victim beneficiary groups. It helps in reducing the level of stigmatization against former child soldiers and promotes reintegration. This intervention also helps in strengthening group cohesion. The reconciliation

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campaign shall foster inter-community dialogue involving community leaders and local authorities.

4. **Family support:** The family members of former child soldiers provide perhaps their most essential social relationships. Supportive familial relationships can create a safe and supportive space for beneficiaries to deal with their past experiences and move ahead towards a positive future. On the other hand, hostile or less supportive family relationships can do a significant amount of damage to healing processes. It is important to recall that family members themselves were also victims of the trauma of having their loved one taken from them.

The specific methods of engaging families should be developed in consultation with the community leaders group. It could take the form of family support groups in the context of other community institutions, such as churches or schools, or could be more intentionally formed smaller groups that commit to meeting together for a set period of time. The local psychosocial counsellors should facilitate these conversations.

The purpose of this initiative is to allow family members or other individuals in close relationships with affected individuals to receive support, in whatever format might be most useful and meaningful for them. The goal is to facilitate their processing of what happened to their family member, their own feelings of grief or loss, and their fears about the future. Participants would also have the opportunities to develop skills and strategies to use in supporting their affected family member.

5. **Memorialization project:** Memorialization is an important step in dealing with the past and integrating traumatic events into a collective narrative; memorials can promote healing for both individuals and communities. Both the life skills and group counselling programmes give participants opportunities to create narrative accounts of their experiences, and some individuals may wish to integrate their stories into a larger memorialization initiative. This process can also help to reduce stigma in the community, as a memorial can create a collective understanding of suffering endured during the war.

A memorialization project should be community-driven, developed in collaboration with the individuals sharing their stories, as well as the

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community leaders group. Memorials may take a range of forms, including written, audio, artistic, events, or other mediums.

146. Other elements of the holistic reparations package may be directly tasked with memorialization. In that case, close collaboration is recommended between the memorialization programme and the psychosocial programme. The psychosocial programme will generate individual narratives that may contribute to memorialization. Beyond this, a psychosocial approach to memorialization prioritizes survivors' mental health needs, attentive to giving individuals ownership of their narratives and to preventing re-traumatization.

6. **Symbolic initiatives:** A topic closely related to reconciliation and psychological rehabilitation is that of symbolic initiatives. Symbolic reparation initiatives are part and parcel of initiatives such as reconciliation, integration, and psychological recovery. The intent and outcome of these concurrent initiatives are mutually beneficial and reinforcing complementary objectives.

Through a participatory project design process open dialogues and discussions will be organized in multiple locations among victims (direct and indirect), community leaders, community members, and relevant stakeholders to discuss the impact and consequences of child soldiering and coping mechanisms to counter those consequences. The dialogue shall explore and examine the merits and value of various symbolic initiatives that will be proposed by the participants. Symbolic reparations are part of an integrated reparations process that is directed by the responses and interest of the victims through to participatory process. The Trust Fund will support and undertake symbolic initiatives that have wide popular within the discussion group and cultural resonance in the context.

One aspect of a symbolic reparations process will include public condemnation of the crime of utilizing children as soldiers and exposing them to combat. This sort of symbolic reparation that may bring closure and meaning to a number of victims in the region to know that a perpetrator was pursued and convicted for those criminal acts.

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7. Mental health sustainability and follow-up

Ongoing mentoring

147. In order to extend the benefit of these short-term psychosocial programmes into daily life, the Trust Fund recommends that beneficiaries meet with an older mentor at least once per month (or as often as they and their mentor feel is helpful) on an on-going basis. It is envisaged that these mentors would be the same group of trained, non-professional counsellors described above and that the mentoring relationship would be an outgrowth of the relationships that developed in the course of the life skills or group counselling programmes. The community leaders group is also uniquely positioned to provide insight and guidance on how to provide on-going supportive mentoring relationships to beneficiaries in their communities.
148. It is recommendable to use terms such as “life-skills programme”, “coaching”, and “mentoring” as they are likely to be more acceptable to beneficiaries and less stigmatizing than words like “counselling” or “mental health”.
149. Each mentoring conversation could include:
 - a) A check in with the mentee to review what has happened in his or her life since the last meeting;
 - b) A review of particularly difficult or upsetting incidents about which the mentee desires guidance;
 - c) A discussion of the significance of these incidents, as well as any patterns or underlying causes;
 - d) A discussion of various options for resolving the problematic incidents;
 - e) The development of an action plan which the mentee agrees to implement and report back on at the next meeting.
150. Mentoring provides opportunities for further monitoring of beneficiaries’ progress and early problem-solving and referral when participants are not receiving the hoped for benefits. This process also provides an opportunity for follow up assessment.

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Six-month follow-up assessments

151. The Trust Fund recommends that participants undergo formal, individual follow up psychosocial assessments six months after starting the counselling programme or three months after the completion of the life skills programme. This should be conducted by each participant's mentor in one of the regular mentoring meetings. This assessment should comprise a subset of the psychosocial indicators that made up the original psychosocial assessment.
152. On an individual basis, this assessment will facilitate the early identification of participants who need additional support if they are to benefit significantly from the reparations programme. On an aggregate level, this assessment will produce evidence of the lasting impact of the life skills and counselling programmes on beneficiaries' psychosocial health.

