

**AN INTERNATIONAL CRIMINAL COURT COURTROOM IN EVERY
PARISH: VICTIMS' EXPERIENCES AND PERCEPTIONS IN THE CASE
OF DOMINIC ONGWEN**

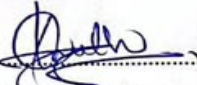
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REGISTRATION NUMBER: 09/U/2223/MAC**

**A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF A MASTER'S DEGREE IN CONFLICT
TRANSFORMATION STUDIES OF GULU UNIVERSITY**

SEPTEMBER, 2026

DECLARATION

I, Martin Dennis OKWIR, hereby declare that this dissertation, titled *An International Criminal Court Courtroom in Every Parish: Victims' Experiences and Perceptions in the Case of Dominic Ongwen*, is my original academic work. I have honestly acknowledged all sources used and cited them correctly in APA 7th Edition referencing style. This dissertation has not been submitted, either in whole or in part, for the award of a degree at this or any other University or Institution of Higher Learning.

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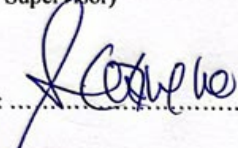
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APPROVAL

We hereby certify that the dissertation titled *An International Criminal Court Courtroom in Every Parish: Victims' Experiences and Perceptions in the Case of Dominic Ongwen* was written under our supervision and recommend it for submission to the Institute of Research and Graduate Studies of Gulu University for consideration.

Dr. Stephen LANGOLE

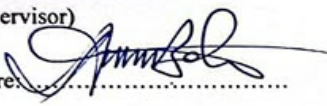
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DEDICATION

I dedicate this study to my beloved children - Hannah, Brooklyn, Ethan, and Louiza. You inspire me every day to work hard, to set higher standards, so you may too one day aspire beyond limits and achieve greatness. May this work be a miniature testament to Daddy's profound love.

I also dedicate this study to the brave victims in Lukodi. Your courage to share deeply personal stories and experiences with me made this study possible. Your voices occupy the very nucleus of this study, and I hope that they continue to be heard and respected.

ACKNOWLEDGMENT

I am deeply indebted to my supervisors, Dr. Stephen Langole and Dr. Ben Otto Adol. Your patient guidance, insightful feedback, and steadfast support were invaluable in helping me achieve this milestone.

I also sincerely thank my family members. Your unwavering support and constant encouragement were the energy that sustained me through this difficult journey. Your belief in me is a source of strength and motivation unlike any other.

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LIST OF ACRONYMS

CAR	Central African Republic
DRC	Democratic Republic of the Congo (République Démocratique du Congo)
ECCC	Extraordinary Chambers in the Courts of Cambodia
ECCHR	European Center for Constitutional and Human Rights
FIDH	International Federation for Human Rights
FGD	Focus Group Discussion
FPP	Focal Point Person
ICC	International Criminal Court
ICTJ	International Center for Transitional Justice
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IDI	In-Depth Interview
KII	Key Informant Interview
LRV	Legal Representative of Victims
LRA	Lord's Resistance Army
NGO	Non-Governmental Organization
OPCV	Office of Public Counsel for Victims
OTP	Office of the Prosecutor
UPDF	Uganda People's Defence Forces
VPRS	Victims and Participation and Reparations Section

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Abstract

This study provides a unique, in-depth examination of victim participation in international criminal justice processes. It uncovers the lived realities of victims obscured by formalistic legal processes, as articulated by the victims themselves. It explores the engagement of victims through the case of Dominic Ongwen at the International Criminal Court (ICC), by centring the experiences of victims from Lukodi, in Gulu district, northern Uganda. Driven by the aspiration to understand how victims experience and navigate the usually sophisticated judicial environment, the study analyses the different forms of participation, the challenges victims encounter, and their perceptions of justice and satisfaction through the long and often difficult judicial journey. Adopting a qualitative phenomenological approach contextualised within a constructivist paradigm, this research harnesses data that was collected over an extended period of seven years, using in-depth interviews, focus group discussions, key informant conversations, and document reviews.

The findings of this study unveil a complex reality of victim engagement. They show that meaningful engagement of victims is often constrained by procedural, structural, physical, logistical, and psychological obstacles, among others. Despite numerous near-debilitating challenges to their participation, victims continue to demonstrate unwavering resilience and agency as they navigate participation, a platform that is often symbolic while also carrying the potential for genuine empowerment. A novel, hybrid theoretical perspective, here referred to as the *“Triune Hybrid Model of Victim Participation”* (THM-VP), which blends restorative justice, participatory justice, and structural power theories, has been adopted to understand the complex forces that shape victim participation. The study presents important, yet unique insights into the growing role of victims in international justice processes, and calls for the strengthening of victim-centred approaches that not only recognise the legal rights for participation, but also creatively integrate the social and emotional dimensions of justice.

The insights explicated in this study have significant implications for both policy and practice within the context of transitional justice. They provide much-needed guidance for international institutions on how to understand and better support victims to attain recognition, healing, and meaningful participation in judicial processes that have the potential to transform their lives and those of their societies.

CHAPTER ONE

INTRODUCTION

1.1. Introduction

In this chapter, I introduce this study, entitled *An International Criminal Court Courtroom in Every Parish: Victims' Experiences and Perspectives in the Case of Dominic Ongwen*. At its core, this study argues that, although there has been a progressive recognition of victims in international criminal justice processes as aspired to, in the Rome Statute, the practical realisation of these rights remains uneven and faces significant challenges. The study emphasises the voices and the lived experiences of victims who have engaged in the proceedings of the case of Dominic Ongwen at the ICC, from Lukodi in northern Uganda. The study illuminates how victims experience their engagement beyond the confines of the legal provisions that grant them participation rights.

To achieve this, the chapter presents the historical development of victims' engagement with international judicial processes, situates the ICC's work within the context of Africa, and hones in, on the case of Dominic Ongwen at the ICC. It follows by overviewing frameworks for victim participation at regional and national levels, thereby framing the context within which this study is positioned. The chapter further outlines the conceptual and methodological approaches adopted by this study and finally provides the contextual background of Lukodi and the particularities of the case of Dominic Ongwen that underpins the empirical focus of the study.

1.1.1. Background to the Study

The growth and development of international criminal justice has been characterised by the increasing recognition of the rights of victims to meaningfully participate in international justice proceedings. The earliest international criminal bodies such as the Nuremberg and the Tokyo tribunals that were formed in the aftermath of World War II (WWII) predominantly focused on trying people suspected of crimes against the states and administering punishments as opposed to giving victims any meaningful presence in their proceedings (Human Rights Watch, 2008). Proceeding decade witnessed a wave of advocacy for victims' right to participation, coupled with an increasing prominence of restorative justice that challenged the earlier order and drew victims

closer to the centre of international justice processes, as stated by key authors of restorative justice such as Holder and Englezos (2024) and Teitel (2021) who prioritise the legitimacy of the processes through greater engagement of victims, and the greater potential for healing through restorative justice approaches.

The creation of the ICC under Article 1 of the Rome Statute (1998) as the first permanent international criminal tribunal was a major step in the evolution of the engagement of victims with international criminal justice tribunals. It was a notable shift from ad hoc situation-based tribunals and enshrined the role of victims under Article 68(3) of the international statute. This provision provides a basis for victims to present their views and concerns at appropriate stages of the judicial process, whether directly in court, or through their legal counsels (Ferstman, 2011). This is an extension of the role of victims from the earlier scopes provided at the International Criminal Tribunal for former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda in the 1990s, where the roles of victims were restricted to the provision of testimonies, if and when called upon (Schabas, 2012).

Post the ICTY and ICTR evolutions, the engagement of victims progressively strengthened through the Extraordinary Chambers in the Courts of Cambodia (ECCC), where victims were recognised as civil parties and could submit evidence in court and request for reparations (Werner & Rudy, 2010; ECCC Internal Rules, 2020). Similar developments were recorded in the Special Tribunal for Lebanon and the Special Court for Sierra Leone where different bespoke models of participation were innovated for victims. These collectively constituted a gradual, yet unmistakable recognition of victims as key stakeholders in international justice.

In spite of the notable institutional advancements however, the practical implementation of victim participation has remained sluggish and challenging. There continues to be lack of clarity about the extent of the influence that victims have on the process, as they are participants, and not parties in the proceedings (Walley, 2016). The Rome Statute further fails to specify clear modalities and minimum requirements for acceptable levels of participation, resulting to inconsistent practices across Chambers and cases at the ICC (Victims' Rights Working Group, 2014; Human Rights Watch, 2008). The practice and epistemic community have therefore continued to debate the

efficiency of participation, their challenges and whether its implementation meets the dreams pictured in the Rome Statute (Brill, 2020).

At the ICC, the engagement of victims is intended to ensure that their voices are effectively heard, and their rights are protected throughout the judicial process (Cohen, 2009). It is this nuanced conceptualisation of victim participation that is adopted by this study, in examining how victims in Lukodi experienced and made sense of their engagement in the case of Dominic Ongwen at the ICC.

1.1.2. The ICC in Africa

Since its formation in mid 2002, the ICC has been a very active player on the African continent. Its earlier interventions focused on top rebel and militia commanders in the Democratic Republic of Congo (DRC), which were closely followed by interventions in the Central African Republic (CAR), Mali, Sudan (Darfur), Uganda, Kenya, Côte d'Ivoire, Libya, among others (Jalloh, 2017; Mahony, 2016; Human Rights Watch, 2014). In each of these cases, the ICC in its typical approach registered hundreds and sometimes thousands of victims to participate in the processes. The forms and the effectiveness of participation however varied considerably in these different situations and contexts (International Criminal Court, 2019; Walley, 2016).

While many in the practice community praise the ICC for providing a platform for victims to be heard and to seek redress in Africa's fragile environment, some scholars have seen its monotony on the continent as unfair and disproportionate targeting of African states (Vihinen, 2023). Sriram (2017) on the other hand accuse the Court of intervening selectively, neocolonial tendencies and the marginalisation of indigenous traditions of justice and accountability. Baines (2010) point to challenges in the ICC's victim participation efforts in the DRC, Mali and CAR that included cultural factors, legal traditions and uncontrolled expectations from victims, sometimes causing frustration among victims and practitioners alike. Further, the Court's capacity to provide adequate outreach, and legal and psychological counseling has been called into question (Mahony, 2016). All these dimensions directly bear on victims' experience of participation in ICC judicial processes.

Although the ICC has faced several challenges in actualising seamless engagement of victims in Africa, even with its complex post-conflict realities, the continent still remains its preferred laboratory for experimenting its victim participation framework. These debates and lessons have been instrumental in analysing how victims engaged in the case of Dominic Ongwen.

1.1.3. Victim Participation at Regional and National Levels

At the regional level, the engagement of victims in international criminal justice processes have been seen at the ICTR, created in the aftermath of the 1994 genocide in Rwanda. ICTR implemented witness protection and the documentation of the experiences of victims, much as their participation did not go beyond the provision of testimonies against people facing trial (Cohen, 2009). Contrastingly and to fill the engagement gap left by the formal proceedings at the ICTR, victims enjoyed a more central place at the *Gacaca* courts. The Gacaca system employed traditional conflict resolution approaches and victims had the platform to face perpetrators, share their stories and even participate in reparations decisions in a manner that embodied restorative justice principles (Clark, 2010).

On the national scene, in Uganda, the International Crimes Division (ICD) of the High Court blends the provisions of the Rome Statute with domestic legal traditions in a hybrid approach. This has been a noticeable advancement in centralising the role of victims in the prosecution of crimes of international concern as exemplified in the case of Thomas Kwoyelo where victims submitted impact statements through their legal counsels, although with other implementation and logistical challenges (ASF, 2019; REDRESS, 2012).

Locally to the wider community of victims in Acholi, tradition provides “*Mato Oput*” (literally, drinking the bitter root), which is a traditional reconciliation process, applied where there is intentional killing. In this traditional approach, the clan of the offender is required to admit responsibility, offer repentance, and negotiate and pay compensation (reparations) before ceremonially sharing the bitter roots of the *oput* tree with the clan of the victim(s) to end hostilities and restore relations (Afako, 2002; Harlacher et al., 2006). In this Acholi traditional reconciliation system, victims and their families are prominent participants in all stages of the process, including truth telling, negotiation of compensation and in the ceremony of drinking the bitter root (Ogora & Uganda Law Reform Commission, 2008). Much as *mato oput* has been invoked in post-conflict

northern Uganda as a culturally appropriate tool to complement formal justice approaches, it was originally designed for inter-clan homicide (Baines, 2007; Finnström, 2008).

These wide ranges of approaches, from the ICTR, through Gacaca and the ICD, to the ICC's case of Dominic Ongwen provide suitable scenarios for understanding how victim participation play out at the ICC.

1.1.4. The Dominic Ongwen Case

The case of Dominic Ongwen at the ICC has seen the trial of a former Lord's Resistance Army (LRA) rebel commander and his conviction for up to 61 out of 70 charges of war crimes and crimes against humanity in northern Uganda. Dominic Ongwen was prosecuted for his role in the attack on the Lukodi IDP camp on 19th May 2004, and was found guilty for forceful conscription of children under the age of 15 years into armed hostilities and sexual and gender-based crimes against



Dominic Ongwen at the ICC in The Hague. Source: ICC

women and girls across northern Uganda, under the Sinia Brigade of the LRA. The application of the ICC's victim participation regime in Dominic Ongwen's case provides a practical context for understanding how victims experience their engagement in international criminal justice in practice (Human Rights Watch, 2019; International Centre for Transitional Justice, 2021).

Adopted from the ICC's mantra in Uganda, from a victim participation project called *Access to Justice Project*, "An International Criminal Court Courtroom" is conceptualised expansively in this study, to represent the full spectrum of avenues through which victims engaged with the case of Dominic Ongwen, and not merely the confines of the ICC's courthouse in The Hague. The

courtroom is, therefore, a symbolic idea, describing any platform and avenue through which victims in the case of Dominic Ongwen navigated and experienced the judicial process. The reference to “...Every Parish” in the title refers to the 25 parishes in the four case locations attached to the case of Ongwen, Gulu City, and Coorom, Ongwen’s place of origin. These were populations that were within the scope of the earlier referenced Access to Justice Project.

The case of Dominic Ongwen at the ICC, which is at the centre of this study has progressed through a clear timeline, starting with his arrest and transfer to the ICC in The Hague on 21st January 2015, the Confirmation of Charges hearing in early 2016, the commencement of his trial in late 2016, and the closing argument in early 2020. On the 4th of February 2021, Dominic Ongwen was found guilty of 61 counts of the 70 he was charged with. Through a number of appeals by the Defense, fast forward to 28th February 2024, the Reparations Order was delivered in the case of Ongwen, transiting the case from the trial to the reparations phase.

In this study, I employed a retrospective phenomenological approach, stretching the full length of the case of Dominic Ongwen from 2016 to March 2025, from the onset of his trial to the early stages of reparations proceedings. Similarly, data collection followed a long stretch of time, starting in 2018 and continuing to the end of the period under coverage in early 2025, owing to my privileged position as an Outreach staff member of the ICC for a major part of this period, with continuous contact with the case and the victims in Lukodi. My ICC insider position and its role in my study were discussed with my research supervisors and approved. With my unique position, I was able to have a long-term observation and gain a nuanced understanding of the phenomenon under study.

1.1.5. Historical Background

The evolution of victim participation in international criminal justice has been defined by the shift from kinship-based practices to the modern international justice frameworks. In earlier societies, justice was largely conceived as personal and communal endeavours that employed blood-feuds, negotiated settlements, individual redress and societal restorations. In these medieval practices, victims and their kinsmen had a degree of agency and were allowed to seek redress or retribution for their losses (Justice and Reconciliation Project, 2011; GSDRC, 2023).

As Langbein (1978) writes, subsequent phases were characterised by feudal tribunals, where centralised authorities began to emerge, with the mandate of maintaining public order, in a shift that moved the locus of justice away from the victims towards the state. Even then, however, victims retained the powers to apprehend offenders and provide evidence during trials. It was until the Nuremberg and the Tokyo tribunals that were formed in the aftermath of the Second World War (WWII), that the trajectory leading up to the modern-day was set in motion, albeit with the primary purpose of punishing offenders as opposed to giving victims any meaningful recognition whose engagement remained limited to the provision of testimonies, if invited to (Human Rights Watch, 2008). This limited engagement of victims persisted through the 1990s through the ICTY and ICTR, where victim engagements were limited to formal recognitions of their participatory rights, but without any meaningful influence on the processes (Cohen, 2009; Langbein, 1978).

The operationalisation of the ICC on 1st July 2002 was then hailed as a monumental development for victims in international criminal justice, based on its official codification of an expanded role for victims. The Rome Statute formally recognised victims as civil parties and granted them the right to present their views and concerns in the courtroom, with the support of their legal representatives, which was a departure from earlier international justice models. Nevertheless, the full realisation of victim participation across different legal traditions and contexts have remained checkered even at the ICC (Henham, 2014).

Narrowing down to the ICC's case of Dominic Ongwen, these historical overviews establish the essential context for the analysis of the forms of victim participation, the challenges victims face, and their satisfaction with international justice proceedings.

1.1.6. Conceptual Background

Victim participation within international criminal justice is both procedural and substantive in nature. Procedurally, it includes the formal legal provisions for participation such as the right to legal representation and the opportunities to participate in hearings and voice their opinions. At the ICC, Article 68(3) stipulates these rights (Rome Statute, 1998; Henham, 2014). Substantive participation is concerned with how victims experience and feel recognised through their engagement, whether their dignity is respected and their sense of agency and empowerment. This study emphasises victims' satisfaction with their engagement in the ICC's case of Dominic

Ongwen as one important dimension of substantive participation, alongside the forms of participation and the challenges victims encounter (cf. Cuppini, 2021; Human Rights Watch, 2008).

The study is guided by three interrelated core concepts, namely: victim participation, challenges to participation, and victim satisfaction. These concepts are deliberately selected to correspond with the study's objectives, which seek to (i) document the forms of participation through which victims in Lukodi engaged with the Ongwen case, (ii) identify and document the challenges they encountered in the course of their participation, and (iii) assess their satisfaction with the case.

Victim participation refers to the opportunities afforded to victims under the Rome Statute to present their views and concerns at appropriate stages of the proceedings, as well as to seek reparations for harm suffered (Rome Statute, 1998, Art. 68(3); Human Rights Watch, 2008). In this study, the concept is examined through both its formal, legal dimensions (e.g., admission as a participant, legal representation, access to hearings) and its lived, experiential dimensions (e.g., whether victims in Lukodi felt their voices mattered in practice). This dual focus allows the analysis to move beyond a narrow reading of participation as a procedural right, towards an understanding of how participation is actually enacted and experienced by victims on the ground (Cuppini, 2021).

Challenges to participation encompass the procedural, logistical, and interpretive constraints that limit or shape victims' engagement with the Court. These include resource and outreach limitations, protection and security concerns, language and information gaps, and varying legal interpretations of participation rights across Chambers and cases (Human Rights Watch, 2008; Massidda et al., 2024). In the Ongwen case, such challenges have been documented in relation to victims' ability to access information, complete application forms, and maintain meaningful contact with their legal representatives, particularly in remote communities in northern Uganda (Massidda et al., 2024). Conceptually, this category enables the study to analyse why formally available participation rights may not translate into meaningful engagement in practice, and how structural and contextual factors mediate victims' experiences.

Victim satisfaction refers to victims' subjective evaluations of whether their participation met their expectations of recognition, respect, and influence, and whether the process and outcomes of the Ongwen case aligned with their notions of justice. It is understood as a multidimensional assessment of both process and outcome: whether victims felt adequately informed and consulted; whether their legal representatives conveyed their views and concerns; whether they perceived the trial as fair and truth-telling; and whether the conviction, sentence, and reparations order corresponded to what they considered just (Massidda et al., 2024; Human Rights Watch, 2008). Operationally, satisfaction is measured through participants' narratives about what aspects of the case and their participation they found satisfying or frustrating. In Chapter Four, respondents are asked to identify specific elements, such as access to information, opportunities to share their views, the conduct of their legal representatives, the trial's truth-finding function, and the reparations process, and to explain how these enhanced or undermined their sense of agency and recognition. This approach treats satisfaction as an empirically grounded, victim-defined construct, allowing the analysis to capture both procedural and substantive dimensions of participation in the Ongwen case (Massidda et al., 2024; Cuppini, 2021).

In practice, the ICC's implementation of victims' participation rights has varied across cases and Chambers. These challenges are partly accounted for by the hybridity of the Rome Statute, combining both civil law and common law traditions, and is further complicated by the lack of clarity on the elements of victim participation in the statute. These have resulted to ambiguity and variation across various contexts of implementation. The engagement of victims at the Court has further been constrained by resource and logistical limitations and varying legal interpretations across various contexts (Human Rights Watch, 2008). These inconsistencies highlight the challenges associated with translating statutory provisions into practice.

1.1.7. Contextual Background

Lukodi is located about 25 minutes, roughly 16 kilometres to the north of Gulu city, along the Gulu city to Patiko road, in Gulu district, northern Uganda. The community of Lukodi, a former IDP camp, endured severe atrocities at the hands of LRA rebels in the 1990s and the first half of the 2000s, culminating in the 19th of May 2004 devastating attack by the LRA's Sinia Brigade under the command of Dominic Ongwen. As an IDP camp that was sheltering over six thousand civilians

fleeing LRA atrocities in the region, Lukodi IDP camp was characterised by overcrowding, general insecurity, and a constant threat of violent attacks as the rebels constantly preyed on the camp dwellers (Justice and Reconciliation Project, 2011).