Scale and challenges

153. The ultimate scale and longevity of group-based interventions depend on the need and on the resources available. In CVT's experience, two mental health professionals can effectively train and supervise 20 non-professional local counsellors. These 20 counsellors work in pairs; each pair can simultaneously manage three groups per counselling cycle. Together, then, they can run 30 groups of 10 individuals each per cycle. We recommend three counselling cycles per year; in a year, two supervisors and 20 counsellors can provide support to 900 beneficiaries. We expect that 15 to 25% of these (135 to 225 people) will also participate in group counselling, while the remainder will participate in life skills sessions. These estimates are based upon operating at full capacity; we expect that it takes at least six months of training and programme establishment to have counsellors operating at full capacity.
154. There are certainly significant challenges and potential risks to these programmes. First, the programmes may lack local credibility, leading to few individuals coming forward either to work as counsellors or to participate in the group programmes. It is essential to get community buy-in prior to implementing these programmes. The community leaders group is regarded as an essential component of this process. Second, the programmes may become diluted or suffer from reduced effectiveness without sufficient supervision and quality control. Emphasis must be on strong training programmes, supervision structures, and monitoring practices. Third, if community attitudes towards returned former child soldiers remain hostile, any mental health gains made in

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life skills or counselling sessions will quickly deteriorate. The community programmes described below are particularly essential in preventing this. Finally, there is certainly a risk that larger-scale conflict or violence may re-emerge in the region, derailing psychosocial programmes. While this would be disastrous in many ways, lower levels of local conflict will not necessarily halt these psychosocial programmes; rather, these interventions are designed to equip participants with the skills necessary to live in unstable situations. Similar programmes have managed to operate successfully in the midst of ongoing but low-intensity conflicts.^{66, 67}

8. Navigating complex inter-personal relationships

155. The success of a former child soldier's engagement with the envisaged reparations programme will depend upon that person's capacity to navigate complex and changing inter-personal relationships with peers, family members, neighbours and other community members, community leadership, and of course representatives of the various agencies that will be engaged in the programme itself. This is likely to be challenging in its own right, but particularly hard for people who have not had the usual opportunities to develop adult social skills and build a strong network of supportive relationships within their community. For these reasons, a foundational psychosocial programme, effectively connected to all other components of a broader reparations programme, is essential.

156. Finally, the Trust Fund would like to draw attention to the fact that vicarious trauma⁶⁸ is likely to present a challenge to all service providers involved in the reparations programme. While this is accounted for in the supervision structures proposed in these comments, it is recommended that all components of a holistic programme consider building in similar processes and structures. Psychosocial practitioners in the field are likely to be important resource people in this regard.

66 Garth Stevens et al., "Continuous Traumatic Stress: Conceptual Conversations in Contexts of Global Conflict, Violence and Trauma," *Peace and Conflict: Journal of Peace Psychology* 19, no. 2 (2013): 75–83.

67 AA Thabet, P Vostanis, and K Karim, "Group Crisis Intervention for Children during Ongoing War Conflict," *European Child & Adolescent Psychiatry* 14, no. 5 (2005): 262–69.

68 Karen W. Saakvitne and Laurie A. Pearlman, *Transforming the Pain: A Workbook on Vicarious Traumatization* (New York: W.W. Norton, 1996).

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G. Physical rehabilitation

157. Physical rehabilitation is an important component for victims; almost half of respondents in 21 localities of the Trust Fund's consultation on collective reparations in Ituri Province cited medical rehabilitation as an area of interest. The Trust Fund shall develop physical rehabilitation initiatives for victims that respond to the consequences of the enlistment, conscription, and service as child soldiers. However, due to the poor health infrastructure and lack of particular services available in Ituri, the Trust Fund will not be able to develop a comprehensive response initiative to address every sort of injury. The Trust Fund will provide for rehabilitative services and treatment to victims in accordance with the capabilities and facilities present in Ituri province.

158. Injuries and ailments that may be treated or rehabilitated through the reparations initiative may include: physical deformities ranging from broken limbs to torn muscles, treatment of bullet and fragmentary injuries, the provision of mobility assistance devices, treatment of gynaecological complications, burn injuries, and other categories of injuries.

159. Physical rehabilitation initiatives will seek to improve the health status of injured victims and to improve their mobility. Physical rehabilitation intends to restore the ability of victims to pursue occupational interest as well as to become self-reliant and productive members of their family and community.

H. Socio-economic support

160. The integrated reparatory response designed by the Trust Fund shall develop a variety of socio-economic support initiatives that respond to the particular circumstance of the victims and their injurious experience. Socio-economic support projects will be coupled with either counselling service or psychosocial support services depending on the requirements and status of the victims. Integrated projects correspond to the individual requirements of victims and reflect the complex layer of injuries and the multi-faceted consequences endured by victims. The Trust fund shall endeavour to offer a variety of programmatic responses that may include livelihood support, village saving and loan associations, improved agriculture, vocational training, and accelerated educational programming.

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161. **(1) Livelihood support:** Support may be provided in terms of production inputs including seeds and other agricultural materials including tools and implements. Animal husbandry may be considered appropriate for particular victims and situations, including goats, chickens, or pigs. Vocational and or educational training may be offered to victims with a proclivity for business development and or scholastic interest.
162. **(2) Village Saving and Loan Association (VSLA):** The VSLA (Mutuelles de Solidarité – MUSO)⁶⁹ methodology is used not only as an entry point into the communities but also as economic empowerment tool to improve a victims' livelihood. The VSLA approach shall be used to identify different categories of victims including those who needed physical rehabilitation, those in need of psychosocial support, those who needed vocational training, and those who needed economic support among others. Support to VSLA includes provision of VSLA kits and the relevant VSLA training for the different leadership positions.
163. Once trained by the implementing partner the leaders of the VSLA in turn train their respective group members in VSLA management techniques. VSLA can be a major source of financial services for its participants.
164. At the group level, VSLA is laudable for its contribution towards strengthening of social cohesion and facilitating the building of social capital for the majority of the members. The VSLA approach is major source of peer support therapy for members, particularly the most vulnerable and traumatized.
165. VSLA methodology emphasises a business oriented approach to borrowing and lending. Village Saving and Loan Associations increase household incomes in the community thereby enabling victims to make their own choices and meet their needs. Outcomes include increased incomes, accumulation of assets such as goats, cattle, and chicken, ability to afford school fees and other scholastic materials, and the ability to meet domestic grocery requirements. Other outcomes include purchasing building materials, constructing their own homes, and utilizing funds to purchase or rent land for agricultural uses.
166. Other than enabling people to acquire assets, VSLA has also been instrumental in fostering social cohesion within the community. It provides a forum through which groups may meet to discuss issues that affect them and also

⁶⁹ MUSO is the French acronym of the, Mutuelles de Solidarité, Village and Savings and Loan Associations methodology.