The attack on Lukodi IDP camp (see map of Lukodi in Gulu District in Appendix 1 of this study) by LRA's Sinia Brigade under the command of Dominic Ongwen was a strategically planned military operation in which LRA rebels reportedly divided themselves into groups to simultaneously confront the government troops - Uganda People's Defence Forces (UPDF), loot the camp, and target civilian camp occupants with killings, abductions and the looting and destruction of properties without any sense of humanity. In its wake, the attack left behind a community shattered by the violence and deeply scarred, both physically and psychologically (Invisible Children, 2016; International Justice Monitor, 2017).

The ICC's prosecution of Dominic Ongwen has been a landmark in the delivery of justice and accountability for victims of LRA crimes through international criminal justice mechanisms. Upon Ongwen's transfer to the seat of the ICC in The Hague in 2015, the Court's Victims Participation and Reparations Section (VPRS) engaged in massive registration of victims across the four case locations in the case of Dominic Ongwen, starting with Lukodi. Out of over 4,000 victims that participated in the case, 1,651 victims were registered from Lukodi. The trial ended on 4th February 2021, with a guilty verdict, and after a number of failed appeals, a Reparations Order was subsequently issued on 28th February 2024, offering victims up to 52.4 million Euros in reparations. Ongwen is currently serving his 25-year prison sentence in Norway (International Criminal Court, 2021; International Criminal Court, 2024; Human Rights Watch, 2021).

1.2. Statement of the Problem

Although the Rome Statute recognises victims as key participants in ICC proceedings in Article 68(3), the practical realisation of these rights remains questionable and is characterised by ambiguities and inconsistencies across cases and Chambers. The Rome Statute falls short of providing detailed guidance for the operationalisation of victim participation, leaving the implementation of victim participation at the discretion of the Judges and respective Chambers. The variation in the engagement of victims have therefore resulted to uncertainties and frustration among victims and practitioners (Henham, 2014; Human Rights Watch, 2019).

Further, a great majority of scholarship and institutional analyses have centred on the legal frameworks that grant victims participation rights. They have often neglected the analysis of how these legal provisions have translated into practice, and the lived experiences and perspectives of victims engaging with the processes. At the ICC, internal guidelines developed by its Victims Participation and Reparations Section (VPRS) remain overly narrow and lacks sufficient details to support predictable implementation of victim participation (Oehm, 2014; Henham, 2014; Gómez, 2014).

This lack of clarity and the disproportionate attention to the institutional frameworks, neglecting victims' experiences have resulted in inconsistencies in practice, a lack of basis for determining the performance of victim participation, or even the definition of what constitutes meaningful participation, especially from the perspectives of victims, based on their lived experiences while participating in ICC proceedings. The current state of debate and understanding on the subject therefore demands a deeper analysis of victims' experiences and perceptions regarding their participation, in order to gain substantive understanding into what participation means to victims. In an attempt to fill this critical gap, this study explores victims' perceptions and experiences from Lukodi over a long period of engagement with the case of Dominic Ongwen at the ICC.

1.3. Purpose of the Study

This study examined the experiences and perceptions of victims on their participation in the case of Dominic Ongwen at the International Criminal Court (ICC), spanning the period from 2015 when Ongwen first appeared in Court, to the early stages of the reparations programme in March 2025. The study focused on understanding the various ways through which victims participated in the case, the challenges they encountered, and their perceptions of satisfaction with the judicial process.

1.4. General Objectives

To examine the perceptions and experiences of victims in Lukodi, in the ICC's case of Dominic Ongwen.

1.4.1. Specific Objectives

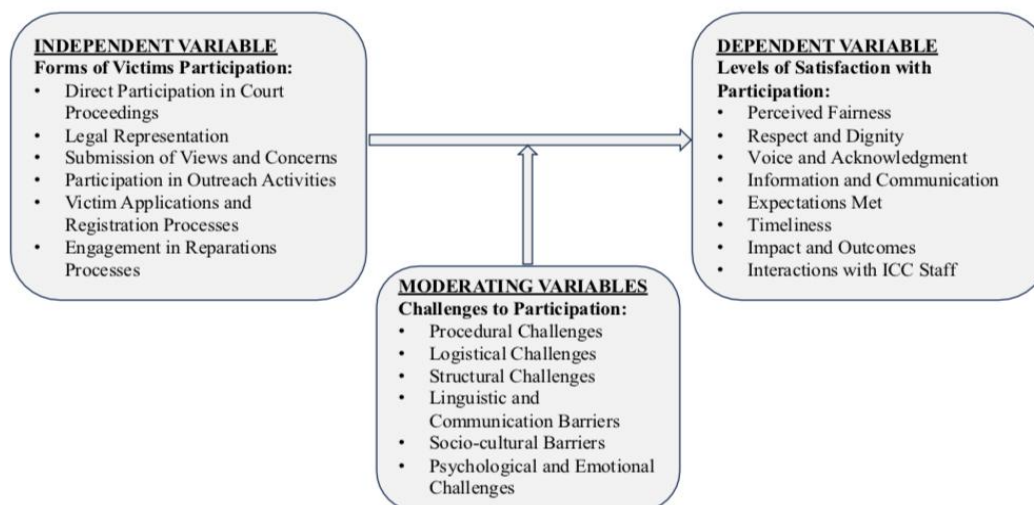
1. To document the various forms of participation through which victims in Lukodi engaged with the case of Dominic Ongwen.
2. To identify and document the challenges that victims in Lukodi encountered in the course of their participation in the case of Dominic Ongwen.
3. To assess the satisfaction of victims in Lukodi with the case of Dominic Ongwen.

1.4.2. Research Questions

1. What were the different forms of participation that victims in Lukodi engaged in during the ICC's case of Dominic Ongwen?
2. What challenges did victims in Lukodi face during their engagement with the case of Dominic Ongwen?
3. How satisfied were victims in Lukodi with the ICC's case of Dominic Ongwen?

1.5. Conceptual Framework

Figure. 1: Conceptual Framework



Source: Author

The above diagrammatic conceptual framework represents the interplay among the three related core dimensions of victim participation. These are the forms of victim participation, challenges that shaped their experiences of participation, and their subsequent levels of satisfaction with the process. This study is guided by this framework, clearly defining and contextualising each of the three elements of participation within the ICC's case against Dominic Ongwen, honing in on the experiences and perceptions of victims in Lukodi, as explained below.

i. Forms of Participation as Independent Variable

Forms of participation in this study are the various ways through which victims engage with the case of Dominic Ongwen. They include direct involvement in activities and access to accurate and timely information regarding developments in the case. These are activities such as registration as participating victims, making submissions, and involvement in various information-sharing activities, among others, which are designed for the inclusion of victims throughout the course of the case. These modalities in Lukodi reflect a translation of the formal legal mechanisms in practice.

ii. Challenges as Intervening Variables

Challenges to participation in this study are the procedural, psychological, logistical and structural barriers that affected and shape victims' experience of participation in the case. Procedural challenges include difficulties with navigating the complex legal jargon and language, while psychological challenges concerned the burden of trauma and emotional impacts related to participation and the reawakening of memories of traumatic events that victims are fighting to forget. They further include the structural challenges such as institutional resources constraints and bureaucratic complexities that impeded participation.

iii. Satisfaction as the Dependent Variable

Satisfaction in this study is the subjective perceptions of victims of their recognition, dignity and sense of agency in the case, that shapes their appreciation of the process. Satisfaction concerns whether victims felt recognised and whether their voices were genuinely heard and influenced the process and its outcomes. This is not to be mistake for the reparative satisfaction that is a form of redress, where reparations measures are initiated to ensure non-repetition of violent conflict.

Participation therefore emerges from the three interacting elements of victims' involvement with the process, constituted by the forms, the challenges that affect access to participation, and victims' levels of appreciation of the process as described through their narratives.

As the hybrid framework posits, forms of victim participation (Independent Variable) are directly influenced by the challenges that victims face in the process of their engagement with the process (Intervening Variables), which consequently shape how victims feel satisfied with the process (Dependent Variable). Examining these relationships over the period of the case, from the commencement of the trial to its conclusion and the early stages of the reparations programme positioned this study primely to offer a grounded perspective on how international criminal justice plays out in practice, outside the confines of the courtroom formalities.

1.6. Theoretical Framework: The Triune Hybrid Model of Victim Participation

This study relies on a hybrid theoretical model to analyze victim participation in international criminal justice through the experiences of Lukodi residents in *Prosecutor v. Dominic Ongwen*. The framework merges Participatory Justice Theory, Restorative Justice Theory, and the Structural Theory of Power into an interdependent structure termed the Triune Hybrid Model of Victim Participation (THM-VP).

The THM-VP defines victim participation through three interrelated dimensions: forms of participation, operational challenges, and satisfaction evaluated via psychological, symbolic, and restorative lenses. Although analytically distinct, these dimensions remain ontologically connected, with satisfaction driven by the interaction between participation forms and mediating challenges within the broader context of power dynamics, cultural expectations, and post-conflict legacies.

a. Restorative Justice Theory

Restorative Justice Theory prioritizes repairing harm, restoring relationships, and empowering victims over offender punishment, placing victim needs at the center of justice to foster recognition, healing, and dialogue in post-conflict societies (Zehr, 2002).

This framework applies directly to northern Uganda and Lukodi, where violent conflict leaves deep physical and psychological scars. As an elder asked during 2024 reparations consultations, “How does imprisoning Ongwen for everything he has done to us help in healing the wounds he has left in our lives?” Victims primarily seek acknowledgment, dignity, empowerment, and holistic

repair, highlighting the limits of purely retributive models and emphasizing restorative alternatives to evaluate whether engagement in the Ongwen case delivered individual and communal healing (Zehr, 2002; see also ICC, 2015, as cited in Smith, 2015).

b. Participatory Justice Theory

Participatory Justice Theory prioritizes victims as core stakeholders in justice processes. Cohen (2009) argues that judicial legitimacy and effectiveness depend on whether victims exercise meaningful engagement and agency to influence proceedings and outcomes (Robins, 2013). Active participation strengthens procedural fairness, accountability, and the legitimacy of international criminal justice.

Article 68(3) of the Rome Statute (1998) embeds these rights, allowing victims to present views and concerns across all trial stages while protecting defense rights and ensuring impartiality (ICC, 2010). Cohen (2009) notes that this provision transitions victims from passive witnesses into rights-bearing subjects with distinct powers. Consequently, participatory justice supplies a normative and analytical baseline to evaluate ICC victim engagement guidelines, focusing specifically on empowerment and recognition (ICC, 2010).

c. Structural Theory of Power

The Structural Theory of Power examines neocolonial legacies, rigid bureaucracies, and power asymmetries within international institutions like the ICC to determine whose voices truly matter (Mamdani, 2001; Nouwen & Werner, 2011). Although the ICC claims equality of arms, this theory questions whether genuine power and influence exist between international actors, states, and victims.

This framework explains why formal participation rights frequently fail to produce meaningful engagement, as logistical, cultural, linguistic, and psychological barriers persist. Mamdani (2001) notes that international criminal justice often reproduces neocolonial dynamics by imposing Western legal frameworks onto marginalized communities through top-down structures. Nouwen and Werner (2011) add that ICC interventions in Uganda and Sudan operate as political enterprises that dictate who qualify as a victim and whose justice claims receive priority. Evidence from

Lukodi demonstrates how these power imbalances shape victims' perceptions and experiences in *Prosecutor v. Dominic Ongwen*.

1.6.1. The Case for the Triune Hybrid Model of Victim Participation (THM-VP)

The Triune Hybrid Model of Victim Participation (THM-VP) addresses critical gaps in existing frameworks that limit analytical depth when explaining victim participation in international criminal justice.

a. Normative process models

Packer's and Beloof's models treat participation as a static domestic procedural status, advancing single values while ignoring the psychological, structural, and contextual forces shaping victim experiences (Beloof, 1999). These models fail in hybrid or international environments defined by power asymmetries and institutional complexity. Conversely, the THM-VP frames participation as an emergent outcome driven by interacting dimensions within a multi-theoretical framework.

b. Procedural and participatory justice approaches

Van Camp and Wemmers (2013) note that these approaches prioritize voice and fairness but reduce participation to a single dimension, ignoring how structural barriers mediate procedural forms and influence satisfaction. They boost perceived fairness without tackling power asymmetries or cross-cultural complexities. The THM-VP preserves meaningful engagement while anchoring it in a triune structure that connects procedural forms to structural barriers and restorative evaluations.

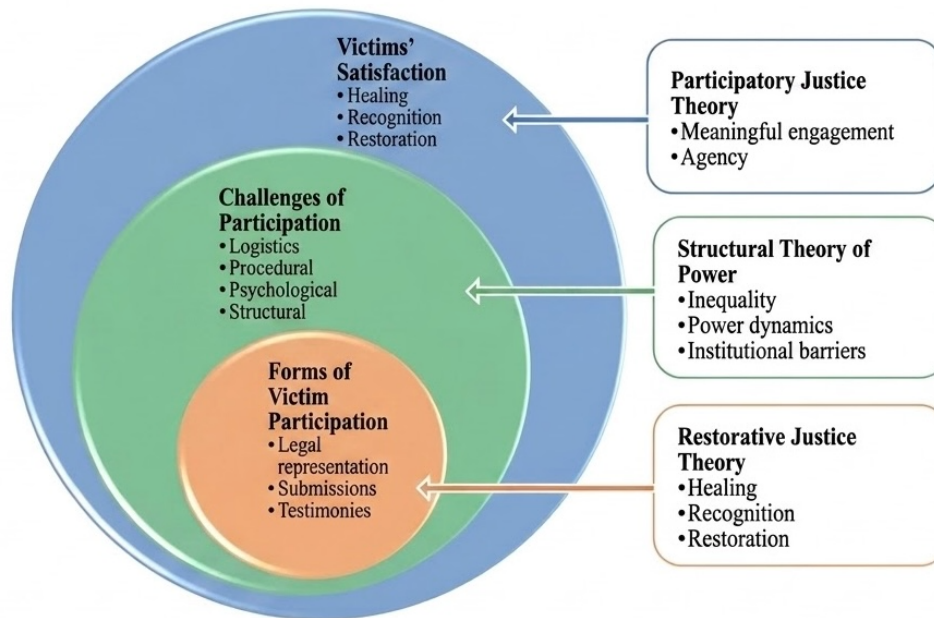
c. Transitional justice ecosystem frameworks

As Nouwen and Werner (2011) argue, ecosystem and actor-oriented frameworks map trajectories across formal and informal spaces but remain shallow, descriptive, and under-theorized regarding internal participatory structures, prioritizing breadth over depth. The THM-VP addresses this gap with a structured lens explaining how specific forms and challenges generate distinct participation outcomes.

Ultimately, the THM-VP moves beyond normative prescription, unidimensional analysis, and descriptive mapping, offering a robust explanatory model for victim engagement in international

criminal justice, specifically regarding northern Uganda and *Prosecutor v. Dominic Ongwen* at the ICC.

Theoretical Framework: The Triune Hybrid Model of Victim Participation (THM-VP)



Source: Author (2025)

The THM-VP frames victim engagement in international criminal justice as a stratified, interwoven process. At the nucleus lie the core forms of participation in the *Ongwen* case, such as testimonies, legal representation, and submissions, which reflect Participatory Justice Theory's focus on meaningful agency.

Surrounding this nucleus are the logistical, procedural, psychological, and structural challenges victims face during ICC proceedings, anchored by the Structural Theory of Power to highlight institutional barriers and power dynamics.

The outer layer captures victims' overall satisfaction, produced by the interaction between participation forms, mediating challenges, and local contexts. Grounded in Restorative Justice Theory, this final stratum evaluates healing, recognition, and symbolic restoration, illustrating the

complex relationship between participation methods, structural obstacles, and the resulting sense of justice.

1.7. Significance of the Study

This study presents critical insights into the lived realities of victim experiences in international criminal justice proceedings. It draws on the rich experiences and perceptions of victims in Lukodi, in the case of Dominic Ongwen before the ICC, as follows:

- i. **Empirical contributions:** This study centres victims' perspectives and experiences, which fills a long-lasting lacuna in academic discourse. Current discourses have tended to prioritise legal frameworks over the lived experiences of victims within international criminal justice. This study offers unique insights into the day-to-day experiences and understanding of their participation, hence enriching academic understanding and enlarging the storehouse of knowledge on victimology and international justice.
- ii. **Policy relevance:** These findings can constitute a great resource for policymakers and practitioners alike, in both international and local justice systems, by articulating, from real-life examples, how victims participate, challenges they face and opportunities available, in international criminal justice. The evidence-based knowledge drawn from the experiences of Lukodi provides valuable information to support decision-making, planning and implementation of accessible and responsive engagement of victims.
- iii. **Practical implementations:** Practitioners such as legal representatives of victims, outreach staff, victims support groups, and other judicial institutions can draw on the cache of knowledge in this study to understand enduring challenges and best practices that relate to the engagement of victims. These may relate to the important role of communication, psychosocial support and contextual relevance to optimise outcomes for victim and all parties involved.
- iv. **Contributions to broader justice discourse:** Empirical data from Lukodi presents some unique insights into the ongoing discourses on the effectiveness and inclusivity of victim participation at the ICC in practice, particularly in the context of Africa. Lessons from Lukodi resonate beyond the case of Dominic Ongwen, with potential implications for international justice anywhere.

In a nutshell, this study advances both scholarly and practical knowledge that informs efforts to achieve an international criminal justice framework that is victim-centred, empowering, and transformative.

1.8. Justification of the Study

Although there has been remarkable progress in international criminal justice, empirical research in the area has remained critically underdeveloped. While the Rome Statute stipulates victims' rights to participate in ICC proceedings, a significant gap remains between the procedural provisions and the lived experience of victims engaged in ICC proceedings (Cohen, 2009; Human Rights Watch, 2008). Existing scholarship and institutional discourses have largely focused on the designs and theoretical basis for the engagement of victims, neglecting the experiences and perceptions of victims navigating these processes. This has created a gap in understanding how victims experience their engagement in international criminal justice, hence the need for empirical research that centers on the voices and lived experiences of victims engaging in these processes, to move the discourse beyond abstract legal analysis, into substantive dimensions (Brill, 2020).

The case of Dominic Ongwen as experiences in Lukodi provides a unique and timely opportunity for this study. Lukodi provides the context of a society that is profoundly affected by violent conflict at the hands of the LRA and are at crossroads with victims participating in an international effort for justice and accountability in the ICC's case of Dominic Ongwen. The experiences of victims in Lukodi are characterised by an intersection between the procedural provisions for the engagement of victims as stipulated in the Rome Statute, and the local realities of communities engaging with the process. The case facilitates an in-depth exploration of how the legal provisions translate into practice (Human Rights Watch, 2017).

Furthermore, the combination of retrospective and phenomenological approaches, drawing on an extended period of data collection that traces the evolution of the experiences and perceptions of participating victims in the case of Dominic Ongwen gives this study an added edge. The analytic approach of this study has been grounded in the narratives of victims and remained sensitive to how they changed over time. The study findings can inform international criminal justice, and offer practical insights for policymakers, legal practitioners and victim support groups seeking to enhance the engagement and satisfaction of victims in similar contexts (Kendall & Nouwen, 2014).

1.9. Scope of the Study

This study is guided by clear temporal, geographical, and conceptual scopes, as follows:

Temporal Scope: This study spans from 2015 when the case of Dominic Ongwen officially commenced, to May 2025, in the early stages of the reparations process in the case. The 10-year stretch has been suitable for a comprehensive retrospective study of how victims' engagement in the case of Ongwen played out.

Geographic Scope: This study was situated in Lukodi, a former IDP camp located about 16 kilometres to the north of Gulu city, along the Gulu city to Patiko road, in northern Uganda. It is one of the four locations in the case of Dominic Ongwen, alongside Abok, Odek and Pajule. My choice of Lukodi as a location for this study was based on a number of important factors. Firstly, Lukodi was the first location that the ICC's Prosecution investigated and attached to Dominic Ongwen, thereby becoming a chronological genesis for the Court's engagement in northern Uganda.

Secondly, Lukodi, as a case location, has the highest number of registered participating victims in the case of Ongwen, with up to 1,651 registered victims, out of the total 4,095 victims in the case. Finally, based on my location in Gulu city, Lukodi's proximity to Gulu city, just 16 kilometres out, provided easy accessibility and sustained engagement with study participants. Through these factors, the choice of Lukodi was both strategic and representative of the other locations, for the study of victim participation in the case of Dominic Ongwen.

Conceptual Scope: Conceptually, this study centers on victim participation, as operationalised in international criminal justice processes. This study examines three interrelated dimensions of the engagement of victims, namely: forms of victim participation, the challenges faced in victim participation, and their levels of satisfaction with the judicial processes as a triad of dimensions necessary for a rich and holistic understanding of victims' experiences of participation (Schafer & Ušacka, 2020).

1.10. Operational Definitions

These definitions operationalise how major terms have been conceptualised in this study, to ensure clarity and consistency throughout the study. They include victims, victim participation, forms of participation, challenges and victims' satisfaction.

Victim: The term victim in this study is non-generic and is confined to those individuals who were registered and accepted as participating victims in the case of Dominic Ongwen in Lukodi, based on a number of criteria for the qualification of victims in the ICC process. In Lukodi, these victims were 1,651 in number, out of a total of 4,095 victims currently participating in the case.