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functions as a platform for group therapy and peer counselling to those who were traumatised.

167. **(3) Agricultural inputs:** Different types of production inputs may be provided to victims the view to promote their agricultural production and hence improved food security for the victim households. Inputs may be in the form of seeds or seedlings (sprouts, suckers, nursery seedlings) as appropriate. Farming implements may also be provided to victim households. Seedlings of pole wood trees may be distributed and tree seed nurseries for timber and fruit trees may also be afforded with technical support from extension agents.
168. Agriculture projects will require the active participation of technical personnel and victims to learn and apply the improved agricultural techniques. Participation creates a sense of responsibility and ownership and as such is not only a good practice but a required component upon which projects must integrate.
169. Livelihood support through the provision of agricultural inputs may lead to increased productivity and hence improved food security and better nutritional outcomes for victims and their households. Improving the incomes of the victims will increase their ability to meet household and domestic requirements and improve their self-image.
170. **(4) Vocational and educational training:** Vocational skills training may be part of the package on offer to victims that manifest a proclivity for business development or are motivated to develop a vocation. The particular vocational training opportunity offered to victims will depend on the outcome of the workforce and business environment in a given area. Trainings will be developed in consideration of the service gaps present in the region and the degree to which certain services may be either lacking or plentiful. Victims may receive trained in different vocational trades that may include motor vehicle mechanics, catering, carpentry and joinery, masonry, and concrete practices among others.
171. Vocational skills' training may contribute significantly to the transformation of the lives of victims. Those receiving vocational skills training will become capable of providing for their families in a more sustainable way. Victims may be empowered to establish businesses and acquire assets from the proceeds of their trade practices.

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172. Accelerated literacy training and educational training initiatives will be designed to improve the capacity of victims to access and create economic opportunities.

VI. Duration of the programme

173. The reparation programme outlined in this Draft Implementation Plan is scheduled to be implemented over a three-year period of time, commencing on completion of the International Criminal Court's procurement process. The three-year implementation period includes communication and outreach, screening and selection, service delivery and implementation, monitoring, evaluation, and reporting.

VII. Complement

174. Considering the types of interventions that the Trust Fund deems to be necessary and relevant to collectively redress the harm caused to victims in the present case, as outlined in the draft implementation plan, and balancing the victims' needs against the overall availability of financial resources at its disposal to complement reparations orders for all cases currently pending before the Court, the Trust Fund is prepared to complement an amount of 1 million Euros from its reparations reserve for funding collective reparation awards in the present case.

175. However, the Trust Fund Board respectfully notes that the complement figure is merely an indication at this stage and that it has not yet taken a final decision on the issue. As discussed in the filing⁷⁰, such final decision is contingent on a formal declaration of Mr. Lubanga's indigence for the purposes of reparations by the Court, and the endorsement of the Draft Implementation Plan as proposed in this submission.

⁷⁰ See para. 120 of the Trust fund filing

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176. The Board of Directors in accordance with the provisions of RTFV 56⁷¹ has made a reasonable determination of the complement without prejudicing Trust Fund activities under RTFV 50 and in consideration of ongoing legal proceedings (that may give rise to reparation awards) has determined in their judgment to complement the Draft Implementation Plan accordingly.
177. In the assessment of the Trust Fund, the programme as outlined in this draft implementation plan and taking into consideration the geographic scope of the prospective programme, the possible number of eligible victims, and the mix of programmatic responses, may require up to 1 million Euros in funding.
178. Should the Court determine that Mr. Lubanga is in fact indigent for purposes of reparations the Trust Fund Board of Directors is prepared to complement the draft implementation plan with 1 million euros of funding to be disbursed over a three-year period of collective reparation implementation. The 1 million euros of complement funding is derived from the sequestered reparations reserve within the Trust Fund's voluntary contributions.

VIII. Management Overview

179. The Trust Fund is of the view that collective reparations awards should be designed as a matter of policy to provide for uniform application of awards to avoid obvious discrimination across the project area. Any variations in the nature and form of support should be based on individual requirements and technical reasons.

A. Procurement process for programming

180. Under the collective reparation provisions of Chapter IV, Collective Awards to Victims Pursuant to Rule 98(3), of the Regulations of the Trust Fund for Victims, Reg. 71 stipulates that "*The Trust Fund may identify intermediaries or partners, or invite proposals for the implementation of the award.*" In the language of the Courts' applicable financial rules and procurement provisions, Reg. 71 grants

⁷¹ RTFV, Reg 56. The Board of Directors shall determine whether to complement the resources collected through awards for reparations with "other resources of the Trust Fund" and shall advise the Court accordingly. Without prejudice to its activities under paragraph 50, sub-paragraph (a), the Board of Directors shall make all reasonable endeavours to manage the Fund taking into consideration the need to provide adequate resources to complement payments for awards.

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the Trust Fund authority to conduct sole sourcing of its partners and or to conduct an open tender procurement process in the selection of implementing partners under the collective reparations process.