Victim Participation: Victim participation here refers to engagement of victims with the proceedings of the case of Dominic Ongwen at the ICC. It includes their rights to access timely and accurate information regarding the case through various channels that were designed by the ICC, their contacts and engagements with their respective legal representatives, and the submissions of their concerns and opinions at key moments in the case, and to request for reparations as established under Article 68(3) of the Rome Statute (Baumgartner, 2022; International Criminal Court, 2020).

Forms of Participation: These refer to the different ways through which victims engaged with the case of Dominic Ongwen. Various avenues for the engagement of victims with the process included the provision of testimonies in court, submissions of views and concerns at appropriate junctures in the process, and participation in outreach and reparations activities, among others. In the case of Dominic Ongwen, victim participation was supported by two teams of legal counsels: the Court's Office of Public Counsel for Victims (OPCV) and the independent Legal Representative for Victims (LRV) (Baumgartner, 2022; International Criminal Court, 2020).

Challenges: In this study, challenges encompass a range of procedural, logistical, legal and psychological barriers that victims encountered in the course of their engagement with the case of Dominic Ongwen. Obstacles such as difficulties in navigating the complex legal processes, language barriers, navigating the power dynamics, the long period of the case and the psychological impact of engagement are considered in this study, among others (cf. Human Rights Watch, 2019; Haslam, 2015).

Satisfaction: In this study, satisfaction is defined as the victims' subjective perception of whether the process of the case of Dominic Ongwen met their expectations and needs. It encompasses their assessments of whether their voices were heard, and respected through the process, and whether they believe that their involvement meaningfully impacted on the process.

1.11. Structure of the Dissertation

The dissertation is arranged in a chronology that tells the story of my journey in the process of the study, with each chapter ushering the reader into the next. Chapter One introduces the study, followed by Chapter Two which is the review of relevant literature, succeeded by the third chapter that explains the methodology of this study. Chapter Four presents the findings from my field engagements, ushering the reader into Chapter Five where I analyse the findings against the hybrid theoretical framework that I created, and existing literature, and closing with Chapter Six on conclusions and recommendations.

Building on the established foundation, Chapter Two will cover literature review. The chapter will situate the study within broader scholarly debates on victim participation and identify gaps that creates the need for a victim-centred study of how victims experience their engagement in international criminal justice processes.

CHAPTER TWO

LITERATURE REVIEW

2.1. Introduction

The increasing prominence of victim participation in international criminal justice over the years have been characterised by a gradual yet steady change that has transformed the “international courtrooms” from the spaces formerly dominated by prosecutors and defenders into a more inclusive space where the voices of victims can be heard and taken seriously. This evolution has neither been linear, nor uncontested. The progress has followed a troubled, yet continuous shift in legal philosophy, marked by institutional growth and a sustained demand for justice that is inclusive of those who bear the most brunt of heinous crimes (Human Rights Watch, 2008; McAsey, 2011).

Historically, victims have been nothing more than mere witnesses in processes that were claimed to be delivering justice in their names. The movement that began with the Nuremberg and Tokyo tribunals, fundamental as they were, also exemplified the exclusion of victims ever so clearly, as they focused largely on state accountability and punishment of perpetrators (Ambos, 2022; Schabas, 2012). Subsequent ad hoc tribunals such as the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) in the 1990s followed this earlier precedent by offering victims only marginal participatory rights in their proceedings, where they were accorded witness protection and the right to provide testimonies (Human Rights Watch, 2008). A more robust regime of victim participation emerged with the adoption of the Rome Statute in 1998 and the subsequent establishment of the ICC in July 2002 (Reynolds, 2017; Jasini, 2020).

This shift has been both unmistakable and profound for victims and the community of practice. Victim participation has rapidly become a moral and political concern about whose interest international criminal justice actually serves. International courtrooms have therefore become spaces for legal reckoning and a practical platform for recognition, healing and restoration of once lost dignity (Teitel, 2021; Robins, 2013). Despite this advancement, literature points to the continuing tension between the provisions of such legal frameworks as the Rome Statute of the

ICC and the lived realities of participation experienced by the victims. There remains a gap between rhetoric and practice (Brill, 2020).

The structure of this literature review is guided by the objectives of this study, covering the forms of participation, the challenges that affect the engagement of victims with the judicial processes, and victims' perceptions of satisfaction with the judicial processes (Cohen, 2014; Coalition for the ICC, 2015; Hobbs, 2014).

Thus, this chapter will begin by providing a panoramic perspective of victims' place in international criminal justice, drawing lessons from the ICC, ICTY, ICTR, ECCC, plus other international criminal tribunals. It will then narrow down to the continental and regional level, before resting finally on the national experiences which include the ICD and in particular, the ICC's case against Dominic Ongwen, which is the subject of this study (War Crimes Research Office, 2007; Hobbs, 2014; Jasini, 2020).

2.2. International Perspectives on Victim Participation

The Nuremberg and Tokyo tribunals that were established in the immediate aftermath of World War II were foundational for international criminal justice. However, despite their ground-breaking roles, victims were relegated to the margins in their proceedings due to the largely retributive legal philosophy of the time. The courts primarily sought to prove guilt against the state and to administer punishment to those found guilty. The victims were restricted to the provision of testimonies, when called upon, without real agency to shape the conduct and the outcomes of the processes (Schabas, 2012; Ambos, 2022).

It was later in the twentieth century that the international community began to take the role of victims more seriously. The witness protection initiatives and the right to provide testimonies in court in the ICTY and ICTR in the 1990s were limited, yet positive advancements for victims' recognition in international criminal justice proceedings (Human Rights Watch, 2008). Even then, participation in these mid-1990s tribunals remained testimonial and reactive, lacking victim empowerment and transformational standards (Ainley, 2011; War Crimes Research Office, 2017).

Later, the Extraordinary Chambers in the Courts of Cambodia (ECCC) further expanded the scope of victim engagement by granting them the status of civil parties in its proceedings, allowing victims to engage more actively at various stages of the judicial process, including the providing of evidence and seeking reparations for harms suffered (de Brouwer, 2012; Jarvis, 2014). This model that combined elements of both common law and civil law however, still faced challenges with implementing a broadened participation model in the context of complex, and resource-constrained processes (Stover, Weinstein, & Fletcher, 2010).

The creation of the International Criminal Court (ICC) in 2002, with a clear provision under Article 68(3) of the Rome Statute that grants victims formal participatory rights, was a significant positive step in the right direction. Considered to be the most progressive in the field to date, the ICC's model empowers victims to enjoy legal representation, voice their concerns and opinions regarding the process, and claim reparations in the case of a guilty verdict (Moffett, 2015). Central to this study, however, is the silence of the statute about the modalities of victim participation. Different Chambers and Judges have therefore had the scope to decide the participation modalities on a case-by-case basis, leaving a confusing patchwork of practices in their wake (Jasini, 2020; ICC Manual, 2019).

An ongoing example is the current ICC's engagement with the Rohingya, in which balancing meaningful victim participation and the need for judicial efficiency, entwined with complexities of cross-border victim communities and security imperatives, presents a serious test to the efficacy of this highly acclaimed model of victims' engagement (Dijkstal, 2018). A further area of confusion is evolving in northern Uganda, where the Confirmation of Charges hearing in the case of Joseph Kony has taken place effectively opening a new case in the situation, but without clear directions on temporary assistance to victims under the Trust Fund for Victims as was the case in the case of Dominic Ongwen.

The successive tribunals above reveal a continuum of progressive participatory models across time. While the ICTY and ICTR restricted engagements with victims to the provision of evidence, the ECCC experimented with full party status for victims, and in 2002, the ICC moved victims to the very centre with the rights to full participation, albeit limited too, as participants as opposed to the powers of the parties in the proceedings. Each emergent model of victim engagement came

with their own share of challenges. Broader participation, such as at the ECCC, faced challenges of representation, procedural complexities and resource constraints that undermined the full realisation of the provision for expanded victim participation. On the other hand, in the narrowed scopes of participation at the ICTY and ICTR, the victims felt excluded and marginalised from the justice process (War Crimes Research Office, 2007; de Brouwer, 2012; Stover, Weinstein, & Fletcher, 2010; Brill, 2020).

The experimentations through the tribunals discussed above demonstrate that victim participation has both legal and experiential dimensions. Existing scholarly works show that supportive institutional frameworks, adequate resources and the willingness of judicial institutions to adapt to the complex needs of victims and local contexts are crucial elements for the meaningful realisation of the formally recognised participation rights (Brill, 2020; Moffett, 2015). Importantly, the experiences of victims are shaped by a number of factors, including and not limited to legal traditions, political contexts and the respective histories of each tribunal.

These experiences collectively paint the picture of a progressive transformation of international criminal justice towards a more victim-centered approach. With this development far from complete, victim participation still remains a growing and challenging undertaking. Victims' aspirations for agency and recognition in justice processes continue to be tested by practical complications and institutional mundanity. These lessons are important in understanding the forms, challenges and the victims' satisfaction in the case of Dominic Ongwen before the ICC (SaCouto, 2012; Nuzban, 2024; Australian International Law Journal, 2011).

2.3. Continental and Regional Experiences in Africa

Africa, as a continent, has quickly claimed its place as the ICC's primary playground. A long list of countries, including the Democratic Republic of Congo (DRC), Central African Republic (CAR), Mali and Libya, have been as significant as they have been controversial cases before the Rome Statute court. Each of these interventions has experienced its unique contextual complexities that have highlighted both the promise and pitfalls of international criminal justice in near equal measures (Tadesse Tessema & Vesper-Gräske, 2016).

The ICC's Thomas Lubanga and Germain Katanga cases in the DRC have offered rare insights into what victim participation might look like in real practice. In these cases, victims submitted their views and concerns, with some even receiving reparations. However, the processes were plagued with logistical challenges, language barriers and the sheer scale of violence and atrocities that characterised the *Ituri province* of the DRC (BBC News, 2011; JusticeInfo.net, 2017). In the CAR, these same challenges were further worsened by the daily insecurity and displacement of large populations of victims (Pham et al., 2007).

Lessons from ICC's interventions in Libya and Mali are no better than. In the Mali situation, Ahmad al-Faqi al-Mahdi was found guilty of the destruction of cultural heritage in Timbuktu, and the Court recognised the grave symbolic harm suffered by the affected community. In this case, the Court sought to restore the historic buildings and to reinstate a sense of collective dignity (ICC Judgment, 2016; Coalition for the ICC, 2024; UNESCO, 2024). Libya, on the other hand has been a scene of frustrations and delays for the Court with continuous political instability and lack of cooperation, which is key for ICC's complementary role. This has not only limited the Court's reach but has also affected victim participation by extension (Nuremberg Academy, 2025).

In Rwanda, the post - 1994 genocide ICTR was the first in its league of international criminal tribunals to ever operate on the African continent. Its approach to victim participation was, however, limited to the role of witnesses, with their greater needs for reintegration and reparations only partially addressed (REDRESS, 2012; SaCouto, 2012). The legacy of ICTR still endures, however, symbolic of international engagement, and as a cautionary tale of the limitations of remotely driven search for justice and accountability (ACCORD, 2016; Human Rights Watch, 2019).

Africa has persistently voiced concerns about perceived selectivity and imbalance of the ICC, arguing that the Court has unfairly targeted the continent. Some critics have also argued against what they see as intrusive imposition of international ideals and Western legal norms without due regard to local norms and political complexities, and without the agency of continental players and African societies (Mamdani, 2001; Vihinen, 2023). Many of the debates regarding victim participation have been influenced by this tension between international ideals and local legitimacy. Context-specific challenges such as resource constraints, scepticism among affected

communities, and cultural differences have, in many cases, shaped the ICC's implementation of its victim inclusion regimes (Lambourne, 2009; Tadesse Tessema & Vesper-Gräske, 2016).

These continental and regional experiences provide key lessons for victim participation. Firstly, the diversity of African contexts demands flexibility and the willingness to learn from field experiences for international judicial institutions. Lessons show that no single approach works for all situations. Secondly, the persistent gap between rights in the legal frameworks and victims' lived realities suddenly widens into a chasm in situations where poverty, insecurity and political instability characterise the context. Finally, there is an ever clearer need for constructive dialogue between key actors in international justice systems and local stakeholders and their communities for international justice to materialise in a way that brings meaning to victims (ICC Victims Participation Report, 2022).

As the discourse above has shown, gaps remain, despite the progress that have been made. In the African context, many victims remain unsure of their stands for recognition, being heard and receiving redress. The major challenge for the ICC and its partner organisations is to demonstrate inclusion beyond legal rhetoric and procedural inclusion. They should demonstrably adopt engagements measures that are responsive to the historical and cultural aspirations of their clientele.

The continuing engagement that Uganda has with the ICC has arguably been shaped by an uncommon cocktail of legal innovations, community resilience, and collective historical trauma. The establishment of the International Crimes Division (ICD) of the High Court of Uganda in July 2008 brought very significant changes to Uganda's legal framework. The division was created under Article 141 of the Constitution of Uganda (1995) by then Principal Judge Justice James Ogoola to try crimes of international concern such as genocide, war crimes, and crimes against humanity. This demonstrated Uganda's commitment to the principles that define the Rome Statute (Uganda Judiciary, 2008; Asiimwe, 2012).

Additional crimes such as terrorism, human trafficking, and piracy were later added to the list under the ICD's mandate. Uganda's effort to domesticate the Rome Statute has meant that new international norms are incorporated into the local legal system and become societal realities. The

process has however made slow progress, encountering both political and operational challenges (Lambourne, 2009; ICTJ, 2015).

Thomas Kwoyelo's case stands out as the most prominent test case before ICD. As a former LRA commander, Kwoyelo was tried and found guilty of many crimes of an international nature. His case has been significant for its attempt to incorporate victim participation in the proceedings, with victim having professional legal counsels, and opportunities to submit their voices and to seek reparations. Importantly, the case of Thomas Kwoyelo has also highlighted the challenges that are associated with the introduction of international legal norms and standards into national judicial systems. Many victims in Kwoyelo's case have expressed dissatisfaction with what they saw as limited engagement and access to the process, challenges with manoeuvring the complex legal environment with limited support, and a feeling that their interests might have not been taken seriously (Mutoka, 2024; ICTJ, 2024; Al Jazeera, 2024).

Dominic Ongwen's case at the ICC brought the matter of victim participation into an even sharper focus, not only for the monumental scale of the case, but also for the prominence of victim participation throughout all stages of the proceedings. The village of Lukodi was devastated in an attack by the LRA rebels of the Sinia Brigade under the command of Dominic Ongwen on 19th May 2004 and has consequently become an emblem of the civilian suffering in the hands of the LRA and the hopes of accountability, vested in international criminal justice, along with three other case locations in the case. Under the ICC's case of Mr. Ongwen, victims of Lukodi have engaged with the Court through numerous initiatives such as community sensitization meetings, legal representation, video screenings of hearings, submissions of their opinions and participation in reparations proceedings (Human Rights Watch, 2019; Coalition for the ICC, 2015; Justice Initiative, 2021).

The realities of victim participation on the ground remain complex, despite these advances. Significant barriers to participation, such as geographic isolation, poverty, and difficulties in understanding the complex legal processes, still affect many victims. Engagement with victims is often difficult, especially given the high local expectations on international criminal justice institutions such as the ICC. Victim satisfaction with these processes, as literature demonstrate, is shaped by both formal opportunities for participation and the extent to which they feel recognised,

heard, and empowered during the process (Moffett, 2015; Human Rights Watch, 2007; SSRN, 2024; ICTJ, 2024).

The national and local contexts in Uganda have been decisive in shaping how the forms, challenges and the levels of satisfaction victims feel towards international judicial processes. From the ICD's endeavours to domesticate international standards to the lived experiences of the victims, like those in Lukodi, including the broader footprint of conflict, these experiences conjointly demonstrate the way justice plays out in real life. Lessons drawn from Uganda's experience show the importance of going beyond procedural engagement, and adopting a more comprehensive approach that addresses psychological, social and cultural aspects of the participation of victims (ASFs, 2019; Justice Rapid Response, 2024).

2.4. Forms of Victim Participation

As Nuzban (2024) states, the evolution of victim participation in international criminal justice has been a complex process. It combines a range of formal and informal platforms for the engagement of people most affected by violent conflict in the processes. At its nucleus, participation by victims is more about voice, agency, and the ability to meaningfully affect the process, other than mere physical presence.

By combining elements of both common and civil law traditions, the ICC has conjured a prototype of victim participation that includes many different elements. These include legal representation, direct testimony, submissions of documented views, reparations claims and, in the situation of Dominic Ongwen, several rounds of community consultations. Legal representation in practice, at the ICC, stands out as the most significant form of participation, where victims' voices are collectively presented in court by their appointed legal counsels. It is hoped that this approach seamlessly bridges the gap between the complex international context and the individual victims who may not be familiar with the mundane and complex legal processes, or may be practically far away from the seat of the Court in The Hague (SaCouto, 2012; Hobbs, 2015; Jasini & Hoyle, 2018; ICC Manual, 2019). While the direct provision of testimony is uncommon, they allow a selected set of victims the chance to relay their experiences directly in the courtroom, whether in person, or virtually. These opportunities provide a strong, if human, face to the process, beyond the usual legal abstractions (Brill, 2020; Hobbs, 2014).

Written submissions are another frequently used avenue to engage victims with the ICC proceedings. They allow victims to document and submit their views and concerns on important matters such as the charges, the conduct of the proceedings of the trial, sentencing and proposals for reparations through the help of their legal counsels. These submissions are a very practical approach in international justice processes that involve hundreds, if not thousands, of victims who cannot all present their views and concerns in person. Importantly, the case of Dominic Ongwen had 4,095 registered victims who participated on behalf of all other victims in the case. While reparations claims demonstrate the ICC's commitment to restorative justice, (Zehr, 2002), engagements and consultations with victims through less formal avenues have become important ways to get feedback from victims and devise tailor-made outreach initiatives (Human Rights Watch, 2019; Justice Initiative, 2021; Moffett, 2015; SaCouto, 2012).

Empirical data from the ICC's case of Dominic Ongwen clearly show how these forms of victim participation have played out in the field. The operations of the Office of Public Counsel for Victims (OPCV), and the Legal Representatives of Victims (LRV) profoundly shaped the engagement of victims in the case of Dominic Ongwen. Submissions of written views and concerns, as well as advocacy for both individual and collective reparations, have been facilitated by these dual legal counsel teams, and a limited number of victims also appeared in court as witnesses during the trial proceedings (Human Rights Watch, 2019; Coalition for the International Criminal Court, 2015; ICTJ, 2024).

Even in Lukodi itself, the experiences of victims have been nothing short of varied. Some victims welcomed the various platforms to have recognition and agency in the process, while others felt confused and alienated by the process. Some of these gaps have, however, been bridged by community consultation forums, especially for those experiencing unease with direct participation. The depth and impact of such consultations are, however, limited by logistical constraints at the Court (Pham, Weinstein, & Longman, 2007).

Carefully mapping out the forms and challenges associated with victim participation at the ICC reveals that the model is a work in progress that offers opportunities and challenges alike. The range of participatory mechanisms allow victims to participate in the judicial process in ways never thought possible on one hand, while on the other hand, the efficacy of these mechanism largely

depend on the quality of legal representation accorded to victims, access to valuable information regarding the process, and the court's willingness to adapt to the needs of the victims (Jasini & Hoyle, 2018; SaCouto, 2012).

Victims in Lukodi haven't experienced participation as a singular phenomenon, but rather a broad montage shaped by the interplay of local circumstances, community realities and the evolving interconnectedness between international justice undertakings and local expectations. Understanding this complex interplay provides a good analytical frame to assess the outcomes of participation and ensure that justice is delivered in a manner that is felt, understood, and owned by victims.

2.5. Challenges to Victim Participation

Notwithstanding the highly acclaimed promise of its centrality, victim participation in international criminal justice remains fraught with challenges. These challenges are multifaceted, characterised by technical, procedural, and operational dimensions, intricately woven into the very fabric of the institution right from the beginning, and continue to complicate the practical experiences of victims in the process.

Procedural barriers to participation tend to come first. Processes of registration of victims, understanding the rights of victims, and generally navigating the usually complex legal process tend to be intimidating for victims. Many victims, especially in often marginalised communities, find the mundane paperwork and requirements perplexing. The language of the law, the complexity of the process and the literal distance between the victims and the courtrooms all make participation feel abstract (International Criminal Court [ICC], 2019). In the ICC's case of Ongwen, victims in Lukodi were faced with lengthy application forms during their registration for participation, and others who registered but were not accepted as registered victims didn't receive feedback on why they didn't qualify, which demonstrated a lack of respect for the victims and affected the quality of participation generally (Human Rights Watch, 2019).

This experienced estrangement and institutional opacity strongly align with Phil Clark's (2018) conceptualisation of "distant justice." Clark contends that internationalised judicial interventions, primarily anchored in distant Western hubs like The Hague, operate through structural, spatial,

and socio-cultural chasms that alienate the very affected communities they seek to serve. In Lukodi, distant justice manifested not merely as a geographic divide of thousands of miles, but as an epistemic and operational detachment where complex court decorum, foreign legal vernacular, and rigid evidentiary filters translated local trauma into abstract judicial metrics. The Court's reliance on mediated representation physically and symbolically reproduced this distance, reinforcing participants' perceptions that international legal mechanisms remain top-down structures imposed from afar rather than locally resonant instruments of accountability.

These barriers are compounded by logistical challenges as the ICC sits in The Hague, thousands of miles away from Uganda, where the victims are situated. Interestingly, even in the ICD's case of Thomas Kwoyelo, which is a national initiative, the proceedings were held in Gulu city, away from the victims in Pagak. Transport costs, security concerns, and communication issues were persistent challenges that affected victim participation. In Lukodi, many victims lack access to reliable telephone services and have very limited access to the internet, thereby making sustained connectedness very challenging (Pham, Weinstein, & Longman, 2007).

While psychological challenges may be less visible, they aren't any less serious. Many victims still carry the trauma of violence and displacement and remain prone to emotional breakdown when interacting with the legal process. Replaying their painful memories in the intimidating legal settings can expose them to further emotional stress rather than promote healing. To compound the problem, some victims fear retribution and stigmatisation, particularly in communities where the distinction between perpetrators and victims is thin and legacies of violence remain raw and societal fractures are still evident (Brill, 2020).

While structural barriers may not be readily apparent, they present some of the most intractable difficulties. The design of international criminal justice and its proceedings reflect priorities that are quite distant from the needs and interests of the people affected by violent conflict. The power imbalance becomes ever more evident when one considers who is allowed to speak, whose opinions drive the process and how resources are allocated. Crucially, these structural power imbalances operate through deeply gendered lines. Within post-conflict settings like Lukodi, local leadership frameworks and intermediary structures often reflect patriarchal hierarchies, which frequently position male representatives as primary spokespersons while sidelining female

victims, particularly survivors of sexual and gender-based violence (SGBV). Victims are left even more confused at times, considering that not only their legal representation, but also the defence teams are funded by the Court. This is a phenomenon that makes them doubt whether the loyalties of both their counsels lie with them, or with the Court (Hobbs, 2014). In Lukodi, victims at times expressed dissatisfaction, believing that their messages were filtered by intermediaries, watering down their agency and ownership of the process. For women in particular, this filtering process created a double layer of exclusion, where their gender-differentiated experiences of trauma and social marginalisation were mediated both by external court procedures and by local male-dominated community gatekeepers.

Limited funding for outreach, and other support services is often a challenge, especially given the typically high number of victims in international criminal justice processes. In the case of Dominic Ongwen, Lukodi alone has 1,651 participating victims, out of the over 4000 registered across the case. These challenges have sometimes caused delays, hence reinforcing the belief that justice tends to move at a snail's pace (Moffett, 2015).

These challenges intersect, creating a complex environment in which victims engage with the process. Procedural complexities tend to trigger psychological distress for victims in the process, just as logistical challenges limiting access may cause a sense of exclusion among victims. Lukodi's experience has been shaped by the interplay of all these factors, affecting how victims participate and their sense of satisfaction with the process.

An appreciation of these challenges is vital for the improvement of victims' experiences in international criminal justice processes. The real test for meaningful participation lies in the extent to which the process was accessible to victims, responsive, and empowering, as opposed to the mere creation of the rights and mechanisms for victim participation. Addressing the full spectrum of procedural, logistical, psychological, and structural challenges is crucial to making victim participation a reality rather than a distant promise (Moffett, 2015; Brill, 2020; Jasini & Hoyle, 2018).

2.6. Victim Satisfaction with Participation

Satisfaction for victims engaging with a structured and sometimes distant institution such as the ICC, is a particularly complex and deeply personal, if subjective matter. Satisfaction should not be equated with the limited procedural access that is granted to victims, or the formalities of legal recognition. Those are largely institutional perspectives. Victim satisfaction should be understood in its entire complexity, as an interwoven combination of psychological, symbolic - considering the importance of symbolism in cultures like that of the Acholi people, and procedural dimensions related to victims' engagement with international justice processes, where each of these elements contribute to the totality of victims' lived experiences of the judicial process (Brill, 2020; Pham, Weinstein, & Longman, 2007; SaCouto, 2012).

Psychological satisfaction centres on both the emotional and mental well-being of victims. Most victims derive a sense of healing from the experience of telling their stories, being listened to and acknowledged, far beyond the procedural confines of the courtroom. For these victims, their participation is not merely about recounting the usually harrowing events of their lives, but also about the feeling of being seen and validated, both within the courtroom and in their wider communities. On the other hand, symbolic satisfaction relates to the dignity and respect that victims feel is accorded to them as they participate. The symbolic dimension of their satisfaction is influenced by the extent to which they feel that the system reaffirms their dignity, recognises their pain, and restores their independence and agency that had been taken away by violence, to begin with (O'Connell, 2005; Wemmers, et al., 2009; de Brouwer & Sluiter, 2012).

From a procedural perspective, satisfaction is based on the perceptions of fairness by victims, the transparency of the process, accessibility of the process, and their feelings of inclusion. Victims appreciate participation better when they have a good understanding of the process and when they believe that their opinions are taken seriously. Various aspects of participation, such as legal representation, testifying, and making submissions, impact on victims' perceptions of the quality of their participation, and play important roles in shaping how they experience their participation (Brill, 2020; Robins, 2013).

Several factors influence victim satisfaction. Modes of victim participation, the respect they are shown, and whether they retain agency through their participation, all contribute to their sense of

fulfilment. Perceived fairness is equally important. When victims believe that the process is impartial and that their voices carry weight, their satisfaction increases. On the other hand, when victims feel excluded and taken for granted, the result can be a great disappointment in the process (Tyler, 1990; Malsch & Carrière, 2008).

More light has been shed on these dynamics by empirical studies from the ICC, particularly on the case of Dominic Ongwen. Many victims in Lukodi have expressed overt pride and a sense of validation derived from their engagement in the case. This is more so when their submissions are acknowledged and their interests reflected in the Reparations Order. Other victims, however, struggled with the strict formalities that characterise the proceedings, the detachments resulting from the distance from the seat of the Court in The Hague, and reliance on remote forms of engagement with the faraway process. These challenges have, on occasions, left victims feeling marginalised and uncertain about the values of their participation (Human Rights Watch, 2019; Kendall, 2014).

Theoretical perspectives support the view that satisfaction is a good measure of the legitimacy of a justice process. Beyond being merely a by-product of participation, satisfaction is a key indicator of whether justice mechanisms are delivering the results they were designed to achieve. When victims feel recognised, empowered, and treated fairly, the legitimacy of the process is strengthened and the potential for broader social healing is enhanced (Teitel, 2021; Andrews, Benvenuto, & Mascia, 2006).

To summarise, satisfaction with participation is shaped by a constellation of factors, from the design of legal mechanisms to the quality of personal engagement. The interplay between forms of victim participation and the challenges victims encounter in their engagement with the Court has a powerful impact on how victims in Lukodi perceive their experience. Understanding these issues and their implications on victims' perceptions of justice is key for practitioners in designing justice processes that are genuinely restorative in practice, and not merely procedurally correct.

2.7. Gaps in Literature

Despite the considerable attention that the research and epistemic community has given to victim participation in international criminal justice, several important gaps remain. A major gap that has

persisted is the dearth of a nuanced understanding of participation in all its major dimensions, tackling the forms of participation, the challenges associated with participation, and the satisfaction of victims with international criminal justice processes. Most scholarly works explore these themes in isolation, which risks missing the intricate ways they interact to create realities in practice. To the victims experiencing participation, the reality does not come compartmentalised. The challenges that affect the interface between victims and the judicial processes, how they participate, and the fulfilment that they derive from the process, are all deeply interwoven (Miller, 2019; Human Rights in Context Blog, 2023).

Another significant gap is the lack of empirical studies that are grounded in the lived experiences of victims. While there are countless legal analyses and institutional reports on the topic, very few of these studies have prioritised the subjective lived experiences and perceptions of victims on the ground. This gap is especially apparent in the literature on the Ongwen case, where detailed, victim-centred accounts remain acutely limited. As scholars like Clark (2018) and Robins (2013) argue, top-down institutional analyses often overshadow the localized realities and everyday negotiations of survivors, leading to a conceptual detachment between international judicial mechanisms and the affected communities. Consequently, our understanding of the practical application of international criminal justice principles and how they are perceived, interpreted, and negotiated by victims remains incomplete (Moffett, 2015; Human Rights Watch, 2017; Clark, 2018).

A great majority of studies in the field have focused on the legal frameworks and the ICC's procedural innovations, and those of earlier and similar institutions. They, however, fail to engage with broader questions about power, culture, or community dynamics that create the context within which these legal frameworks should translate into realities. Further, there persists the narrow measurement of satisfaction based on the procedural fairness or access to reparations, as opposed to exploring its psychological and emotional dimensions. Consequently, there remains a gap in understanding what truly matters to victims, how they experience it, and how the process of international criminal justice might be improved (Moffett, 2015).

Placing the lived experiences and perceptions of victims in Lukodi at the centre, with sharp focus on the forms of victim participation, the challenges that shape the participation of victims, and

levels of satisfaction of victims with the judicial processes, all combined into a single phenomenon that victims experience as participation, this study presents a more holistic and contextually richer understanding of victim participation (Human Rights Watch, 2017).

This approach enables this research to constructively contribute to academic debates and to inform the design of international justice interventions that are more responsive to the needs of victims participating in such processes.

2.8. Conclusion

The literature that has been reviewed in this chapter shows that victim participation is a field that has steadily grown deeper and more complex over time. It has gradually moved from the margins to the very centre of scholarly debates, with the ICC's participation model engendering a significant departure from earlier practices. Ranging from international, continental, regional, national, to local contexts, the forms, associated challenges, and levels of satisfaction of victims with international justice processes have conjured keen attention. Further, this literature review shows that these triad elements of victim participation can only be understood more meaningfully when considered together as a totality of victims' lived experiences (Casey, 2011; Hobbs, 2014; Human Rights in Context Blog, 2023).

The gap between the legal frameworks for victim participation and the lived realities of victims was a recurring theme. Notwithstanding the increasing platforms and opportunities for victim participation at the ICC and its peer institutions, several obstacles still hinder the full realisation of this aspiration in practice. In the Ongwen case, playing out in northern Uganda, it is increasingly clear that participation is shaped by a number of factors. These factors include, the quality of legal representation, accessibility to vital information regarding the case, and the lingering broader legacies of violent conflict, among other factors (McKay, 2006; Human Rights Watch, 2017; Justice in Conflict, 2015).

Several shortcomings also emerged through this literature review. More context-specific, victim-centred research that explores the interplay between the various forms of participation, their challenges and the levels of satisfaction with participation is needed for a more nuanced understanding of this phenomenon. The trio of theoretical perspectives encompassing restorative

and participatory justice, together with structural analysis of power, provides useful tools for understanding these dimensions of victim participation (Moffett, 2015; Robins, 2013; Mamdani, 2001).

The methodological approach adopted here has been informed by the above insights. Focusing on the experiences of victims in Lukodi with a phenomenological lens enabled this study to capture the perceptions and experiences of victims in the Dominic Ongwen case. Beyond merely documenting what happened, this study aimed to understand victims' subjective interpretations of their participation. Ultimately, the research is hoped to provide a fresh and insightful contribution to academic debate and the ongoing evolution towards a more responsive and inclusive international justice mechanism (Moffett, 2015; Human Rights Watch, 2017).

CHAPTER THREE

METHODOLOGY

3.1. Introduction

This chapter describe a justification for the research approach and design I used to explore the lived experiences of the victims in the case of Dominic Ongwen at the ICC. It provides a clear account of how data was collected, analysed and interpreted to answer my research questions. The chapter highlights the philosophical underpinnings behind this approach and the design, the study population and sampling methods. It further explains how the approach drew down to inform the data collection techniques, procedures of data analysis, ethical considerations, limitations, and the plans for dissemination of findings.

3.2. Philosophical Anchor: Constructivist Paradigm

In this study, I adopt a constructivist worldview. Constructivism emphasises the co-construction of knowledge between the researcher and the participants. Constructivism inherently holds that there is no fixed knowledge or objective reality that exists to be discovered, but instead that knowledge is co-created through interactions within specific social and cultural contexts (Creswell, 2003; Crotty, 1998). This implies that the meanings that the victims in Lukodi assign to their experiences in participating in the case of Dominic Ongwen are greatly influenced by the uniqueness of their environments, historical factors and relationships, which made their interpretations of their realities inherently subjective and iterative (Hamersley, 2013; Talja, Tuomi, & Savolainen, 2005).

This paradigm suitably aligns with the phenomenological design adopted in this study. Phenomenology explores and describes individuals lived experiences from their perceptions and interpretations without the imposition of external frameworks or assumptions (Van Manen, 1990). Combining constructivists' philosophy and phenomenological design enabled me to engage with a wealth of complex realities that victims experience in the case of Dominic Ongwen through their narratives. This approach facilitated the emergence of their voices to shape the understanding of forms of victim participation, their challenges, and how satisfied they are with the process.

Throughout this study, I remained reflexive, acknowledging my positionality both as a member of the wider victim community in northern Uganda and as an actor in the case of Dominic Ongwen, my assumptions, and how my interactions with the participants might influence the knowledge produced. I applied reflexivity as I understood its importance in constructivists' studies in acknowledging the inseparability between the researcher and the participants in the creation of meaning (Schoepke, 2019). Through deep engagements with the stories of victims while reflecting on my roles in the study, my main purpose remained to present their experiences both authentically and respectfully.

Crucially, my insider role as an ICC practitioner directly informed the data analysis phase by providing the contextual literacy needed to decode complex procedural nuances within the transcripts. Rather than analyzing victims' accounts against a detached theoretical standard, this pre-existing institutional familiarity enabled me to identify subtle moments of cognitive dissonance, institutional alienations, and structural friction that an external researcher might have misread. To safeguard against personal or institutional bias during coding, I operationalized my constructivist framework through rigorous reflexive journaling and member-checking. This process required me to systematically separate the Court's institutional logic from the raw, lived meanings expressed by the participants, ensuring that the final analytical categories were grounded strictly in the victims' own narrative authorities.

3.3. Research Design and Approach

The phenomenological qualitative research approach is best suited for exploring the subjective realities and meanings that individual participants assign to their experiences (Creswell, 2007). This approach allowed me to dive deep into the way victims in the case of Dominic Ongwen perceived and interpreted their participation, the challenges they encountered, and their general levels of satisfaction with the process of the case of Dominic Ongwen.

Phenomenological research is based on understanding the essence of human experiences by focusing on how they interpret and make sense of the world around them (Groenewald, 2003; Moustakas, 1994). Subsequently, as a researcher, I set aside my preoccupations and biases and forged an authentic engagement with victims' perspectives (Langdrige, 2007; Finlay, 2008). Through this, I aimed to capture the fundamental meanings that victims attribute to their

participation in the ICC's case against Dominic Ongwen without the imposition of external frameworks, or assumptions.

Due to the flexibility of phenomenology, I also adapted the study to emerging insights in the course of data collection and analysis and ensured that the study remained retrospective to the voices of victims (Andrews et al., 2006). Unlike most quantitative methods that prioritise statistical representation and generalizability, phenomenology emphasises depth, nuances, and richness, which are very important for understanding complex social phenomena like victim participation in international criminal justice (Kendall, 2018; Brill, 2020).

The focus of phenomenological approach on the lived experiences further aligns with the principles of restorative justice that greatly value victims' subjective realities and empowerment (Zehr, 2002). This design enabled me to explore the procedural dimensions of victim participation and the psychological and symbolic aspects that influence satisfaction and a sense of justice among victims in Lukodi.

3.4. Study Area

This research was conducted in Lukodi, a village in Gulu district, approximately 16 kilometres north of Gulu city, along Gulu City to Patiko road, in northern Uganda (Invisible Children, 2016). As one of the many villages that were persistently attacked by the LRA during the two-decade-long violent conflict in northern Uganda, Lukodi holds both historical and contextual significance in understanding the experiences of victims both in the conflict and in the case of Dominic Ongwen. Lukodi village was transformed into an internally displaced persons (IDP) camp as a result of the frequent violence on the residences of the surrounding areas, the culmination of which was the May 9th, 2004 massacre, now codenamed the "Lukodi Massacre", which left over sixty civilians - including women, children and the old, dead at the hands of the LRA's Sinia Brigade, then commanded by Dominic Ongwen (Invisible Children, 2016).

The strategic selection of as a suitable site for this study was grounded in its direct involvement in the case of Dominic Ongwen at the ICC. Lukodi's population during the 19th of May 2004 attack was between 6,500 and 7,000 as estimated by local leaders. 1,651 of this population were later registered and formally recognised as participating victims in Mr. Ongwen's trial at the ICC.

Lukodi is therefore a critical location for understanding how victims experience their participation in international criminal justice (Human Rights Watch, 2019). It is also noteworthy that Lukodi occupies a privileged historical position in the ICC's involvement in Uganda. At the commencement of the case of Dominic Ongwen in 2015, it was only his attack on Lukodi IDP camp that was on his charge sheet. Other three case locations, namely, Abok, Odek and Pajule were only added after Ongwen's role in the Lukodi attack was determined to have met the threshold for a full-scale trial, at the Confirmation of Charges. This locates Lukodi at the very genesis of the ICC's judicial proceedings in Uganda.

Beyond the legal significance, Lukodi further represents a microcosm of the challenges faced at the broader level in the post-conflict northern Uganda. Scarred by both physical and psychological wounds left behind by trauma, displacement and social fragmentation, the communities in and around Lukodi (International Criminal Court, 2017), face ongoing struggles towards healing and reconciliation. This provides a rich context for critically analysing how victims experience and make meaning of their engagement in international criminal justice proceedings through the ICC's case of Dominic Ongwen.

Lukodi provided a suitable location for the exploration of the intersection between international criminal justice and local realities in contexts far away from the international halls of justice abroad. Understanding how these international legal traditions interface with cultural practices and community dynamics, and how this multi-dimensional interface translates into victims' experience of participation, has remained a grey area in literature (Pham et al., 2007; Human Rights Watch, 2019).

3.5. Study Population

The primary study population in this research is the approximately 6,055 people who were resident in Lukodi IDP camp at the time of the LRA attack on 19th May 2004. My sampling frame was the total number of 1,651 individuals registered as participating victims from Lukodi, in the case of Dominic Ongwen (International Criminal Court, 2024). Various forms of harm, including but not limited to murder, physical violence, abductions, sexual and gender-based crimes, and destruction of properties, were suffered by the victims during the LRA's attack on Lukodi IDP camp (Human Rights Watch, 2017; ICC, 2024). Their participation as victims in the case of Dominic Ongwen

includes legal representation, making submissions at key moments in the process, taking part in outreach activities, provision of testimonies and involvement in reparations proceedings (International Criminal Court, 2019). The study participants were drawn from diverse categories of victims. They included formerly abducted persons, former combatants, children born in captivity, former rebel wives, leaders of victims' groups, and victims living with injuries and disabilities, among others. They participated in in-depth interviews and Focused Group Discussions (FGD).

In addition to the victims who participated in the study, I purposively included a few key informants who hold influential roles within the community and the ICC process. The key informants included cultural leaders, faith-based leaders, and a victims' legal representative. Except for the legal representative, the rest of the key informants were victims themselves. They provided valuable insights - mostly from leadership perspectives, into various dynamics of victim participation (Robins, 2013). Their rich insights into the phenomenon of study helped contextualise the experiences of victims within the broader dimensions of victim participation at multiple levels.

This mix of participants, including victims at all levels of the community, both males and females and all demographics, including the old, and those living with disabilities, through the interviews and the FGDs, facilitated a comprehensive exploration of the experiences of victims, as individuals, as collectives, and as duty bearers, in their participation in international justice processes.

3.6. Study Samples

Following the principles of phenomenological enquiry, my priority was data saturation as opposed to statistical representation in determining the sample size for my study (Andrews et al., 2006; Brill, 2020). Capturing rich data, detailed and nuanced descriptions of the lived experiences of participants, which may require an even smaller yet deeply engaged sample, is a key emphasis of phenomenology. As Creswell (2013) suggests, phenomenological studies may require a small sample of between 3 and 25 participants only, as the diversity and complexity of the phenomenon under study may dictate. In a similar line of thought, Mason (2010) and Marshall, Cardon, Poddar,

& Fontenot (2013) stipulate that a sample size ranging from 2 to 20 participants is a good range to achieve sufficient depth in a phenomenological study.

I conducted 21 in-depth interviews with victims in Lukodi for this study, all in-situ, to capture rich and diverse experience within the victim population. Additionally, two focus group discussions were conducted with 13 female participants and 11 male participants, making a total of 24 FGD participants, and further 5 key informant interviews, culminating in a total of 50 participants in the study. This sample enabled a comprehensive exploration of victims' experiences while ensuring that data saturation is achieved (Guest, Bunce, & Johnson, 2006).

The utilisation of a phenomenological study design in an iterative process of enquiry made it possible to conduct data collection simultaneously with analysis, on an ongoing basis. Iteratively, I therefore refined the data collection tools in order to probe emerging themes as the study progressed (Creswell, 2007). This process of continuous decision making and refinement also allowed the sample size to be responsive to the natural trajectory of the study and ensured a rich and complete dataset.