181. Once the implementation plan is approved by the Chamber, the Trust Fund shall consider the availability of intermediaries, and their respective skill sets, present in Ituri province at that time against the technical programmatic qualities of the approved implementation plan to determine whether or not it is appropriate to sole source some or all of our reparation implementing partners or that an open tender procurement process is merited.
182. In the instance that an open tender procurement process is deemed appropriate to solicit competent and experienced implementing partners the Trust Fund shall coordinate with the Registry's procurement unit to conduct the tendering process. Grants to implementing partners will be issued using an open and transparent process through the release of tenders (request for proposals - RFPs) to identify and engage locally registered organisations. Prospective grantees will draft proposal applications in response to specific programmatic, geographic, and budgetary requirements, which will be fully described in the Reparations RFP. Each proposal application will be evaluated and scored against the selection criteria specified. The RFP's open review and evaluation process permits the Trust Fund to allocate resources to grantees in a transparent and effective manner. The Trust Fund will also seek to leverage and complement existing programmes supported by other donors and national initiatives, when possible.
183. The Trust Fund field-based programme staff will also conduct project planning meetings with grantees. The planning process will include grantee orientation and guidance to comply with the grant guidelines, programme strategy, technical standards, and best practice. Programme and financial reporting formats and procedures will also be disseminated.
184. The Trust Fund Secretariat also ensures the monitoring of grants in accordance with Regulation 72 of the Trust Fund to review implementation of the specified activities. Implementing partners of the Trust Fund must possess a proven programmatic, budgetary/financial, and administrative competency to implement robust projects in eastern DRC. Implementing partners must pose no conflict of interest with either the Trust Fund or the ICC by way of their (other) activities or associated staff members. To avoid conflict of interest, the Trust Fund

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implementing partners shall not be engage as intermediaries with the ICC's organs or sections.

B. Applicant organisation eligibility

185. The Trust Fund will consider proposals from non-governmental organisations and technical service providers that:

- Are legally registered in the DRC, for at least two years, and are in compliance with all required laws, regulations and other requirements of the Government of the Democratic Republic of the Congo (must submit copy of registration certificate);
- Have in place appropriate and functional management and governance structures with decision-making authority positioned in the DRC.
- Are DRC entities in accordance with the requirements and spirit of the national NGO policy.
- Have a demonstrable record of sound financial management and successful implementation of comparable grant-funded projects.
- Additional technical competencies will be referenced in the collective reparation proposal template.

C. Collaboration and partnership

186. Partnership between non-governmental organisations is encouraged as an effective way of building capacity and cohesion. Applicant organisations are encouraged to form referral networks and complementary skills partnerships. Applicant organisations are strongly encouraged to explore and forge partnerships to craft a project that offers the range of services required to rehabilitate victim injuries, (For example: patient mobilization, counselling, medical treatment and or surgery, and physiotherapy).

187. The applicant organisation will act as the prime grantee organisation and, if selected, will be the party entering into an agreement with the Trust Fund/ICC, with full managerial responsibility, financial accountability, overall project implementation, and reporting responsibilities.

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Sub-grants

188. Should the implementation of the RFP by the applicant organisation require that financial support be given to third party organisations, the applicant organisation may propose working in partnership with other non-governmental organisations, including the awarding of sub-grants to NGO's. However, sub-granting may not be the main purpose of the proposed project and it must be duly justified.
189. In cases where the applicant organisation proposes to award sub-grants, it must specify in its RFP the total amount of the grant which may be used for awarding sub-grants. It should also highlight the criteria for the selection of sub grantees. The total amount that can be awarded as sub-grants to third parties is limited to not more than 50% of the total amount of the grant award.
190. The applicant organisation will act as the lead organisation and, if selected, will be awarded a grant from the Trust Fund, thereby taking on full responsibility for oversight and accountability over the activities and expenditures related to sub-grants to third parties.

D. Grant amounts

191. All grant amounts are indicative. Budgets must demonstrate a clear link between the proposed intervention, the organisation's capacity to implement, the funding required and the delivery of 'value-for-money'.

E. Proposal format

192. A proposal for a project should specify the purpose, the strategy and the activities of the collective reparation project. It should therefore clearly state how the project will be managed and implemented by the applicant organisation. The proposal should be written in French.
193. The receipt of a proposal does not constitute a contract award, nor does it commit the Trust Fund to reimburse any costs incurred in during the preparation and submission of the proposal. The Trust Fund reserves the right to consider any or none of the proposals submitted.

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F. Application process

194. Applicant organisations will be invited to electronically submit a typed proposal by email to the ICC Procurement Section. Any applicant found to have submitted false or misleading information in their proposal or anytime subsequent to their proposals submission will be disqualified. Any kind of canvassing will lead to disqualification.

- Publication of Expressions of Interest,
- Request for Proposal invitation sent to applicant organisations,
- Applicant organisations review Request for Proposal requirements and may submit clarification questions,
- Clarification responses sent to all applicant organisations,
- Deadline issued for submission of Applicant Collective Reparation Proposals.

G. Evaluation and selection of applications

195. Applications will be examined and evaluated by the Trust Fund. All proposals submitted by applicants will be assessed according to criteria articulated in the call for proposals in regards to collective reparations programming:

1. Proposals will be opened by the Procurement Section of the ICC.
2. The Trust Fund/ICC reserves the right to select a short-list of applicant organisations that may be subject to a further evaluation and/or negotiation process.
3. After its completion of its evaluation of applicants and their proposals, the Trust Fund/ICC may invite one or more applicants to finalize a grant agreement.

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4. The Trust Fund/ICC may, at its sole option, terminate negotiations if a final agreement has not been reached within a reasonable period of time, as determined by the Trust Fund/ICC in its sole discretion.
5. The Trust Fund/ICC objective is to select the applicant(s) able to provide the best overall value and service to the Trust Fund.
6. Evaluation criteria for the Collective reparation RFP will include, without limitation and in no particular order of importance:
 - a. Service offering/ability to meet technical programmatic requirements.
 - b. Price and value for money.
 - c. Ability, competence, capacity, and previous experience of applicant.
 - d. Outcome of reference checks and general reputation of applicant.
 - e. Value-added skills and services that applicant can provide.