3.7. Sampling Technique

In this study, I primarily used purposive sampling technique to select participants. I consciously identified victims with direct knowledge and substantive experience in engaging with the ICC's case of Dominic Ongwen. Through this sampling technique, I identified participants based on their knowledge, experience and their relevance to the research questions (cf. Maxwell, 2008; Denscombe, 2011). Purposive sampling also ensured that all victims selected to participate in the study had a demonstrable record of engagement with the ICC process through benchmarks like registration as participating victims, and regular attendance of activities with the legal representative, or the outreach team.

Starting from the victim leaders, snowballing sampling technique supported the selection of further participants for in-depth interviews from the sampling frame. This then rolled down to the participants already interviewed, recommending more victims for the interviews, based on their direct and substantive engagements with the case. From one victim to the next, I conducted in-depth interviews with 21 victims, supported by a criterion-based consideration, as specified earlier.

The purposive sampling technique was also employed to identify key informants. These were respected gatekeepers in the societies of victims who were either victims themselves or had played pivotal roles in supporting the engagement of victims in the case, in the context of Lukodi, and had experiences relevant to the research (cf. Maxwell, 2008; Denscombe, 2011). As a combined lot, their roles and proximity made them valuable resources to shed some light on the experiences in the Dominic Ongwen judicial process (Robins, 2013).

The combination of snowballing and purposive sampling, buttressed with criterion-based adherence, enabled me to focus on participants who had rich, relevant, yet diverse perspectives on victims' experiences while maintaining strict ethical standards and methodological rigour.

Table 1, below, summarises the sampling technique used, categories of participants, and their numbers.

Table 3.1. Sampling Technique and Participant Categories

Sampling Technique	Participant Category	Number(s)
Purposive Sampling	Registered Victims (In-depth Interviews)	21
	Focus Group Discussions (mixed gender groups)	24
	Cultural Leaders	2
	Religious Leaders	2
	Legal Representative	1

Source: *Author*

3.8. Sampling Procedure

In this study, I carefully structured the sampling procedure to ensure systematic, ethical, and meaningful engagement participants who have directly experienced participation in the case of Dominic Ongwen. Using my privileged insider position, I was privy to the list of participating victims. This list of 1,651 registered victims from Lukodi (International Criminal Court, 2022), became my foundational sampling frame from which I identified initial potential participants who met the specific inclusion criteria.

Serving as neutral community gatekeepers, these individuals provided an independent initial introduction of the research to potential participants, explicitly clarifying that the study was an independent academic inquiry distinct from official Court proceedings. By delivering this initial briefing through trusted local figures rather than directly through an institutional officer, the study established a procedural safeguard that affirmed the non-obligatory, strictly confidential nature of involvement and ensured that informed consent was given free from any perceived institutional pressure or obligation.

I conducted the identification and contacted the few key informants personally, as all of them were people I already knew and understood their close associations with victims in the case of Dominic Ongwen.

Given the sensitive post-conflict setting and my dual role as an insider practitioner, ethical integrity throughout the research process was maintained through rigorous safeguards tailored to vulnerable populations (World Health Organization [WHO], 2007; Council for International Organizations of Medical Sciences [CIOMS], 2016). Formal ethical clearance was secured prior to field engagement, and informed consent was treated as a continuous, renegotiated process rather than a static administrative event (Guillemin & Gillam, 2004). To mitigate potential risks of retraumatization during narratives of past violence, interviews were conducted in private, participant-chosen spaces, with immediate referral pathways established alongside local psychosocial support networks (Refugee Law Project, 2016). Participant anonymity was strictly preserved using anonymized pseudonyms and redacted identifiers across all transcripts and secure data storage systems in compliance with institutional data protection standards. Crucially, structural power asymmetries between the researcher and participants were actively managed by continuously reinforcing that participation or withdrawal would have no bearing on victims' legal standing, ongoing ICC reparations, or access to court benefits (King, 2013; Human Rights Watch, 2017).

3.9. Field Entry, Participant Recruitment and Ethical Protocols

At the onset of my field activities, I met with the Local Council I (LCI), leaders of victim groups, Focal Point Persons (FPP), and victims' legal representative to introduce the study, where I explained what the study was about, its purpose, their roles, and the voluntary nature of

participation. This approach helped me build trust and confidence and minimise the possibilities of fears or misunderstandings about the research process among both the leaders and the victims, given the sensitivity of the subject of discussion. The FPPs and leaders of victims' groups facilitated the recruitment of participants at the community level.

My insider positionality served as a crucial operational asset during participant recruitment by providing an established, nuanced understanding of the local victim landscape and organizational hierarchies in Lukodi. Rather than relying on cold contact methods or external trial-and-error sampling, my institutional familiarity enabled me to quickly identify key community gatekeepers, navigate local group structures, and recognize appropriate channels for reaching underrepresented subgroups. This positionality allowed me to evaluate potential participants against the inclusion criteria with high contextual accuracy, ensuring that recruitment targeted individuals who had directly engaged with the Court's processes while maintaining the sensitivity and voluntary integrity required for ethical research.

With the guidance from these intermediaries, we ensured a diversified selection of participants on the basis of their age groups, gender, and experiences across all demographics. We did this with the aim of attracting a wide range of experiences and later became a very useful approach in identifying participants for the focus group discussions. The diverse selection of participants was instrumental to understanding how different demographics among the victim community experience and perceive participation in the case of Dominic Ongwen. Due to the sensitivity of the issues under study and the vulnerability of most victims, I paid special attention to the creation of safe and comfortable environments for the interviews and interactions with participant, more so for the survivors of sexual and gender-based violence (cf. FIDH, 2021).

The maintenance of strict confidentiality of participants and other ethical considerations remained central during the sampling, participant recruitment, and the interviews, which ensured the protection of participants' identities and personal information, and their comfort. For every participant, informed consent was obtained, and I reiterated their right to withdraw at any point along the interview process if they so wished, without consequence (Robins, 2013). This same assurance was made during the focus group discussions as well.

3.10. Data Collection Methods

I employed a combination of data collection methods. This was a deliberate approach to facilitate the exploration of various nuances and to triangulate the data drawn from participants, both as individuals and also as collectives.

3.10.1. In-depth Interviews

I conducted every single semi-structured, narrative-focused in-depth, and key informant interviews personally. The interviews were deliberately designed to provide spaces for the respondents to share their personal stories and to reflect on their experiences with ease and comfort. The in-depth interviews usually lasted between 40 and 55 minutes, while my conversations with the key informants took about 1 hour each on average, all these depending on how the discourse unfolded, varying from one respondent to the other. I flexibly applied the interview guides, allowing myself the scope to explore rich explanations on the lines of my enquiry - forms of participation, the challenges faced, and the victims' overall satisfaction with the case of Dominic Ongwen at the ICC, while I remained responsive to the unique ways in which each respondent made sense of their participation (cf. Andrews, Squire, & Tamboukou, 20013).

The interview venues depended on each participant's preference. Some chose their homes, while others decided to meet at Lukodi Primary School, which is a central location for most of them, especially those who reside near and around Lukodi trading centre. The independent choice of location was important for victims to be interviewed in safe spaces where they felt comfortable sharing their stories openly and felt respected. All in-depth interviews were conducted in Acholi language, highly preferred by the participants, except for one leader of a victims' group. Their agency to select their preferred languages of engagement also allowed the participants to express their experiences and emotions with relative ease.

In the course of the interviews, I paid very close attention to participants' non-verbal cues. On some occasions, I had to pause questions more than once when the participant's bodily signals indicated that even they weren't convinced about what they were saying and followed with further probing to get clarifications. At other times, I paused to let someone get a moment of respite when explaining deeply emotional and overburdening aspects of their experiences. This was an essential

approach that recognised the sensitivities relating to the topics of discussion and the vulnerability of participants. The flexibility that was embedded in the semi-structured interview guides and the seamless application of balance and sensitivity during the engagements made it possible to probe even more deeply into emerging themes while keeping participants in control of what and how much they wished to share.

Due to the long period of the study and the continuous evolution of the judicial process, I returned to some respondents once or twice to gauge the changes in their experiences and perceptions vis-à-vis the process.

3.10.2. Focus Group Discussions (FGDs)

I conducted two focus group discussions (FGDs) to draw more discursive details to complement the interviews. Conducted separately between 11 male participants and 13 female participants, the FGDs also helped to collect gender-specific perspectives regarding victim participation. Participants were able to engage with each other's experiences of participation, validate shared narratives, and reveal community-level dynamics that might not have surfaced in the one-on-one interviews during the dynamic discussions that ensued on the FGD platforms (Robins, 2013). Participants in the FGDs were a mixed lot that represented the various victim subgroups like formerly abducted persons, former rebel combatants, children born in rebel captivity, victims of sexual and gender-based crimes, victim leaders, the old, and victims living with injuries/disabilities.

With the support of an assistant taking detailed, verbatim notes from the discussions, I carefully moderated the FGDs to foster respectful and inclusive dialogue. After welcoming the participants to the venue at Lukodi Primary School, I introduced the subject of the meeting and reaffirmed their voluntary offer to participate again. Jointly with the participants, we then set the ground rules to ensure equal participation, respect for each other's opinions, and a commitment that what was discussed at the meetings would remain at the meetings, among other commitments. Encouraging open expressions was particularly important in the female group, as Acholi culture tends to train women and girls to be less expressive on matters of a personal nature. The group setting proved very instrumental in encouraging exchange of experiences on social stigma, community reintegration challenges, and the symbolism of participation in the case.

All the discussions were conducted in the Acholi language, with very high levels of participation in both the male and female groups. The males' FGD lasted about two hours, much longer than I had anticipated, while that of the females ran for over two hours. Once the topics were introduced, the discussions seemed to roll on and on, with each participant, once given the chance to talk, explaining deeply personal narratives that even I was surprised by how far they were willing to go. These time spans provided ample time for participants to exchange ideas, share common experiences, and interact extensively. Throughout both meetings, I was keen to observe group dynamics, moderating the discussions while encouraging the quieter members to contribute, and ensuring that sensitive topics such as sexual and gender-based violence were handled with the sensitivity and respect they required.

3.10.3. Key Informant Interviews

While maintaining the primacy of the voices of the victims in this phenomenological enquiry, I conducted five key informant interviews with selected leaders who, apart from the respect they command in their respective communities, also participated in the case, as victims, or from the perspective of victims. These key informants included cultural leaders and religious leaders - all of whom are victims themselves, notwithstanding their social standing. I also interviewed one legal representative of the victims in this case. Based on their experiences, this set of respondents provided broader contextual insights and a deeply nuanced understanding of social, cultural, and institutional forces that have shaped the participation of victims in the case (Brill, 2020).

The interview guide for the key informants was consciously tailored to investigate beyond their experiences as victims themselves, the roles they played in supporting victims, the challenges they witnessed in their process of participation, and their views on the effectiveness of the process in engaging with victims as a whole. The interviews enriched the research with a tiered understanding that both complemented and helped make sense of processes of victim participation from a leadership perspective.

3.11. Data Collection Tools

Semi-structured interview guides for both the in-depth and key informant interviews and focus group discussion protocols constituted the set of data collection tools I used in this study. All three

tools were designed to facilitate open-ended and nuanced discussions, empowering participants to freely express their experiences within a guided structure of conversation that ensures full coverage of key research themes (Andrews, Squire, & Tamboukou, 2013).

Recognising the importance of language in eliciting information that is both genuine and authentic, I translated the in-depth interview guide from English to Acholi language. *Acholi* is the native language of the Acholi tribe in northern Uganda. Careful attention to cultural nuances and the preservation of meanings was taken during translation to avoid misinterpretation. Taking the guide as an iterative tool, I piloted the guide with five registered victims in Lukodi to test for its clarity, question sequencing, and cultural appropriateness. Feedback from the pilot data collection informed the fine-tuning of the interview guide.

The key informant interview guide remained in English as all the key informants preferred to be engaged with in English.

Table 2, below, shows how the different categories of participants were distributed across the different data collection techniques in the study. The techniques included in-depth interviews, focus group discussions, and key informant interviews.

Table 3.2. Categorization of Research Participants

Category	Sample Size	Male (M)	Female (F)	Data Collection Methods
Registered Victims (various categories)	21	10	11	In-depth Interviews (IDIs)
Female Focus Group	13	0	13	Focus Group Discussion (FGD)
Male Focus Group	11	11	0	Focus Group Discussion (FGD)
Cultural Leaders	2	2	0	Key Informant Interviews (KIIs)
Religious Leaders	2	1	1	Key Informant Interviews (KIIs)
Legal Representative of victims	1	1	0	Key Informant Interviews (KIIs)

3.12. Data Collection Procedure

My first formal field activity took place on 20th May 2018, the day after the year's occasion of the commemoration of the 19th of May 2004 LRA attack on Lukodi IDP camp. On that day, I held an introductory meeting with the Local Council I (LCI) and leaders of Lukodi victim groups, to introduce them to the study, its purpose, the target participants, and the assistance I expected them to offer in supporting the study. This meeting was also important to clarify and compartmentalise my role as an employee of the ICC and my position as a student researcher. It was also for this very reason of creating a clear separation between my role as a researcher from my position at the ICC that I decided to travel in private means of transport during data collection, and to make it clear before any engagement that my purpose on that visit was my research data collection, not to be mistaken for my usual role at the ICC.

Methodologically, this insider position generated distinct operational opportunities and challenges during data collection. The primary opportunity lay in my established institutional literacy and community rapport, which eliminated initial field hesitation and enabled rapid, highly nuanced interpretation of local responses. Conversely, the principal challenge was managing participant expectations to ensure they did not view the data collection as an official Court exercise linked to trial outcomes or reparations. Explicitly decoupling my researcher role from official institutional duties at the start of every interaction successfully neutralized this risk, allowing participants to share unvarnished reflections without altering their accounts for institutional expectations.

The major site for data collection in this study was Lukodi village. The interview locations depended on whether the participant preferred Lukodi Primary School, which is a central location for the areas surrounding Lukodi, or any other location, usually their homes. In recognition of the sensitivity of the topics of the interviews, I prioritised the creation of interview settings that were conducive to open and honest information gathering, whether at Lukodi Primary School or any other location. Many participants from around Te-Okuto area chose to be interviewed from their homesteads, since they were located relatively far from the trading centre. Both the focus group discussions (FGDs), however, took place at Lukodi Primary School.

During my engagements with the participants, I remained conscious that language wasn't merely a medium of communication, but also a courier of culturally rich meanings, more so in societies

still grappling with a deeply interwoven combination of trauma and identity crisis (ISS Africa, 2015; Vandeyar & Catalano, 2020). I transcribed the audio recordings of interviews that I recorded verbatim. In the course of transcription, I paid keen attention to maintaining the original tones, emotions, and understanding that were necessary for accurate representation and integrity of the data. The transcriptions were supported by field observation notes.

I maintained strict ethical standards by giving every participant detailed information about the purpose of the study, their rights during our interactions, and the voluntary nature of their participation, before commencing any interview or group discussion. I obtained informed consent after the preliminary information provision and assured them of their confidentiality, which included the use of pseudonyms and secure storage of the data I collected.

As I alluded to earlier, in the course of the interviews, owing to the depth and sensitivity of the matters of discussion, I keenly paid attention to the emotional well-being of participants. On a few occasions, I had to pause the interviews to allow some respite for the participant. All those cases happened when I was interviewing female participants. This sensitivity was necessary, given the experiences of most of the participants and the potential for re-traumatisation with the retelling of those experiences (ICC Court Records, 2015; Brill, 2020).

I further conducted a review of relevant literature in order to complement and triangulate the primary data drawn from my interactions with participants. In doing so, I analysed ICC official documents and legal records, academic articles, and various publications related to victim participation, with special interest in the case of Dominic Ongwen and the study thematic areas. The documentary data provided rich contextual information on procedural developments, prevailing legal frameworks, as well as reports from past and current international justice institutions. These secondary sources of data enriched my understanding of victim participation and were very helpful in validating the themes that emerged from the interviews and the FGDs (Maxwell, 2012; Yin, 1994).

3.13. Quality Control

Throughout the study process, I took deliberate steps to ensure that the study remained credible, trustworthy, and of high integrity. Appreciating the sensitivity of the subject of discussion, coupled

with the vulnerability of the participants, and the passage of time, I implemented a number of measures for quality control and to uphold the academic rigour of the study. I did these while remaining mindful of the respect and protection of the dignity of participants.

i) Pretesting of Tools

I began by piloting my data collection tool - the in-depth interview guide, in 2018, before I launched into full-scale data collection. I piloted the guide with five participants from within the study population in Lukodi. Through this exercise, I pretested the clarity, cultural appropriateness, the congruence, and logical flow of data collection tools. After the pilot data collection, I also engaged the few participants to provide feedback on the wording of the questions in the tools, the coverage of the topics, and the general structure of the tool. Through this feedback, some areas of improvement were made. A case in point is when I realised that the question about the victims' satisfaction with the process drew very vague responses from participants, unless worded to ask respondents to specify and explain aspects of their participation that shaped their perceptions of satisfaction with the process.

This iterative process of the refinement of the tool was helpful in ensuring that the tool remained methodologically fit, and in resonance with the experiences of the victims in Lukodi. This way, it enhanced the depth and authenticity of the data collected.

ii) Validity

To ensure data validity, I also used multiple strategies to ensure that the data was accurate in reflecting the lived experiences and perceptions of victims in Lukodi. I triangulated data sources from multiple methods, namely, in-depth interviews, key informant insights, focus group discussions and document review, with the aim of cross-verifying information and minimising bias. On occasions when there seemed to be a lack of clarity on interview notes, I called particular participants to clarify or confirm the accuracy of the notes on their responses through member checking. These enhanced my confidence and the credibility of the study by validating the accuracy of interpretations and ensuring that they reflect the authentic experiences and perceptions of victims in the case (Kakar et al., 2023).

iii) Extended Data Collection Timeline

The practical data collection period began in 2018 and ran until May 2025. This extended timeframe, buttressed by my long period of contact with the victims as an ICC staff, fostered deep trust and the much-needed rapport that facilitated easier exchange of victims' intimate cache of deeply personal stories. Over the course of the study, there were victims that I engaged with more than once at different stages of the judicial process. This was an advantage that couldn't be available for a short period of contact data collection.

As the realities of victims changed across the long period of data collection, I also adapted the tools, as informed by an ongoing analysis of the incoming data, reflecting emerging patterns. A good example is when earlier on in data collection, it became apparent that themes relating to the psychological impact of participation needed to be probed with deeper interest, while later, the emerging narratives began to tend towards resilience, hope and future dreams. Reflexivity during data collection kept the process attuned to the evolving realities and narratives (Brill, 2020).

Additionally, the long period of data collection also facilitated a keen observation of the changes among the victims, and in the ICC process itself, and importantly, how the former adjusted flexibly according to developments in the later. This was imperative in capturing the change in perceptions about satisfaction.

iv) Inclusion and Exclusion Criteria

In order to maintain methodological rigour and ethical responsibility, I adhered to strict participant inclusion and exclusion criteria. My inclusion criteria were guided by the qualifiers that someone was a registered victim in the case of Dominic Ongwen in Lukodi, had substantive experience of participation in the case, and was available and willing to participate in the study. This narrowed focus enabled me to collect data that was directly relevant to the research questions, while reflecting victims' authentic perspectives.

Exclusion criteria were applied to define the strict boundaries of the study's empirical scope and maintain data integrity. Beyond non-registration, individuals were excluded if they were unable to provide informed consent independently or if their engagement with the Dominic Ongwen case occurred exclusively outside the geographic and structural framework of the Lukodi community.

Applying these boundary conditions ensured that the data collection remained tightly focused on the localized, authentic lived experiences of the registered victim population in Lukodi, preventing the dilution of the qualitative dataset with non-relevant or secondary accounts.

v) Adherence to Standard Operating Procedures (SOPs)

During the study, Standard Operating Procedures were observed. This spanned from data collection, transcription, translation of the scripts, and data analysis. The confidentiality of participants was strictly protected. This also aligns with international standards and social research best practices (Robins, 2013).

All data were stored in well-secured, password-protected digital files where I restricted access only to myself. Physical paper transcripts were kept in locked cabinets. To provide additional protection for participant privacy, all individually identifying information was replaced with pseudonyms in documents. I paid careful attention to anonymising data to avert possibilities of deductive disclosure, especially considering the relatively small and tight-knit community of Lukodi, and to ensure internal confidentiality (Tolich, 2004).

Due to the outbreak of COVID-19 pandemic, there was no field data collection activity conducted from mid-March 2020 till early 2021 due to a nationwide lockdown, when activities began to resume. The earliest resumption of data collection in 2021 were done following strict COVID-19 protection guidelines, maintain social distances, wearing protective facial masks, and the use of hand-washing disinfectants.

Further, I conducted regular audits of data handling processes to ensure that the research process remained compliant with SOPs. Collectively, these measures strengthened the trustworthiness of this study while upholding the highest levels of ethical practice.

3.14. Data Management and Analysis

The data analysis process was rooted in a phenomenological thematic analysis approach. This approach combines a focus on the lived experience of victims with the systematic rigour brought by thematic analysis (Braun & Clarke, 2006; Andrews, Squire, & Tamboukou, 2006). Through this approach, I explored and made meaning of the essence of victims' day-to-day experiences in the

case of Dominic Ongwen, while identifying patterns that were recurrent and themes that emerged across the dataset.

This analytic process began with the transcription of all audio-recorded interviews and the Focus Group Discussions in verbatim. After the transcriptions, careful translation of all materials from the Acholi language to English followed. All through this process, I was keen to maintain all the original meanings from the engagements. This crucial process was supported by my fluency in both languages. After the translations, I next reviewed the dataset to ensure completeness, logical flow, and coherent arrangement of data from each engagement. These preparatory activities then opened the path for me to immerse myself in the dataset, reading through it multiple times.

Through this constellation of successive steps, I gained a deep understanding of each participant's perspective, which helped me capture the nuances, emotions, and contextual meanings that were embedded in the stories, while noting the emerging patterns.

Based on the deep appreciation of the dataset, I commenced inductive coding. Braun and Clarke (2006) defined inductive coding as a qualitative data analysis method in which codes and themes are drawn from the dataset, allowing concepts and themes to grow naturally, as opposed to structuring data within predetermined categories. In this process, I systematically labelled significant statements, phrases, and passages that reflected core elements of victim participation within emerging themes. Key to this labelling was the framework of the forms of victim participation, the challenges that victims in Lukodi encountered in the course of their engagement with the case, and their perceptions and satisfaction with the process. These codes allowed the voices of participants to guide the analytic process.

I clustered related codes into broader themes that emerged. I did this by continuously comparing and reflecting on the merging commonalities and differentiations. From the narratives defining the codes, these themes encapsulated common experiences and divergent perspectives. I continually refined the themes by revisiting the raw dataset and ensuring that the themes accurately represented the realities of the victims' stories while maintaining the complexities therein. For example, dimensions such as "stigmatisation," "empowerment," "agency," and leadership" emerged under different thematic areas of the study.

As Chapter Four of this study will show, I incorporated voices from participants extensively throughout the findings to maintain originality and enhance the richness of the presentation. The quotes gave a voice to the victims and preserved the authenticity and emotional depth of the participants' experiences.

A vital component of this analysis was triangulation. Cross-referencing themes derived from the interviews and the focus groups, and making reflections on literature around the respective themes, the analysis benefited from a multi-source verification to strengthen the validity of findings, while honing in on consistencies and identifying context-specific nuances, specific to the experiences of victims in Lukodi. The documents that I reviewed provided rich institutional and procedural contexts on the subject of study by facilitating the interpretation of the participants' narratives and helped situate them within the broader international justice debates (Carter, Bryant-Lukosius, DiCenso, Blythe, & Neville, 2014).

I was reflective of my role as a researcher throughout the entire length of the analytic process. I constantly acknowledged how my perspectives might influence the development of themes. Subsequently, I had meetings with my research supervisors and colleagues to challenge my assumptions, which enhanced the rigour of this analysis (cf. Braun & Clarke, 2006; Carter et al., 2014).

3.15. Ethical Considerations

Throughout the course of this study, I maintained strict ethical standards, most especially coming from my professional past with most of the participants, which equipped me with knowledge of best practices in handling victims. Beyond being participants in my study, I also knew them as victims in the case of Dominic Ongwen. I had interacted with most of them before in a position of care. I therefore understood their vulnerabilities and the sensitivities surrounding their experiences. I upheld high ethical standards such as respect, independence, beneficence, and justice that set the foundation for a safe and respectful engagement with the participants. Before their engagements, I explained to them the potential risks and benefits of their participation in the study in the Acholi language and obtained informed consent from each participant.

Confidentiality and anonymity of participants was another consideration that took a central place in this study. I applied pseudonyms instead of identifying information from the transcripts of interviews and group discussions. I further informed them that, being a voluntary participation exercise, it was within their powers to halt the engagement and withdraw from the process at any moment, should they decide so, for any reason.

The data collection was conducted with sensitivity, guided by strict observation of the unspoken cues from the participants, and punctuated with pauses whenever the trend and pace of discussions indicated the need. This was based on my recognition of the deeply personal and emotional aspects of the subject of discussion, coupled with the vulnerability of most participants.

This ethical approach complies with principles stipulated by both Fisher et al. (2008) and Wiles (2013), and further resonates with a survivor-centred framework that prioritises prevention of re-traumatisation in the context of international criminal justice (International Centre for Transitional Justice, 2024). These measures were carefully followed throughout participant engagements, making the study responsibly in conduct, while remaining respectful of the dignity and the rights of the participants.

3.16. Study Limitations

Notwithstanding the rich insights that this study draws directly from the victims, I must acknowledge its limitations. To begin with, the reliance on victims' retrospective accounts of their experiences creates the possibility of recall bias. In particular, the memories of events and experiences of participants who were engaged much later in the study might have been influenced by the passage of time, deep emotional factors, or even subsequent developments in the case (Brill, 2020).

Another important limitation that is noteworthy in this study is the social desirability bias that may have influenced the responses that some participants gave. Further, owing to their tight-knit sense of community, it isn't possible to fully dispel the possibility that some victims might have tailored their responses to fit within their perceived expectations of the researcher, and most of all, to their peers and community. As I engaged with participants, I clearly and patiently communicated in a language best spoken by respondents to mitigate this bias. I took deliberate steps to build rapport,

keep strict confidentiality, and emphasise participants' independence and the value of open, honest, and diverse perspectives. Nonetheless, I cannot entirely discount the existence of social desirability bias in the study.

In spite of its limitations, the methodological rigour, triangulation of data sources, and the reflexive approach of this study enhances its credibility and trustworthiness. This study, undoubtedly, contributes valuable knowledge and deep conceptual understanding to the research-anaemic field of victim participation in the realm of international justice.

3.17. Dissemination of Findings

The dissemination of this study's findings is intended to reach a number of audiences and to ensure that the knowledge generated is accessible and contributes to academic discourse, policy formulation, and community empowerment. Indicative dissemination plans are discussed below:

i) Academic Dissemination

Based on different aspects of this study, I plan to write manuscripts for submission to peer-reviewed journals specialising in transitional justice, international criminal law, and victimology. I aim to contribute to academic debates in areas of victim participation models and the challenges victims face in their interface with international justice processes through these publications. I also plan to seek out opportunities to present my study findings in relevant seminars and conferences to generate feedback and contribute to continuous debate on victim participation. As a publisher on Academia, I also plan to publish my finished work on the Academia website.

As required, this dissertation will also be made available in the Gulu University repository. This will ensure that the study is available to students, researchers, and policymakers interested in international criminal justice and victim participation.

ii) Policy Briefs and Practitioner Engagement

The practical implications of this research dictate that I develop concise policy briefs that summarise key findings and recommendations for the consumption of the relevant community of practice. I will tailor these briefs to the specific needs of different stakeholders, such as the ICC,

the Trust Fund for Victims, the International Crimes Division (ICD) of the High Court of Uganda, non-governmental organisations, legal practitioners, and victim protection groups. Actionable insights to improve victims' experiences in international justice processes will be highlighted by these briefs.

iii) Community Feedback and Validation

My promise to the victims of Lukodi, at the onset of data collection in 2018, was that I would return to them with the research findings in fulfilment of the principle of beneficence, to disseminate the findings for the benefit and empowerment of both the participants and their wider communities. I will maximise the positive outcomes of their participation and minimise potential negative outcomes such as the feeling of abandonment that they explained in their responses (cf. U.S. Department of Health and Human Services, 1979). Honouring my commitment will further uphold the principle of respect for persons by returning to them to share the study outcomes, recognising the dignity of the participants, and fostering transparency, reciprocity, and trust through the process.

Having explained the research design, the recruitment of participants, data collection, ethical considerations and data analysis underpinning this study, in the next chapter I will present the study findings. Chapter Four presents the lived experiences of victims in Lukodi, specifically those participating in the case of Dominic Ongwen, represented in this study by the study participants.

CHAPTER FOUR

PRESENTATION OF FINDINGS

4.1. Introduction and Fieldwork

In Chapter Four, I present the voices, lived experiences and meanings that victims in Lokodi attributed to participation in the case of Dominic Ongwen at the International Criminal Court (ICC). Lukodi, a former IDP camp and a site of one of LRA's most atrocious attacks on civilian populations in northern Uganda, is located in Gulu district, about 16 kilometres north of Gulu city. Aligning to the objectives of the study, I structure this chapter to elevate the narrative authority, directly from victims themselves, positioning their stories at the very heart of each of the triad of themes covering the forms of participation, the challenges they face in the course of their involvement, and their sense of satisfaction with the judicial process.

Following the phenomenological approach, this study centred the subjective understanding of the victims in Lukodi, exploring their "lifeworld as it is lived", and prioritised depth over abstractions or simply enumerations, as observed by Manen (2017). I operationalised this commitment by actively seeking out the perspectives of direct and indirect victims who had first-hand experience of participation in the case of Dominic Ongwen. I employed in-depth interviews, focus group discussions, and interviewed a few key informants who directly engaged with victim participation, to enrich the study with an empirical dialogical understanding (Creswell & Poth, 2018).

The following section illuminates the diverse ways in which victims in Lukodi engaged with the ICC in the case of Dominic Ongwen. The narratives here reveal victim participation in Lukodi as a lived and negotiated phenomenon, rather than a mere procedural formality.

4.1.1. Victims Registration and Selection of Focal Point Persons (FPPs)

Many victims in Lukodi viewed registration as participating victims in late 2015 and early 2016, not just as an administrative activity. To them, it was the establishment of the first string of their visibility, in their uniqueness as victims in a judicial process that had seemed inaccessibly remote from them for a very long time. Many recalled their registration as a process that happened for a short period, very early in the case in 2015 and 2016, as one that was characterised by uneasy

hope. In Ongwen's case, "Focal Point Persons" (FPP) were trusted community members, democratically elected from among victims, and trained by the ICC's Field Office to support outreach and victim-participation activities in the case locations across northern Uganda (Pajule/Lapul, Odek, Lukodi, and Abok). In villages around Lukodi centre and Te-Okutu, most victims spoke about how being "counted officially" by the ICC brought a sense of fragile hope, together with anxiety and even fear, as many still doubted the intentions of the ICC, with some believing registration might be a way of identifying other former LRA fighters to be arrested and tried together with Dominic Ongwen. As one female participant described her reaction:

"I felt a sense of voice emerge from my being registered, but at the same time, I also wondered to what end. We have been counted many times before, but nothing has changed! Then there was the fear of being arrested also."¹

While some victims approached the call to registration with well-founded scepticism, based on prior disappointments with the numerous external actors they had encountered, others welcomed it as a long-overdue opportunity to make their plights visible to a whole new level of power, as appreciated by a male victim:

"During our abductions, the rebels counted us like animals that were being taken to the market. This time, we gave our names to the ICC with dignity, with our free wills, so we could stand as survivors, but not as people who lost."²

Even if Lukodi, as a massacre site, is familiar with research, not all the registered victims were literate, and many were unaccustomed to formal interviews. Focal Point Persons (FPPs) were drawn from each of the twin locations of Lukodi Centre and Te-Okutu. They comprised men and women with varying educational levels who played pivotal roles in organising victims (registered and unregistered) for ICC activities. They were selected on grounds of trustworthiness, social standing, past leadership experiences and proximity to common meeting centres. These new set of leaders were faced with immediate new responsibilities upon their selection. A male FPP recalled his. Resolve towards this newfound role:

¹ Female Victim, IDI, Nov 10, 2019

² Male Victim, FGD, Aug 22, 2024

“We were told that we were going to help other victims speak. I could not write, but I had a mouth able to speak, and elders would listen when I spoke.”³

Some participants remembered the selection of FPPs as a moment of communal negotiation in which youth, elders, women and men in both Lukodi Centre and Te-Okutu gathered to propose names. The selection criteria become explicit at times as a female FPP recited:

“Can that one be able to travel? Does he know people’s homes well enough?”, and sometimes as a FPP recounted, it was as simple as “who is unafraid to speak up when it is needed even before the Chairman.”⁴

For some, the first training of FPPs came both as a relief and as a weight. The training, conducted in Gulu town was a proud moment to “get out on official invitation”, and the training sessions - a combination of men and women, eager to take notes and learn, attaining their very important first detailed understanding of the ICC, community mobilization and coordination strategies, and how to handle sensitive questions from neighbors and peers. One participant recalled that:

“I felt a very heavy weight upon my shoulders when I was selected. My son asked me, ‘Now you have got a job with those lawyers who come from town?’ I reminded him that what I was doing was for all of us, so that our suffering can be heard further than our village. It was heavy because suddenly, everyone thinks you have all the answers for what happened, but most of the time, you were just as lost as they were. Even the ICC workers sometimes have to tell us to wait for the answers on their next visits.”⁵

Some FPPs from Te-Okutu had a dual appraisal of empowerment and unease, and stated:

“For me, I was always silent whenever they talked about the ICC, but fellow victims would come to me after the meetings with the ICC. I would just say to them, ‘Let’s wait and see.’ But inside me, deep inside me, I too needed someone to explain to me.”⁶

³ Male FPP, IDI, October 16, 2018

⁴ Female FPP, IDI, Mar 9, 2019

⁵ Female FPP, IDI, Mar 9, 2019

⁶ Male FPP, IDI, Nov 17, 2019

In both Lukodi Centre and Te-Okutu, participants were appreciative of the dedication of the selected FPPs in facilitating their participation, even at times when activities and information flow seemed overwhelming, as expressed by a female participant:

“With the presence of our focal points, at least we know who to seek further information from when there is a meeting, or when we have a question to send to ICC.”⁷

But challenges were never too far behind with these roles. FPPs struggled with gaps between the hopes of victims in their villages and the slow grind of the pace of international justice. When asked about his experience as FPP, one summarised:

“As a Focal Point Person, it means the middle. The court is on one side, your people on the other side. Each is seeking your attention at the same time, and sometimes you end up with more questions than you can answer. But you have to concentrate, because both sides need you.”⁸

As expressed by participants, the early registration of victims and the selection of FPPs were vital in forging a path for a collective sense of agency among victims while bringing to the fore both their expectations and fears. As one elder from Te-Okutu remarked. This dual acknowledgement of registration was captured crisply by an elderly participant:

“We saw the registration as either a ticket to ‘*Ngol ma atir*’ (justice), or as another path where we were going to walk and walk and never even reach anywhere.”⁹

It emerged strongly that registration into participation as recognised victims and the local network of FPPs became more than just a technical point of entry into the international legal process. It became a living, contested practice of who had the power to speak, to represent, but also to bear the duty to be held accountable by fellow victims. The duality of burden and privilege of “being counted” echoed through various narratives, democratizing justice from the earlier feared distant phenomenon to a subject of everyday discourse characterised by hope and occasional weariness while always remaining an evolving affair.

⁷ Female Victim, FGD, Sept 16, 2024

⁸ Male FPP, IDI, July 7, 2018

⁹ Elderly Male, FGD, Aug 22, 2024

In resonance with participatory justice principles, victims in Lukodi gained formal recognition and voice through the registration and institution of FPP structures, however, characterised by ambivalence and mistrust. The duality positions participation as both empowerment and a phenomenon of negotiated power relations at community levels and within institutional frameworks. The collective agency that victims gained through the establishment of their local leadership structures agrees with restorative justice perspectives that emphasise collective agency. On the other hand, it also while bringing to bear the challenges that come with balancing local responsibilities with procedural formalities (Pham et al., 2007).

4.1.2. Community Outreach Video Screenings

The community video screenings - conducted for the entire community in Lukodi Centre and Te-Okutu were a turning point in the way most people experienced participants in the ICC process right from the onset. These screenings were conducted in any designated community gathering spot, be it churches, school



Victims following the case of Dominic Ongwen through video screening. Source: ICC

classrooms, under tree shades, or any other place found central and appropriate by the FPPs, usually in consultation with other community members. The video screenings were far from purely administrative. They evolved into comments of solemnity, anticipation and sometimes even unpredictable emotional reactions. Many experienced the act of coming together in a makeshift church structure or under a huge mango tree as an avenue to share personal testimonies and commune in remembrance. As some participants stated:

“We gathered together in the church to watch the Court. Each of those videos felt like the court was right here with us, especially when we are hearing in Acholi.”¹⁰ While another participant recounted that, “It feels so real when you see the courthouse on the video.”¹¹

The crowds that attended the video screenings were intergenerational and greatly gendered, constituting women, elders, and youth mingling in a spectacle of rare solidarity. One female respondent, whose calm voice elevated above the rest reflected during the female FGD, Sept 16, 2024, “I always returned to watch the videos, no matter how heartbreaking the previous one was. It was like they could see our hurts, even in those one or two hours that we were together with the workers,” she referred to the ICC staff.

Not all who watched the videos spoke out about their reactions loudly. Others felt that the images drew out deep, submerged grief, as expressed by widow:

“I failed to hold back my tears when they began to let the mother speak. It was as if they were referring to my pain. I could see even the men wiping their faces. I knew that the stories represented all of us.”¹²

The stress carried by FPPs organising and facilitating these screenings was unique. “Sometimes the ICC workers are not there, because there are many places to screen the videos, so you have to answer questions after the film. Sometimes you don’t even know the answers, but people look at you. Some young people just ask you difficult questions to test your knowledge.”¹³

Notwithstanding, there was local pride too as expressed by a participant in the FGD:

“At least from here, we can solve certain things together. These are our meetings; we run them ourselves - not some visitors’ show.”¹⁴

More than just displaying the spectacle of what took place in the courtroom during the trial and conveying legal updates to the victims, the video screening gatherings also cultivated a sense of ownership. It became a collective ritual experience that connected justice to the daily lives of

¹⁰ Male Victim, FGD, Aug 22, 2024

¹¹ Male Victim, IDI, Mar 14, 2021

¹² Female Victim, IDI, March 14, 2021

¹³ Male FPP, IDI, July 6, 2019

¹⁴ Male Victim, FGD, Aug 22, 2024

victims in Lukodi. “The video screenings attracted even people who never cared about the ICC. They also came, sat and watched until the end, and still talked about it on their way back home,”¹⁵ as a youthful participant recalled.

Collectively, the community video screenings took the victims on a progression from abstract ideas about the ICC proceedings into a practical community experience. Through the screenings, participation was felt both as a burden and as an ointment that allowed the victims of Lukodi to become active witnesses in their own right, in a cause that was their own. One woman summarised the experience as:

“Sometimes when we see our stories together on the video, I get this relief that justice for my experience at the hand of rebels, though it is far, can stand with us momentarily.”¹⁶

Victims engaged in collective witnessing and emotional reconning through these screenings in manners that transformed the otherwise distant judicial processes into tangible experiences. The screenings abridged the otherwise asymmetric access to information, enhancing procedural fairness and the legitimacy of the process.

4.1.3. Radio Listening Clubs and “Ask the Court” Broadcasts

Many respondents in Lukodi spoke about the radio listening clubs and the “Ask the Court” radio programs as one model through which their participation became real. The radio programs were



Victims following the case of Dominic Ongwen in a radio listening club. Source: ICC

organised monthly on selected, popular radio stations - either Mega FM or Radio Rupiny, both greatly accessible and popularly listened to in Lukodi. To many respondents, the radio

¹⁵ Male Youth, IDI, Jan 12, 2020

¹⁶ Female Victim, FGD, Sept 16, 2024

programs became their major engagement channel. The live radio talk shows ran on monthly schedules, and FPPs would have already mobilised communities who would be gathered at a selected location, normally outdoors in a member's compound, to follow the updates on the latest developments in the case that concerned their suffering. Whenever moments arrived to make live calls into the study to the on-air ICC staff, it was a moment of excitement, pride and recognition among the communities listening into the program. A female participant expressed this excitement in an interview:

“For my very first time, I asked a question on the radio with everyone listening to my voice. I mentioned my name, and they repeated it on the radio! I felt like I was at the centre of justice, with everyone listening.”¹⁷

Such kinds of experiences were both novel and empowering for people who had never felt visible in their localities, and sometimes even in their own families. Through the radio talk shows, they could publicly share their questions, doubts, or ask for further explanations.

The radio listening clubs, which were essentially meetings, usually buzzed with debates about the judicial processes, as a male respondent stated:

“Whether we argued, listened, and even disagreed, every time, one thing would strike some of us at the end, sometimes much, much later. That these exchanges at the listening club helped us to understand each other more and more.”¹⁸

The radio program did more than provide updates to the victims. They created spaces for analysis and occasional contention, “especially in situations when something about the case isn't clear and everyone is attempting to show that they understand better than the others,” remarked a FPP in Lukodi Center on 21 March 2021.

One elderly woman from Laco Angaa village - a bit off Lukodi centre, whose mobility wasn't good enough to allow her to join the video screenings and the radio listening club gatherings described the live radio talk shows as “my connection to the Court.” Like her, to many others who were isolated, vulnerable or felt anxious about public gatherings, the “Ask the Court” broadcast -

¹⁷ IDI, October 25, 2022

¹⁸ Male FGD, Aug, 22, 2024

which was a series of short questions and answer spots messages that conveyed messages about key elements of the case of Dominic Ongwen on major FM stations was their preferred means of following the process. The radio programs, be it the talk shows or the spot messages, were their best bridge to the valuable information usually made available about the case, as one female victim recalled:

“When I called and asked about Ongwen’s family and what they said about compensating us, and I received the answer there and then on air, I felt a lot of courage. I said to my children that, while we may be small, our pains are not too small for the radio.”¹⁹

Notwithstanding, these radio programs also came with their frustrations. A young man explained that “Sometimes the radio signal is not clear, or sometimes they move very fast to another topic before we have understood. It is also very difficult to enter the radio line when you want to call and ask a question. Many times, we try to call but fail to enter into the studio line.”²⁰

The ICC field officers handling the radio activities - usually Outreach staff- adopted their approaches as the program matured. Sometimes, other staff conducted field rounds to oversee the radio listening clubs and provide answers to some emerging questions on site, as one was in the studio. This ongoing evolution in approach didn’t go without notice, and was appreciated as explained by an elderly FPP:

“While the early programs felt disconnected, when they began to come to the field and explain some things in person, it became clearer, and we became more confident. We have begun to feel like we are part of the process, not just people looking at what is happening, because people can understand better.”²¹

The radio listening clubs and “Ask the Court” programs created crucial lifelines between the victims in Lukodi and the international process of the case of Dominic Ongwen. They were the democratisation of participation, making it accessible to even the most marginalised voices and creating a safe pathway for them to both receive information and to challenge and shape it, and providing a small yet critical medium for local ownership of the process. One male youth remarked

¹⁹ Female Victim, IDI, Oct 25, 2023

²⁰ Male Victim, FGD, Aug 22, 2024

²¹ Elderly FPP, IDI, Dec 15, 2018

in an interview that, “It is not easy to every time walk distance to go and sit to listen to the radio when I can listen to the program on my phone while I continue to sell in my shop. I always follow it from my shop.”²²

These radio programs constituted effective outreach strategies that reached out to marginalised and remote communities in the language most accessible to them (ICC Registry, 2025). The programs became inclusive spaces through which victims engaged, asked questions and shared their experiences, hence enhancing the procedural legitimacy and ownership of the process.