IX. Communication and outreach strategy vis-à-vis communities and victims throughout the process

196. The success of implementing reparations programme relies on the impact not only on the individual level directly affected by the programme but also their surrounding communities.⁷² Therefore, public involvement is crucial to the transitional justice goals. Outreach programme is fundamental during the process to publicly inform the programme, promote inclusiveness and transparency, build a sense of local ownership, address perception, and manage expectation. If any gap between the Trust Fund's objectives and the communities' perception is not addressed, it will be difficult to achieve the goals set for the reparations order.

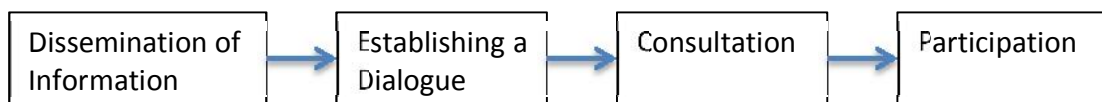
197. In the transitional justice, outreach refers to a set of tools, a combination between materials and activities, in order to build direct channels of

⁷² Ramirez-Barat, Clara, 2011, "Making an Impact: Guidelines on Designing and Implementing Outreach Programs for Transitional Justice", International Center for Transitional Justice.

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communication with the affected individuals and their communities.⁷³ Outreach is needed to raise awareness of the justice process and help promote how justice will be measured. Therefore, it is important that outreach programme provide knowledge and necessary tools for the people to actively participate in the justice process, so that it is meaningful to the affected individual and communities. The final aim of outreach is to promote public engagement and ownership of the justice process, thereby contributing to building its legitimacy and lasting impact.⁷⁴

198. There are several levels of communication process in outreach activity. A good outreach programme should not focus solely on disseminating information, but also address expectations and concerns of the affected population, respond to their questions, engage in consultation with different target groups and develop participation mechanisms⁷⁵. This whole process should be cumulative and interconnected.



199. Dissemination of Information:
In general, public must have access to all information necessary to understand reparation programme, type of assistance, procedures, structures and updates on the progress of implementation plan. A proactive approach needs to be adopted to guarantee that various target groups receive the information adequately and understand it.

200. Establishing a Dialogue:
After the initial step of disseminating information, outreach needs to promote a two-way communication process, where people can directly ask questions to ICC/Trust Fund staff. A dialogue will improve public's understanding of the reparations process, and the Trust Fund's dual mandates, in particular the reparations implementation plan in the

⁷³ Ramirez-Barat, Clara, 2011, "Making an Impact: Guidelines on Designing and Implementing Outreach Programs for Transitional Justice", International Center for Transitional Justice.

⁷⁴ Ibid.

⁷⁵ Ibid.

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Lubanga case. This process should be open, without a pre-established agenda and inviting various target groups. It is important to recognize that by creating a genuine space for a dialogue, implies that criticisms and concerns can be raised. Therefore, those who are participating on behalf of the ICC/Trust Fund should be prepared to receive the negative views and ready to address the issues that are discussed.

201. Consultation

In this process the victims and families have the opportunity to have a voice in the outreach process. This is essential in promoting ownership and give acknowledgement in their participation. Gathering information from the targeted population is valuable in order to know their needs and demands, which will be useful in shaping the implementation programme. The consultation process also empowers victims to take a leading role in articulating their claims and defending their rights.

202. Participants

The final component of a successful outreach approach is to promote participation in the process of designing and implementing reparation measures using local practices, help to construct local ownership, promote capacity building and legacy.

203. From a programmatic perspective, the TFV communication and outreach efforts will aim to manage expectations about reparations among victim beneficiaries and affected communities. This strategy will be coordinated with the Public Information and Outreach Department of the ICC (PIDS) in the Registry.

204. There will also be a to build the communications capacity of partner organisations who are implementing the collective reparations programme on behalf of the Trust Fund. This covers their capacity to document compelling narratives in multimedia formats, their ability to interact with the press and to host media visits if and when opportune (ensuring also that privacy and confidentiality of victims and their families is respected.) Finally, the communication strategy can also contribute to the reconciliation process of the victims and communities by promoting dialogue, creating safe spaces for self-expression and facilitating the reintegration process of the victims and their families through the use of media for development approaches and an appropriate theory of change.

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205. The communication and outreach strategy for the collective reparation programme in the Lubanga case consists of three phases that run parallel to the proposed implementation timeframe. This approach enables incremental planning, with measurable results, to facilitate management and progressively build up towards achieving the overall communications goal. It also offers a way of strengthening the institutional (global) and programmatic (in DRC) aspects of the communication strategy by providing evidence of impact and building on tangible achievements.

206. The proposed implementation plan includes the following phases:

| Communication Strategy Phases | Time Frame |
|--------------------------------------|--|
| PHASE ONE | Months/Year prior to the implementation of the Lubanga's reparations programme |
| PHASE TWO | Year 1 – 3 of the reparations programme |
| PHASE THREE | After the implementation of the Lubanga's reparations programme |

207. The strategy presents a comprehensive vision, with specific and measurable objectives for each implementation phase in order to better focus all Trust Fund communication efforts and have clear parameters for monitoring and evaluation. The communications plan, which is represented by the list of activities necessary to achieve the listed objectives, is designed to remain flexible enough to harness unforeseen opportunities and continually refine itself as more evidence and resources arrive.

208. The successful implementation of this strategy is contingent upon adequate resources (both human and financial) being allocated to carrying out the activities. The Trust Fund may select areas of the strategy and/or delay its implementation based on available resources. Clearly, this will reduce overall impact and will require modification of the specific and measurable objectives.