4.1.4. Legal Submissions and Providing Testimony

Many participants felt that contributing “directly” to “issues at the ICC”, something once far removed, a privilege available to politicians, “big lawyers,” or unknown people in distant places was one of the most powerful demonstrations of their presence in the case. For many of the victims, their discourses on this topic combined the provision of testimonies, which a few of them were called upon to give and travelled to The Hague to do, and the various submissions on the Judges’ invitation at key moments in the judicial process.

As a matter of principle, as stipulated in Article 68(3) of the Rome Statute, “Where the personal interests of victims are affected, the Court shall permit their views and concerns to be presented and considered at stages of the proceedings determined to be appropriate by the Court and in a manner which is not prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial.” The victims in Lukodi were therefore invited, through their legal representatives, to make submissions at pivotal moments along the proceedings of the case, in an experience that they found both daunting and transformative.

Although just a handful of participants, most of whom, unbeknownst to the rest of the communities, were identified, usually secretly, by either party in the case to provide testimonies in court, these participants seemed to carry the weight of what it meant for “my suffering to be heard in court.” A male participant reflected in the course of his interview, “I told my story in court, in front of the Judges, in front of Dominic Ongwen.”²³ Another younger female participant

²² IDI with Male Youth, IDI, April 30, 2022

²³ Male Victim, IDI, Jan 17, 2022

expressed her opinion about the submissions on reparations that, “We were asked about what we thought would help us recover from the pains we have suffered. We gave many views. I said I wanted to get vocational training to be a hairdresser.”²⁴

These submissions were, however, fraught with inner conflict. Another survivor recalled his experience, “It was very difficult for me to give my words to the lawyers, but afterwards, the experience felt like healing.”²⁵ This “healing” was often mixed with anxiety and exhaustion, as a female participant recounted:

“At the end of talking about my experiences to the lawyers, everything felt so different. I slept for two days. I didn’t want to see or talk to anyone. But despite the weight of the pain that returned, I felt happy that I was helping to build a record for what we went through as the lawyer told me.”²⁶

Some participants weighed the risk of opening old wounds against the promise of helping others. A male respondent stated that:

“I don’t usually talk a lot, but for the sake of others, for the sake of our case, let the statements I gave be used in any way they can be used.”²⁷

A female youth who testified in court described her feelings, “I was surprised that at my age, the Court wanted my words, but they encouraged me that everyone’s truth matters. It was also encouraging to know that through my testimony, what we suffered was not going to be forgotten.”²⁸

On the other hand, some participants continued to doubt whether their words would go anywhere beyond the files of their legal representatives, as stated in the female’s FGD:

“It’s easy to give our stories, but will those files be carried to where we are told they would go?” (Elderly Victim, IDI, Aug 14, 2019). Another participant, a young woman, simply stated that, “As usual, we are here waiting to see if our voices will amount to any change at all.”²⁹

²⁴ Youth Victim, IDI, Nov 25, 2023

²⁵ Victim, IDI, May 16, 2022

²⁶ Female Victim, FGD, Sept 16, 2024

²⁷ Male Victim, FGD, Aug 22, 2024

²⁸ Female Victim, IDI, Dec 8, 2022

²⁹ Female Victim, FGD, Sept 16, 2024

Contributing to the process through legal submissions and testimonies was seen as a form of self-assertion for many survivors in Lukodi. It was a move that helped them to reclaim their individual and collective narratives and a bridge that connected them to the remote power of international justice. Beyond merely seeing justice being done, many experienced these contributions as a step towards no longer remaining invisible.

While the Rome Statute affirms the rights of victims to make submissions to the court, these submissions often come with emotional tolls that juxtapose empowerment with vulnerability among victims in transitional justice processes (Baines, 2014).

4.1.5. Intercommunal Dialogue Meetings

Intercommunal dialogues were quarterly gatherings where a selected number of victims drawn from each of the four case locations converged in one selected case location to discuss current topics in the case and to share experiences across the locations. They also constituted avenues where, in their ways, the victims made sense of the entire process within their local experiences and interpretations. The intercommunal dialogues also doubled as gatherings where emotional exchanges, social negotiations and collective reckoning happened.

A male participant, now a university graduate, recited his recollection of the emotional nature of these dialogues during our conversations in the FGD:

“The discussions felt more like a family meeting being conducted after heartbreak, mixing old pain, confusion and new strength. I recall the day all the other locations came to Lukodi, seeing everyone gathered under the mango trees at the market, expectations were high. An elderly woman from Abok opened the meeting with prayers, somehow reminding us of the past experiences that united us. Then the stories of the challenges we were facing as victims from our localities followed. Some things sounded outright depressing and were only broken by jokes, sometimes about someone’s funny experience, or something as simple as how many meetings we have endured. Some young victims questioned whether the big court far away could ever heal our pains from our dusty homes here. But as we participated in more and more dialogues, learning examples of victims from other

locations and with the staff of the Court telling us examples from elsewhere, we learnt to talk out our varying views on matters of the case. It helped us find our solutions to our puzzles.”³⁰

The voices of women in these dialogues often came out as fresh forces of expression, posing challenges about entrenched silences about pain and hope among the victims as described by a female participant:

“We suffered quietly for many years. But these gatherings, where we come together with people who have experienced the same plight as ourselves from other areas, provide places to speak, both to the court and to each other. In one of the meetings we held, I shared with other members that justice goes beyond just remembering the past. It should include working together to help some of us who are still angry, young people who have lost parents, and others who may have lost limbs or hope. At the start, it was not easy for us females to talk. Some men would show a bad attitude whenever I put my hands up to speak, but then, when my message about justice at our homesteads and communities, meaning feeding the orphans and caring for the old and the sick, I would see them nodding their heads. These meetings helped us to appreciate each other’s contribution to healing the wound we endured in Lukodi here and made us also see ourselves as parts of a bigger whole. The gentle interchange of speaking and listening, respectfully among us, has become a very strong source of understanding and healing.”³¹

While the usually vibrant intercommunal dialogues were compelling, they were also characterised by some undertones of tension that revealed the complexity of the social fabric that Likodi is, as stated by a victims group leader:

“After returning from the intercommunal dialogue that took place in Odek, some victims who were not selected among the 30-member team for the trip asked me bitterly, ‘Why did you refuse to select me for the trip? Did other people’s pains carry more weight than my pain? Did they have deeper wounds, or were their names nearer to the ICC judges?’ These, even if sometimes seemingly stated in jest, were not idle talk. They were a mix of pain, hope, frustrations and some personal unresolved issues boiling all together. With some voices louder than others and some stories better told, old

³⁰ Male Victim, FGD, Aug 22, 2024

³¹ Female Victim, FGD, Sept 16, 2024

suspicions would sometimes be stirred, yet those seemingly innocent comments forced us to reckon with who is included, and who remains invisible. It was a hard but necessary decision.”³²

In a nutshell, the intercommunal dialogues became a near-ritual event for collective meaning-making and locally engineered social repair among victims in Lukodi. The dialogues created dynamic spaces that took participation far beyond receiving information, as would be in many other forms of their participation in the process, into a platform where challenges and lessons were identified locally, options charted out, and consensus reached on matters close and dear to victims. In these dialogue meetings, victims took control of and owned the processes, discussing their situations vis-à-vis their aspirations, their grievances and hopes, and ways to stitch back the fractured sense of community, beginning from each household.

As a phenomenological anchor, these intercommunal dialogues offered transformative platforms upon which victims in Lukodi exercised great agency and ownership in both the ICC proceedings of the case of Dominic Ongwen and their day-to-day lives. In this way, justice was redefined for many victims, as their lived experiences were shaped through dialogues and their daily lives as much as it was by the procedure in the courtrooms in The Hague.

As demonstrated above, the active role of women in these forms challenged common beliefs and lent fresh perspectives on the role of international justice in social care and community rebuilding. The experiences highlight aligning international justice processes to cultural dynamics.

4.1.6. Visits of Leaders and Victim Representatives to The Hague

Another form of participation that the participants remembered vividly was the occasional visits of local leaders and selected victims to the seat of the ICC in The Hague. This was a hot topic both in the FGDs and among the key informants, some of whom had travelled to The Hague on these visits. The visits were usually followed by community feedback missions where the delegates were taken through the different case locations to share their experiences and perceptions of the trip and the process with the rest of the victims. The delegations usually comprised cultural leaders, religious leaders, civil society, media, and victim representatives - a select yet representative group.

³² Victim Group Leader, IDI, May 1, 2023

These trips were more than mere symbolic missions. They were deeply human experiences, filled with tours of the Court premises, meetings with various Court Principles and even sometimes visits to Dominic Ongwen at the detention centre. They were marked with wonder, disorientation, and all mixed with responsibility.

One elderly participant encapsulated it ever so well in an interview:

“My son, when our leaders came back, their stories about being in the courtroom, face to face with Dominic Ongwen, made us feel very close to the trial. When we were gathered at the trading centre to hear their report after going overseas, they told us how they travelled in a big aeroplane, the cold temperature overseas, the huge and magnificent courthouse, the tight security, and how they were treated with respect by everyone. They told us how ‘Odomi’ (Dominic Ongwen’s *nom de guerre*) sat there, not as the monster he was, but as a person, dressed well and a silent human, with the proceedings heard in the Acholi language through a hearing device. When one first hears these stories, it suddenly becomes clear that the Court wasn’t a mere rumour. It was a real place. A place where our suffering had knocked on the door and it was being heard.”³³

A victims group leader’s statements evoked the surrealness mingled with pride and suspicion that marked their experience of crossing worlds when he said:

“They showed us photos on a very wide wall and said, ‘This is how international justice listens.’ I couldn’t believe myself shaking hands with very important people and Judges at the ICC, people who now have great power over the fate of Dominic Ongwen. Dominic Ongwen, who used to treat us as if he were a god. The moment when the victims’ lawyers began to speak in the courtroom, I could hear our voices, our experiences from here in Lukodi, loudly sounding in the courtroom. Goosebumps, just goosebumps! It felt so different, so real. You just have to hold back tears with strength. When we were returning home, we carried along many books and files about the Court. We also came along with photos that we took from there. To us, it was a clear testament that we, the victims, belong not outside the court, but inside. That we are not looking on through the window, but are inside, being an active part of the process. For once, we felt that we weren’t just names on forms, but active voices carried across continents.”³⁴

³³ Elder, IDI, Dec 11, 2021

³⁴ Victim Group Leader, IDI, Mar 15, 2025

Palpable was the responsibility that accompanied the honour of the trip to Europe. A cultural leader who participated in the trip explained the unexpected pressure at home when he returned:

“People surrounded my home immediately on my return from ‘Ulaya’ (abroad). They were pressing me for every detail, even before I could rest from the trip. ‘Did you see Ongwen in person? What did they say about reparations? For how many years did they say Ongwen will be imprisoned?’ What did they say about the children who haven’t returned from captivity?’ I felt a very heavy burden. I bore the hopes and doubts of the whole community, not just my story. Everyone came to me, hoping I had answers to all their difficult questions. Sometimes I felt that my words were inadequate, that I was standing on behalf of thousands of people, even when I was a fragment of pain, hope and sometimes even confusion. Still, our going was their going too, even if, (he smiled wearily), their feet never left the soil of Lukodi.”³⁵

One religious leader stated of their visit to Dominic Ongwen at his detention center, that:

“He prepared for us tea, very nice tea, and told us that he was studying cooking, and that he missed home so much. When we told this narrative to the people of Lukodi when we returned, it was received with mixed emotions. Some people think that the prison there should be like the prisons in Uganda. But for us, as religious leaders, and together with cultural leaders, Ongwen’s well-being is as important to us. For me as a religious leader, the Bible states that we should forgive those who wrong us; meanwhile, for the cultural leaders, Ongwen is also their son, and should he return home tomorrow asking for “*Mato Oput*” (an Acholi traditional reconciliation ritual), they would be obliged to accept him and conduct the ritual.”³⁶

The narratives shared by the returned delegates stirred up new collective imaginations about the proximity and possibilities of justice, creating a refreshing sense of interconnectedness between the rather remote judicial proceedings and the local realities of the victims in Lukodi. However, they also illuminated the gaps and tensions that are inherent in this representation, and the concern that no particular voice was adequate to encompass the many, that there remained a possibility that formal justice might elude day-to-day realities in Lukodi.

³⁵ Male Delegate, FGD, Aug 22, 2024

³⁶ Religious Leader, KII, July 16, 2023

Coupled with the ensuing feedback missions of delegates to case locations, a phenomenon that was as popular as it was highly attended, was thus a vital pillar of Lukodi's narratives of engagements with the Court, capturing hope, filled with complexity, and a challenge to survivors to navigate the evolving and often contradicting patchwork where local hurt and international justice meet.

4.1.7. Participation in Reparations Consultations

As the case of Dominic Ongwen moved into the reparations phase, after the Reparations Order that was issued on 28th February, 2024, the first mandate of the Trust Fund for Victims (TFV), which is a twin organization of the ICC under the Rome Statute, mandated to provide Court-ordered reparations and assistance programs to victims in ICC situations, was to conduct large-scale consultations with victims and various stakeholders on the details and modalities of delivering the reparations, and to subsequently develop a reparations Draft Implementation Plan



Victims participating in reparations consultation in Lukodi. Source: ICC

(DIP) to be submitted to ICC judges by 3rd September, 2024. In these consultations, victims found themselves in the dual positions of advisors and supplicants. In a series of meetings with TFV that lasted five

days in Lukodi, victims shared their ideas, preferences, anxieties, and hopes about what true redress would look like in their eyes. The consultations, meticulously led by the TFV team, were defined by cautious optimism as much as by scars of victims past unmet expectations.

As one female participant recalled with visible optimism, she described her experience in the consultation in a deeply honest and personal way:

“I provided them with what I thought about reparations. I said that it must heal the wounds left behind by Dominic Ongwen, not just bring money for a few people and some others with no sense

of equity. It has to be something that can make all of us stand up with confidence among those who never suffered when all these processes are over. In our meeting, we were all women. We also spoke about helping the school to start vocational training, like tailoring and salon work. Many of us who were abducted returned home and could not continue with our studies because we were already mothers. Many talked about how reparations could respond to their losses, like those who lost limbs, those whose children have not yet returned from the bush and those who returned home and found their land seized by greedy relatives. But what was important to me was that nothing that is given should create tension among us. I told them, ‘Let these reparations not cause another war in the village.’ I want it to be done in a way that brings us together.”³⁷

A male participant pointed out the exhaustion that is associated with uncertainty when interviewed:

“We participated in the meetings about what we want the reparations to bring. We gave our ideas, but still, they made no promise. They told us that they were talking to very many groups of people and that the final decisions were yet to be made by people in The Hague. They also said that the money needed is so much, and they were still looking for the money to provide reparations. That they will start with people who are sick and people who are old, not minding that for some of us, the time for going back to school is also passing now. We already had lists, lists of those who got injured, those whose relatives were killed, people who were abducted, and children who were born in the bush, but they said they didn’t want those lists. That there will be, yet another registration done by ICC. I feel the word reparation is too big. What the ICC can bring will not change everything. We need to work hard by ourselves also. I want to work hard besides any support I might get.”³⁸

Amid all these longings, shorter refrains were recurrent in interviews, especially in light of the scope of the reparations that left many victims outside the case of Dominic Ongwen. “It isn’t meaningful justice if it divides us,” an elder remarked (Male Victim, IDI, Dec 12, 2024). Another participant, an old woman, just shrugged: “We have been talking for many years, question after question, meetings after meetings, but nothing tangible comes. Now what we want is to see, not just hear.”³⁹

³⁷ Female Victim, IDI, Feb 7, 2025

³⁸ Male Victim, IDI, Feb 12, 2025

³⁹ Female Victim, IDI, January 7, 2025

Another young woman exclaimed in an interview about an aspect of the consultation they hadn't expected, stating that:

“We cried when they asked us whether we were able to forgive Dominic Ongwen if he apologised and asked for forgiveness. ‘What!?’ We thought to ourselves. After what Ongwen had done to us, abducted us as young girls, ruined our lives in the bush, distributed us to rebel commanders like animals and had children with us, and he merely says sorry to be forgiven? We all couldn't bear that question. We all began to shed tears. I saw even the white lady started wiping her face and left the room.”⁴⁰

The reparations consultations, with all their emotional intensity, the reawakened pains, hopes and frustrations, stood as a record of dignity and a testament that true repair was within reach for most of Lukodi's victims, and that reparations would not be an intrusive intervention, but one in whose making they have had a role. They further reveal that even with the verdict that found Dominic Ongwen guilty of 61 crimes of the 70 he was charged with, for those in Lukodi, justice is not yet complete. It is a long journey shaped by renewed hopes, delays, and resilience built on the understanding that rebuilding what is broken is a long undertaking that requires contributions from all involved. At the Male FGD, one participant summed this by saying:

“They explained the reparations to us. They also asked us to tell them what we want. We told them. We are happy but now wait to see if what they promised will come.”⁴¹

Engaging victims in reparations discussions in Lukodi evoked both hopes for healing and anxieties that sprang out of memories of unfulfilled promises. Victims' dual positions as advisors and claimants, where they navigated both the materialism and symbolism of reparations, situated the victims within the space of cautious optimism and frustrations, as suggested by transitional justice findings that emphasise the need for equity and social awareness in reparations to prevent social tensions.

⁴⁰ Female Victim, IDI, 26 February 2025

⁴¹ Victim FGD, Aug 22, 2024

4.2. Challenges Faced by Victims in Participation

Objective Two of this study sought to identify and document the major obstacles that the victims in Lukodi encountered in the process of their engagements with the ICC. Meaningful participation is usually heralded as a right and a pathway to recognition, empowerment and justice for victims such as those in Lukodi. The realities faced by victims, as documented in Lukodi, demonstrate that this journey to participation has been uneven, marked by both old and emerging difficulties.

While examining these barriers to participation in Lukodi, I recognised that most, if not all, victims were recruited into participation with already existing heavy burdens from years of violent conflict, characterised by displacements, trauma and loss as their everyday experiences. Additionally, the strategy and delivery of international criminal justice - however well-intended- often meet with unexpected realities relating to local infrastructure, socio-cultural dynamics, resource constraints and deep psychological scars that heinous crimes leave in their wakes.

As one male participant encapsulated, “Participation has never been simple. Each time we rise to claim our rights to actively take part in the process, we meet with new troubles waiting for us, and old challenges returning too.”⁴² His sentiment reflects a theme that was central to most of our interviews and group discussions. The notion that challenges to participation exist not solely within the boundaries of the ICC’s case of Dominic Ongwen but emerged at the complex intersection between the daily toils of life, historical hardships and the hardened legacies of violent conflict. For many of the victims, the mere act of registration and the subsequent invitation to participate was a source of profound anxieties, questioning how, to what end, and at what individual and collective costs they would make their voices audible.

In this section, I present the challenges that were faced by victims in Lukodi in the course of their participation in the case.

4.2.1. Physical and Logistical Barriers to Participation

Many participants mentioned the seemingly simple, but serious challenge of geography and poor roads infrastructure as a major impeding factor in their participation in the case of Dominic

⁴² Male Victim, IDI, Jan, 2022

Ongwen. Far from the bustling trading centre and the beautiful rolling fields in its immediate peripheries, Lukodi's settlement is characterised by remotely scattered homes, compounded by unpredictable weather patterns for a major part of the year. Many victims in Lukodi experienced frequent movements to the central locations to watch the screenings of the trial, for radio listening clubs, to meet with ICC staff or for any other activity, such as the intercommunal dialogues, which was very taxing, since many victims have no other means of transport but to walk on foot.