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X. Monitoring and evaluation and reporting mechanism of the reparation programme

209. The Trust Fund will closely monitor and evaluate the application of this guidance by the implementing partners. The process of victim identification and selection will be verified by the Trust Fund with particular attention to the dialogue with the communities and information provided to non-selected persons. Selected victims will be randomly chosen by the Trust Fund in order to verify they do fit the criteria. The Trust Fund may take action in cases where it is established that the project benefit persons who are not victims within the precepts of the case, who do not fit the criteria and/or who are not a vulnerable person of the communities.
210. The Trust Fund considers monitoring and evaluation (M&E) a key component of the Trust Fund's programme design and implementation in the reparation mandate. The aim of the M&E strategy and system will be to show whether the designed reparation programme responds effectively to the rights, needs and satisfaction of the child soldier victims as required by the reparation order; measure and document programme achievements; build on lessons learned to improve programme quality and organisational learning; communicate clearly to the victims, legal representatives, affected communities, government, donors and other stakeholders about programme achievements and progress and most importantly to the Trial Chamber.
211. In order to track the progress of reparation interventions and explore learning opportunities, the Trust Fund will incorporate collaborating approaches with beneficiaries and their communities, other Registry sections (VPRS, PIDS, Legal representatives), implementing partners, government institutions including DDR and other stakeholders on the ground to ensure successful paths to predicted outcomes. As this will be a first reparations order implemented, the Trust Fund foresees this programme to be a learning opportunity thus evaluations at different level of programme constitutes an important component so as to inform future reparation programmes, and adjust changes where necessary during the implementation phase. Therefore, evaluation will be a key aspect of the M&E system for reparation programme.

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A. Monitoring

212. It is through monitoring that potential successes or failures could be identified as early as possible and timely adjustments to programme implementation and operations are facilitated. Monitoring will be used as a continuous assessment of the reparation programme and its environment with regard to the planned objectives, results, activities and means. It will take place at all levels of programme management and uses both formal reporting and informal communications between the Trust Fund and implementing partners as well as other key stakeholders that will be actively engaged in this process including beneficiaries themselves.
213. Monitoring will enable the Trust Fund and its collaborators to review progress and to propose action to be taken in order to achieve planned objectives. The Trust Fund will establish format for progress and monitoring reports based on interventions that will be approved to be delivered to victims. Each implementing partner will have to write a narrative report with key indicators that will be identified for each intervention and submit the report to the Trust Fund field office every month. The Trust Fund will submit reparation progress reports to the Court annually.
214. For the reparations programme, both qualitative and quantitative indicators will be developed before the set-up of the programme. Qualitative indicators will measure the satisfaction of beneficiaries with the different services provided, including psychological improvement indicators and programme effect to the larger community.
215. The following are issues to be monitored:
- i. Relevance of reparation programme and its anticipated outcome/impact;
 - ii. Extent to which the programme achieved its objectives;
 - iii. Effectiveness of the programme: cause-effect relation between the results achieved and the fulfilment of the programme purpose, including the gender dimensions of the programme;
 - iv. Efficiency of activities: i.e. whether the quantity and quality of results achieved justify the quantity and quality of means used.

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216. In order to monitor all the above elements, specific indicators will be developed upon approval of the programme to be implemented. Psychological rehabilitation and gender will have their own indicators at different levels: input, process, output and outcome indicators. The process will be the same across reparation interventions so as to ensure proper monitoring and consistency throughout. As an example, indicators can measure whether the beneficiaries have access, are using, and are satisfied with the programme interventions, this gives an indication that the programme is offering relevant services and its purpose is likely to be met.
217. Since no programme can be planned nor implemented in isolation from its environment, the external factors are equally important to be monitored. In this case, the external factors that can influence either negatively or positively the reparation programme in eastern DRC will be expressed as assumptions in programme logical framework, and the likelihood of them materialising must be monitored. This will be explicitly documented in the programme logical framework before and during the implementation phase.

B. Monitoring reports

218. Through annual progress reports, the Trust Fund will provide a summary of the results achieved and the activities performed under the reparation programme. The reports will primarily contain indicators that track every intervention in place, as well as, victims' views and perceptions collected from focus group discussions with key informants among beneficiaries and/or through informal gatherings and formal meetings with beneficiaries. These reports will be reported by implementing partners, and verified by the Trust Fund field staff before submission to the Trust Fund in The Hague.
219. The Trust Fund will actively monitor and undertake continuous follow-up and periodic informal surveys to measure beneficiaries' satisfaction with the reparation programme and their perceptions of changes with regard to the nature of the programme. Sample groups of beneficiaries will be used to avoid overly complex and costly surveys.

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C. Tools

220. Various tools at different levels will be developed to ensure proper recording and reporting of programme activities. Tools will include:

- Eligibility Screening Tool: this will be used during the screening process
- Paper registers: implementing partners will record information from beneficiary cards and store them in the same location in order to longitudinally follow-up beneficiaries and compile reports easily on a regular basis. Implementing partner shall maintain victim records in observance of confidentiality protocols.
- Electronic database: a simple database either in excel or access will be developed to keep all records of beneficiaries that participated in the reparation programme. The database will enable easy manipulation of programme data. The database will be completed and updated by implementing partners, copies of the databases will be sent to the Trust Fund in The Hague for compilation and storage. Trust Fund field staff will regularly check the quality of data collected by implementing partners. Implementing partner shall maintain victim records in observance of confidentiality protocols.
- Reports templates: reporting formats will be designed to ensure easy compilation of indicators data and harmonization across partners and communities.

D. Evaluation

221. Throughout the reparation programme, the Trust Fund will explore opportunities for programme evaluation to determine its outcomes. These efforts will inform future Trust Fund reparations programme design, implementation and decision-making through lessons learned and the provision for a basis of accountability, including the provision of information to the public.

222. The Trust Fund plans to commission two types of evaluation:

223. **Baseline study:** to describe and analyse the harm suffered and socio-economic and other conditions and trends of individuals determined eligible to receive reparation programme. Indicators set through the baseline study will be

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used at a later date as reference points to demonstrate that objectives of the programme have been reached and that a change has occurred.

224. **Programme evaluation:** Similar to the regular monitoring, evaluation upon completion of the programme will also look at the relevance, impact, effectiveness and efficiency of reparation programme. If applicable, sustainability may also be included in the issues to be evaluated.
225. The following are the potential evaluation questions:
226. Relevance - *Was the reparation programme appropriate within the context of its environment?*
227. Relevance concerns whether the results, purpose and overall objectives of the programme are in line with the requirements set by the Court, the needs and aspirations of the beneficiaries, and with the context in which the programme is delivered.
228. Impact - *What has happened (or is likely to happen) as a consequence of the reparation programme?*
229. Impact concerns whether there has been a change towards the achievement of the overall rehabilitative objective as a consequence of the achievement of the programme purpose. Both intended and unintended impacts are reviewed. The Trust Fund does not intend to carry out a rigorous impact evaluation that requires comparison and control groups; it will rather use the baseline study to measure before and after situation so as to measure the impact of reparation programme.
230. Effectiveness - *To what extent has the reparation programme purpose been achieved, and to what extent have the programme results been achieved?*
231. Effectiveness describes how well the results achieved have furthered the achievement of the programme purpose.
232. Efficiency - *Does the quantity and quality of the results of the reparation programme justify the quantity and quality of the means used for achieving them?*

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233. Efficiency concerns the relation between the results and means, i.e. whether the process of transforming the means into results has been cost-effective. Although this might be a very good study to inform future reparation programmes, a costing study will depend upon resources available to implement reparation. A decision to do this kind of study will be made before the implementation begins.
234. Sustainability - *What has happened or is likely to happen to the positive effects of the programme after the reparation programme comes to an end?*
235. Sustainability can be described as the degree to which the benefits produced by the programme continue after it has come to an end. If resources allow, it would be desirable to look at the sustainability of this first reparation programme again to inform future reparation programmes.

XI. Other issues to consider

236. Similar to the Trust Fund's assistance mandate, an environmental assessment will be conducted by all implementing partners to monitor the likely effect of the reparation programme to the surrounding ecological environment. This is to ensure that reparation interventions do not produce negative impact to the environment. The Trust Fund will adapt a tool that is being used in the assistance programme and assessments will be conducted before, during, and after programme implementation by implementing partners; and the Trust Fund may conduct an overall assessment during the implementation phase of this programme.
237. **Gender:** all indicators data/results will be disaggregated by age and sex to enable assessing and monitoring programme effect on both women and men, and girls and boys.

XII. Collaborating and coordination approach

238. Collaborating and coordinating approach will be utilized to adjust programming and strategic direction from the outset to the implementation of reparation programme. By building flexibility into the reparation programme,

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the Trust Fund will be able to quickly respond to lessons learned through regular assessments potentially resulting from the sensitive nature of this programme and country context which seems unpredictable.

239. This approach will allow the Trust Fund to carefully monitor reparation implementation and ensure that extenuating circumstances do not become significant inhibitors to the achievement of reparation outcomes. The Trust Fund will incorporate the following activities into programme design and planning:

| Actions | Potential collaborators |
|--|--|
| Victim identification and screening | Trust Fund, VPRS, PIDS, affected communities, implementing partners, Legal Representatives |
| Programme review sessions with beneficiaries and their families, surrounding communities and implementing partners through focus group discussions to discuss the progress and perceptions of the programme; this will serve as a bi-annual opportunity to assess the implementation and the long-term trends as well as any necessary changes to the programme. | Trust Fund, implementing partners, beneficiaries |
| Creation of reparation technical working group; to regular discuss the progress of the programme, challenges and provide updates to the Court | Trust Fund, VPRS, PIDS, other sections of the Court as deemed necessary (HQ & Field), Legal Representatives, other key stakeholders including government representatives |
| Ensure that availability of M&E data informs programmatic decision-making; this will prove progress of programme implementation | Trust Fund, implementing partners |

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Eligibility Screening Tool

INSTRUCTIONS: (1) DO NOT READ OUT LOUD ANY TEXT IN BIG LETTERS

(2) PLEASE RECORD ANSWERS IN FRENCH OR ENGLISH

*(3) IF INTERVIEWEE REFUSES TO ANSWER A QUESTION, ~~CROSS IT OUT~~
AND SKIP IT*

(4) INTERVIEW SHOULD BE CONDUCTED IN PRIVATE

I. READ TO INTERVIEWEE:

1) SCREENING PURPOSE: We are conducting this screening to assess your eligibility for collective reparations in the Lubanga case before the ICC. I will ask some personal information about yourself, your family and about some of your experiences during the conflict.

2) NO ASSISTANCE: You will not receive any assistance or money in exchange for answering these questions.

4) VOLUNTARY: This interview is voluntary. You do not have to answer any question that you do not want to. You can also tell me if you do not want to be interviewed.

5) PRIVATE & CONFIDENTIAL: Your answers will stay private and confidential.

6) QUESTIONS: If you have any questions, you can ask me at anytime.

1 May I have your permission to ask these questions?

☐ Yes

No → IF NO, PROCEED TO NEXT INTERVIEWEE

2 IF INTERVIEWEE IS UNDER 18, HAS PARENT OR RESPONSIBLE ADULT APPROVED THE INTERVIEW?

☐ Interviewee is older than 18 → CONTINUE TO #3

☐ Yes → IF YES, CONTINUE TO #3

No → IF NO, STOP INTERVIEW AND ADVISE TO RETURN WITH GUARDIAN.

3 GENDER OF INTERVIEWER

☐ Male

☐ Female

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| | |
|---|---|
| 3a GENDER OF INTERVIEWEE | <input type="checkbox"/> Male <input type="checkbox"/> Female |
| 3b IS INTERVIEWEE COMFORTABLE WITH MALE / FEMALE INTERVIEWER? | <input type="checkbox"/> Yes → IF YES, CONTINUE TO #4 No → IF NO, STOP INTERVIEW AND SEEK TO RESCHEDULE WITH A DIFFERENT INTERVIEWER. |
| 4 DATE OF INTERVIEW | __ __ (day) __ __ (month) __ __ __ __ (year) |
| 5 INTERVIEWEE CODE | __ __ __ __ __ (4 or 5 numbers) |
| 6 OTHER ENTITY CODE | __ __ __ __ (2 or 4 numbers / letters) |

II. BACKGROUND

READ: I am going to start by recording some general information about your background.

| | | |
|---|-------------------|--|
| 7 AGE | __ __ (years) | <input type="checkbox"/> 10-17 <input type="checkbox"/> 25-30 <input type="checkbox"/> 41-50 <input type="checkbox"/> over 60 <input type="checkbox"/> 18-24 <input type="checkbox"/> 31-40 <input type="checkbox"/> 51-60 |
| 8 DATE OF BIRTH | | |
| 9 Where do you currently reside? | _____ | |
| 10 Where did you reside during the conflict in from 2002- 2003? | _____ | |

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CIRCLE ALL OF THE LOCATIONS WHERE YOU LIVED THEN

- | | | |
|--------------|------------------|----------------------------|
| 1) Bunia | | 18) Bambu |
| 2) Rwampara | 10) Aru | 19) Nizi |
| 3) Mandro | 11) Nyamavi | 20) Kilo |
| 4) Mongbwalu | 12) Katoto | 21) Mbidjo |
| 5) Tchomia | 13) Centrale | 22) Komanda |
| 6) Kasenyi | 14) Iga-Barriere | 23) OTHERS (SPECIFY) _____ |
| 7) Bororo | 15) Tchenyanabu | 24) OTHERS _____ |
| 8) Kobu | 16) Mabanga | 25) OTHERS _____ |
| 9) Songolo | 17) Watsa | 26) OTHERS _____ |

11 What was your occupation at that time?

CIRCLE ALL OF OCCUPATIONS YOU HAD AT THAT TIME:

- | | | |
|------------------------------|-------------------------------|---|
| 1) Child | | 15) As a teacher, nurse, or public employee |
| 2) Student | 9) Brewing alcohol or beer | 16) Working as hired help in a kiosk or hotel |
| 3) Soldier/Fighter | 10) Work for an NGO | 17) As an employee in a company or firm |
| 4) Taking care of family | 11) Boda-boda or taxi driving | 18) In the military |
| 5) Taking care of animals | 12) Construction or carpentry | 19) Selling items at the market (SPECIFY) |
| 6) Making bricks or charcoal | 13) Baking | 20) Agriculture |
| 7) Collecting firewood/grass | 14) Mechanics | 21) Quarrying |
| 8) Tailoring or weaving | | 22) OTHER (SPECIFY): |

12 Now I will read to you a list of living conditions. What were your living conditions like at the time of the conflict from 2002-2003? You can say good, acceptable, poor or very poor.

| | Good | Acceptable | Poor | Very poor |
|--------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Your housing | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Your access to food | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Your opportunities to find work | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Your income | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Your savings | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Your access to land for farming | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Access to education for you or your children | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Your access to health services | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Your physical safety | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

QUESTIONS ONLY IF INTERVIEWEE WAS ABDUCTED, ENLISTED, CONSCRIPTED, OR USED IN ARMED GROUP(S):

| | |
|---|---|
| 13 Which armed groups were you in contact with? | Name(s): <i>UPC/FPLC eligible</i> |
| 14 When were you in contact with the armed groups from 2002-2003? When were you part of the armed group from 2002-2003? | Did the interviewee indicate dates between 1 September 2002 and 13 August 2003? |
| 15 How many times were you in contact with an armed group? | Number(s) or Date(s) (Specify which armed groups): |
| | |
| | |
| | |
| | |

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16 What were your roles in the group(s)? Please indicate in which armed group you played any selected roles.

(SELECT ALL THAT APPLY)

- | | | |
|---|----------------------------------|-------------------------------------|
| <input type="checkbox"/> Member | <input type="checkbox"/> Fighter | <input type="checkbox"/> Cook |
| <input type="checkbox"/> Porter assistant | <input type="checkbox"/> Spy | <input type="checkbox"/> Medical |
| <input type="checkbox"/> Childcare Food | <input type="checkbox"/> Wife | <input type="checkbox"/> Collecting |
| <input type="checkbox"/> OTHER: | | |

QUESTIONS ONLY IF INTERVIEWEE'S FAMILY MEMBER (UNDER THE AGE OF 15) OR CHILD WAS CONSCRIPTED, ENLISTED, OR USED BY THE FPLC/UPC

INDIRECT VICTIM

17 Which armed groups was your family member or child in contact with?

Name(s):

18 How many times was family member, or child in contact with the identified armed group(s)?

Number(s), Date(s) (Specify which armed groups):

(SELECT ALL THAT APPLY)

19 If known, what was your family member's or child's roles in the group(s)? Please indicate in which armed group you played any selected roles.

- | | | |
|---|----------------------------------|-------------------------------------|
| <input type="checkbox"/> Member | <input type="checkbox"/> Fighter | <input type="checkbox"/> Cook |
| <input type="checkbox"/> Porter assistant | <input type="checkbox"/> Spy | <input type="checkbox"/> Medical |
| <input type="checkbox"/> Childcare Food | <input type="checkbox"/> Wife | <input type="checkbox"/> Collecting |

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☐ *OTHER:*

**QUESTIONS ONLY IF INTERVIEWEE WAS HARMED AS A RESULT OF THE FACT THAT
A CHILD WAS CONSCRIPTED, ENLISTED, OR USED BY THE FPLC/UPC**

INDIRECT VICTIM

20 Have you been harmed as a result of your efforts
to stop a child 15 years old or younger from being
conscripted, enlisted, or used by the FPLC/UPC?

Where did this happen?

Names:

21 Are there any witnesses who can testify that this
happened?

22 Have you experienced any other
harm as a result of the fact that the
FPLC/UPC used children under
the age of 15 years as child
soldiers?

☐ *EXPLAIN:*