Some participants narrated that participation started and ended with the road itself, as one female participant explained in her slow, well-selected words:

“Some of us walk nearly two hours to the meeting venue. By the time you arrive, you are even too tired to speak. My leg gives me pain, since my rough encounter with the rebels, and sometimes, I just opt not to go to the meetings. But inside me, I feel the interest to go and hear what is being said about us in the Court. There was a day we were told the video screening would start at 10:00 AM. I left home very early with my youngest child on my back and holding the hands of the other. It rained so heavily, and we were beaten by rain on the way. We stopped on the way and first waited for the rain to pass. By the time we continued, it was so slippery that we kept falling on the way, and our clothes got so dirty that we decided to just turn back and go home. Even now, when someone asks me why I frequently miss meetings, I say, ‘Those living near the centre have the strength to attend the meetings, but those of us from far away must spend that strength on the road.’ But, still, I go to the meetings whenever I can. The problem is that they don’t rotate the meetings to different areas, and too many of us live far away from the centre.”⁴³

Many elders and those living with disability faced very practical, yet invisible obstacles to meaningful participation. An elderly victim described her experience that:

“The video shows, even if I want to go, they are shown in places I cannot reach with my legs. Sometimes my son helps me and takes me on his bicycle, but I remain at home when he goes away with his friends. Sometimes those who are going tell me, ‘We will tell you what they said.’ But that is not the same. At times, the only voices I hear are those at my door, when they are trying to repeat to me what happened. Even when the information is coming on the radio, most of the time I don’t

⁴³ Female Victim, IDI, July 22, 2023

have batteries in my radio. I feel that most of my friends are moving with the process, but my footsteps are failing me.”⁴⁴

The long journeys to taking part in the engagement activities could also diminish the very impact that these gatherings set out to achieve in the first place. Cumulative exhaustion of all dimensions, physical, emotional and psychological, have the potential to keep potential or even registered participants away altogether, or make them passive and quiet observers in their cause, rather than active actors in the process.

Echoing this danger, one young man stated with resignation during the male FGD, “Some of us have already been silenced by the distance. I participated in less than half the meetings.”⁴⁵ A child mother in her mid-twenties remarked in an interview that, “The centre is near for those who have bicycles, but for us who don’t, even the words of the Court arrive late.”⁴⁶

Sometimes the FPPs attempted to bridge this gap by walking around homes in the distant areas to ensure that the elderly, the sick, and disabled victims were updated on current developments, but participants continued to voice concerns over what they felt was spatial exclusion, not due to deliberate actions, but by the daily realities of distance, pain, fatigue and weather.

Collectively, these narratives demonstrate how physical and logistical barriers constituted a profound day-to-day influence on how participation was experienced and perceived in Lukodi. They created invisible hierarchies. Those near the points of gathering, those far, people who had means of transport, those who were able to walk and those who couldn’t. These altogether shaped who received information first, whose voices were heard, whose memories made it to the dialogue, and whose connection with the process remained on paper and maybe even out of reach.

This reality echoes the findings of other victim-centred research in northern Uganda, which states that “*the geography of justice*” is to be travelled on foot, in bodies scarred by history, and further that accessibility remains the ground upon which inclusion is created or broken (Robins, 2017).

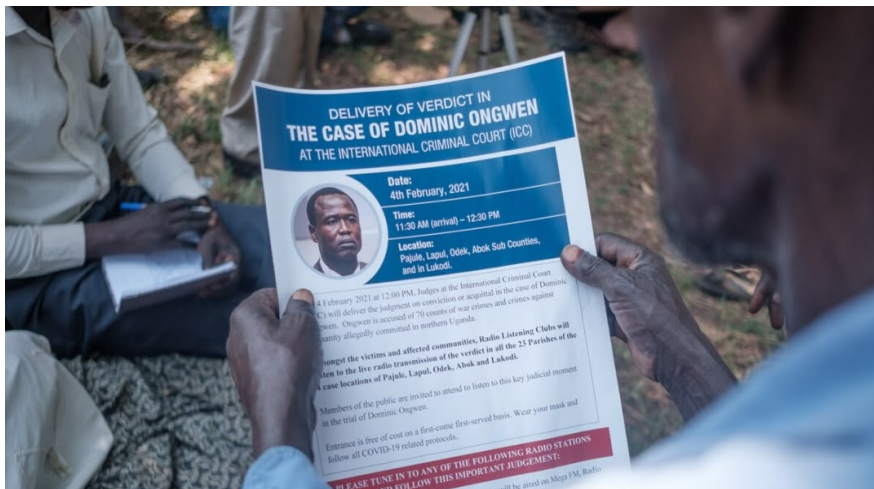
⁴⁴ Elderly Victim, IDI, Nov 10, 2019

⁴⁵ Male Victim, FGD, Aug 22, 2024

⁴⁶ Female Victim, IDI, Aug 11, 2024

4.2.2. Linguistic and Legal Complexities

Linguistic barrier emanating from the complex language of justice kept meaningful participation in the ICC's proceedings distant and quite perplexing to many victims in Lukodi. The ICC's official communication that came from The Hague, whether it was presented through video screenings, radio programs or on brochures, didn't only feel foreign to the victims in Lukodi, but they sometimes felt as if they were deliberately couched in legalese meant to keep "outsiders outside."



A victim in Lukodi holds an English copy of the Dominic Ongwen verdict. Source: ICC

This challenge became ever more apparent in the way that victims described their feelings of being close to the process, yet never really satisfactorily grasping the gist of the substance. A female victims' group leader voiced this frustration

as she recited the strain of persistent incomprehension:

"Even after watching several videos and the outreach staff explaining to us what was happening in the videos, we were still asking whether the 'witness statement' was different from the information we gave to ICC staff when we were registered as victims. We kept trying to understand, but the language of the lawyers is very confusing. When they started talking about the different people in Court, even Ongwen's lawyers work for the ICC. We don't understand it. Sometimes we just sat silent and accepted that we understood, but I think they knew we hadn't understood whenever we said that we had no questions to ask. Some days, the language is so difficult. Everyone gets confused and even exhausted with dry lips during the video screenings, then they give us biscuits and sodas, thinking we were just hungry. Some women would say, 'This thing is for those who

went to school; let them try to understand.’ But I didn’t want to give up trying to understand, but it never became easier. Court things are not easy.”⁴⁷

In a similar tone, men described the radio listening clubs as a combination of revelation and incomprehension as a participant stated in the FGD:

“On the radio, they usually try to explain everything clearly, but when it comes to some things of the law, it is very difficult even for them to understand. Sometimes when we ask questions, they even tell us that they will first consult and come back with the answer. The day we listened to the verdict on Dominic Ongwen, even if the judgment was coming live on Mega FM in the Acholi language, we could not clearly understand the details of what the judges read. Some people were still asking, ‘Who won?’, yet the judges had just read it on the radio. Even the journalists who began to report it on the radio were confused until the staff of ICC explained it on the radio in the evening. We were also told that what we were listening to on the radio was coming 30 minutes late because the Court first removes some secrets from what they send out. Maybe that’s why we struggle to understand. The lawyers hear everything, but we only hear what they want us to hear. Then they say we have the right to receive accurate information.”⁴⁸

Some short, resonant comments that surfaced in my interviews were that “The law constantly speaks in riddles,”⁴⁹ while an elderly participant from Te-Okutu stated that, “I heard our own Acholi language, but it was far from my meaning.”⁵⁰

It was, however, interesting how the community improvised a parallel glossary over time, using humour, metaphors, and communal translation. Participants recalled huddling together after the video screenings and radio talk shows, laughing at the commonly used words like “submissions,” “testimonies,” and “reparations,” and converting those words to local analogies. Some started referring to witnesses as “those who open the old wounds,” meaning their testimonies stir up old trauma, reflecting both their skepticism about legalese and their resourcefulness in trying to make sense of it.

⁴⁷ Female Victim, IDI, Feb 22, 2022

⁴⁸ Male Victim, FGD, Aug 22, 2024

⁴⁹ Female FPP, IDI, Sept 7, 2019

⁵⁰ Elderly Victim, IDI, Nov 10, 2021

This linguistic struggle was not just about comprehension. It was also about the larger gap between legal traditions and the victims' lived realities. As Robins (2017) states, this is a phenomenon that has been highlighted in transitional justice literature, usually denoted as "semantic disenfranchisement." The sustained sense of existence on the peripheries of the process, as de facto spectators despite the beautiful rhetoric, encapsulates the space that was available for participation and the daily struggles of victims to achieve meaningful presence in the process. This exacted a quiet toll, eroding confidence in the process and reinforcing traditional hierarchies of knowledge. This frustration was stated by a young female during the FGD:

"We want to understand everything, because it is our pain that is being spoken about, but in reality, it sometimes feels like the Whiteman's justice is not for people who speak like me."⁵¹

4.2.3. Emotional and Psychological Strain

Participating in the ICC's case of Dominic Ongwen may have created an avenue for victim voices to be heard and for ongoing healing, yet for some in Lukodi, their engagement also came with the past surging back to the surface, stirring re-traumatisation and reopening wounds that had already partially healed. This was most apparent in instances such as testimonies for those who were witnesses, video screenings and the occasional live transmissions of court proceedings through radio stations - recounting the attack and stories of individual torture and vile dehumanisation.

A female survivor of sexual and gender-based crimes at the hands of the rebels recounted her experiences with the video screenings. With hands clasped tightly, she explained with difficulty, how each encounter with the justice process felt like a perilous return to unspeakable memories:

"During every video screening, several painful memories that I tried to bury and forget returned. Even when justice is said to heal, it reopens wounds. There was one video where a young girl spoke in court about how she was raped many times when she was just 12 years old by Odomi! They had hidden her. We couldn't see her. But everyone was shedding tears, even the men. I had thought I had become stronger over the years, but hearing her story and remembering my ordeal, suddenly, I couldn't breathe. I wanted to shout; I want to scream and run out. I felt so ashamed and helpless. All the memories came back. I cried so much through the night when I returned home, and my

⁵¹ Young Female, FGD, Sept 16, 2024

children were so scared. They went and called my neighbour to console me. The next morning, my neighbour advised me to stop going to the video screenings. ‘You must not continue going for these things. It will finish you,’ she admonished. But it was also difficult not to go. I needed to know what was going on even amidst the pains.”⁵²

A male participant had his account of the unpredictable toll of public testimony, stating:

“I broke down in tears when they mentioned what happened to my wife and my child on the night of the attack. Even other people watching the video knew exactly what they were talking about. I broke down and cried. Some people left the room in tears, but they still returned the next month for the screening. That day, I also saw some men who were in rebel activity when they attacked Lukodi walk out of the room when they began to talk about the attack itself. Something inside you just begins to shake anger, sadness, understanding - all mixed into some kind of feeling you cannot explain. Then, when the video screening was finished, some of us remained in the room and just sat without talking, even to each other, for almost an hour; everything was running through my mind. That kind of pain never goes completely. It remains with you, walks with you and lives with you, just waiting to be dragged to the surface when something triggers it.”⁵³

Perhaps one of the most unexpected effects was the reignition of community tension and stigmatisation. Some participants recounted that identifying the perpetrators through the testimonies being shared sometimes reopened suspicions among people who had already found a new collective identity as victims. One participant described the paradox of getting exposed through the testimonies and yet remaining voiceless, wishing that the process could “provide quick answers and not just reignite potentially divisive memories.”

However, the deliberate choice to continue participating in the process, whether because of or despite the resultant psychological strain, was for many victims an empowering determination for their lives not to remain under the control of their past experiences. Many expressed the determination to face the pains rather than remain silent, stating that “to show our pain is also to show our strength,” as a FPP encapsulated in an interview.

⁵² Female Victim, IDI, Jan 10, 2024

⁵³ Male Victim, FGD, Aug 22, 2024

A former teacher at Lukodi Primary School described this complex paradox that, “The greatest pain is that the pain re-emerges in front of everyone during the meetings, but at least, the world can also see what has happened to us and its aftermath and make sure that we avoid violence against civilians forever.”

4.2.4. Tensions and Social Stigma

Apart from the external challenges such as distance, language and trauma, victims in Lukodi grappled with some subtle, yet pertinent social tensions that emerged as a product of their participation in the case of Dominic Ongwen. While the process was itself an avenue for communal healing, participation sometimes provoked envy, suspicion and old fissures within the community of victims, and with the wider Lukodi society. Selection of Focal Point Persons (FPPs), the testimonies in court, perceived logistical privileges, anticipated reparations, and the social visibility conferred by one’s involvement all created various shades and degrees of tension.

In some instances, the simple act of being selected - albeit participatorily, as FPP, or frequent participation created new unexpected divides. One female FPP’s story sieved out the hidden costs of their voluntarism ever so crisply, stating that:

“Just because of the very little allowances we receive for mobilisation after ICC events, some neighbours started accusing me of becoming rich because of my role as FPP. Some said consuming so many sodas and biscuits when we have meetings was making me gain weight. I almost wanted to leave the position. I told our leader, and he said I should just continue working and ignore them. That such attitudes were expected. I ended up withdrawing from some friends. I felt good when I was first selected. ‘At least, I will help explain things to my people,’ I thought to myself. But after a few meetings, the negative rumours began. Other children even began tormenting my children, saying, ‘Bring us biscuits tomorrow when you are coming to school. We heard that your mother keeps biscuits from the meetings and takes them home.’ There was even a time when people began to spread rumours that we were secretly registering our relatives for reparations, even before the trial was finished. On the other hand, there were people who were also coming to me to ask for help with explaining certain things that were said on the radio or were on the video screening. I

realised that I was being trusted and also doubted at the same time. Being in the public eye is not easy.”⁵⁴

Some participants also talked about serious anxieties regarding distribution and legitimacy, especially post-verdict, when the topic turned to reparations. One male participant recounted the emergence of new currents of tension that surprised even long-coexisting neighbours:

“When the talks about reparations began, tensions increased so much among us. It made me recall how we all were just victims before the ICC came here. But when news started coming that maybe people were going to be paid. Maybe money, maybe cattle or any other form of payment, especially when they heard that it was not going to be for everyone. That’s when some people began to talk. ‘Who is going to get it, what is going to be given, why are they leaving some people out when we all suffered?’ Some families said that they lost more than others, while others claimed that the process was being manipulated by those who have connections. It was as if everyone was counting their grief and putting monetary values on it and comparing it with those of others. Just overnight, I couldn’t tell how our common suffering became a contest. It was as if it was so easy to destroy each other’s hope and forget why we came together in the first place.”⁵⁵

In the female FGD, envy prominently emerged as a challenge: “We were more afraid of jealousy than we were afraid of hunger,” one woman pointed out, while another teenage participant said, “If they see our lawyer (the victims’ legal representative) visiting your home, prepare for the reactions of other people. Some ladies even began to say that it seemed we were related to the lawyer just because he came home twice to get someone to replace my brother, who was registered but died.”⁵⁶ The undercurrents occasionally led to more than just bad feelings. FPPs recounted incidents of misunderstandings, people abandoning the usual public engagements and sudden coldness from even relatives.

An unexpected dimension of this challenge was described by one youthful participant: the general shame associated with being left out. A youth who usually felt marginalised in the hierarchies of the community described, “nights when my mother cried because she was falsely accused of being favoured when all she did was open up her homestead for radio listening clubs and the meetings.”

⁵⁴ Female FPP, IDI, Dec 7, 2023

⁵⁵ Male Victim, IDI, October 8, 2024

⁵⁶ Female Victim, FGD, Sept 16, 2024

This double-edged experience of being both envied and resented at the same time sometimes pushed even the most active victims to the margins of participation, such as in this case, under the radar of ICC staff. He concluded that, “That incident made us decide that even if our compound is very wide and good for meetings, let other people also organise the meetings and we go to their compounds to avoid these false allegations.”⁵⁷

In general terms, both social stigma and intracommunal conflict emerged as a continuous, shadowy threat. One that had a real potential to undermine solidarity among victims, erode vital trust and maybe even transform the esteemed promise of justice into a vile contest for legitimacy and recognition. As one old woman summed it up, “We came together to find healing, but sometimes along the way, we met with new scars.”⁵⁸

These selective visibilities create suspicion and envy that undermine victim solidarity, and as shown by research, dividends of participation such as reparations could polarise communities recovering from conflict and turn collective suffering into competitions for resources and recognition.

4.2.5. Information Gaps and Uncertainty

The long road to participation and the difficult meetings does not sufficiently describe the full scale of challenges that characterised the phenomenon of participation in Lukodi. Another seriously experienced challenge was the unpredictable, occasionally glacial pace of information flow from the ICC, as was recounted by participants in this study. Long spells of silence - especially between major events in the case, half - answers and the persistent swirl of locally-generated conflicting rumors, kept victims in a constant state of confusion, characterised by vigilance and doubt, wondering, as one victims group leader stated, “Whether we were still part of their plan or mere names in a closed file that would never be opened again, was a question we always carried.”

Another elderly participant properly summarised the prevailing mood during the seasons of prolonged silence following major developments in the case, stating that:

⁵⁷ Male Victim, IDI, July 12, 2023

⁵⁸ Female Victim, IDI, Dec 8, 2024

“Sometimes we stayed for months without anything meaningful happening in the case. They tell us that they are still waiting to hear from the Judges, but we begin to wonder whether it is just as it has been with every other NGO that raised our hopes for things that never came. Sometimes when they come, you think things are going to take off at a very high speed, then suddenly, you are going for months with nothing new, when even if they come, they just keep repeating themselves. When the verdict stated that Ongwen was guilty, we were told that the Judges would make a statement on reparations. It took a very long time; we were waiting. One of my friends stated one evening when we were having a drink that, ‘When it was raining well, we were busy with our gardens and had even forgotten about what was happening at the Court. But now even the rain has abandoned us like the Court.’ Even the FPPs had no news to tell us. Sometimes the silence from the Court was worse than bad news, because with bad news, you are sure where you stand.”⁵⁹

A victims’ group leader described the confusion that resulted from the inconsistent pace of the case and the subsequent erratic flow of information:

“Every meeting brought some form of new information from the Court, but this information also resulted in new rumours among us here in Lukodi that would create new vortexes of confusion. On some days, the people from the Court would tell us in meetings that something new was going to happen, like maybe they were going to ask us questions and write down what we thought about something. Then, after some time, the victims’ lawyers will come and start talking to just a few people when we thought they would speak to all victims, and people become very restless, fearing maybe they are being omitted from something important. Sometimes questions asked to ICC staff would go unanswered for weeks and even months, until we begin to invent answers or even fear that maybe the answer is not favourable, and they are just afraid to tell us the truth. I remember there was a time when a rumour began to move around that only those who were frequenting ICC meetings were going to be paid reparations during reparations. Another time, someone brought news that ICC had decided not to help Ugandans at all because President Museveni had told them that they were useless. All sorts of things emerge when there is prolonged silence from the Court.”⁶⁰

Lukodi’s experience shows that the hunger for timely information among victims can sometimes become self-destructive. A youthful male participant summarised it that, “Silence can be so heavy. It tells you in its way that nothing is happening.” Critically speaking, such persistent uncertainty

⁵⁹ Cultural Leader, KII, Dec 14, 2023

⁶⁰ Victims Group Leader, IDI, Oct 11, 2024

created not just disappointment for victims in Lukodi. For many, it resulted in cynicism, suspicion towards those among them seen as gatekeepers, and even withdrawal in some instances. One respondent stated that, “Justice, to be trusted, has to answer every question we ask, however simple they may seem. When there is a gap, we very easily lose trust and confidence.”⁶¹

Like most other barriers, the chasm of information that occasionally developed created immense confusion at certain points along the process of victims’ engagement with the case, notwithstanding their sustained involvement and support.

4.2.6. Participation Fatigue, Exclusion and Tokenism

As the process of the case of Dominic Ongwen grinded on, one year after another, the engagement that had once been a great source of enthusiasm and hope for many victims in Lukodi slipped into exhaustion, and even disengagement for some. The repetitive meetings, the lulls and waits, the unending phases of the case with no tangible outcome for a population that had already waited for justice for too long, took a profound toll on people’s willingness and ability to sustain the earlier momentum. For many elderly victims, the fatigue wore down the optimism that got them participating in the first place.

“We started attending these meetings several years ago. Many of us are too tired now, but we just fear stopping, hoping,”⁶² described an old man whose home is just a few yards from the usual meeting point at Te-Okutu village. He proceeded to describe say that “We have buried many of our friends before the Court can finish this case.”

A former abductee, in his thirties, described halting participation at a certain point after a full year of active attendance of all court activities in Lukodi, stating that:

“Sometime back, I stopped coming to meetings. It felt as if it wasn’t moving anywhere, especially with many questions not answered. Whenever I returned home from the Court’s meetings, my family would ask me if there was anything new. All I could tell them was that our matters were still being discussed in the Court. I had nothing new to feed their hopes with. At first, I felt guilty, as if

⁶¹ Female Victim, FGD, Sept 16, 2024

⁶² IDI, March 18, 2023

I was betraying our collective cause by not going to meetings, but sometimes the heart also gets tired. After some months of staying away, I returned and started again.”⁶³

Surprisingly, some participants noted that the prolonged process had somehow changed their relationships within the community of Lukodi. An old woman conjured solace from the new sense of helplessness, “We began to accept the feeling that we might not live long enough to see the end of this, but also that the younger ones will carry on with the process,” stated the old, sickly female victim.

Relatedly, many spoke about the painful perception of exclusion or tokenism. Victims began to doubt whether their participation was shaping the outcomes of the process, or whether it was merely a public charade for the benefit of external actors who might see participation as beautiful. “Everything seems to be for the judges to decide,” stated an elderly woman who had attended almost all the meetings because she lived nearby the major meeting venue.

An actor closely associated with the Court described a similarly disappointed, muted insight, that:

“Sometimes, we documented very productive ideas from the participating victims, but the decisions regarding the same things would have already been made by those responsible for those decisions. There are always very many factors at play, we understand, but sometimes just the length of delay from the time we submit something to when a decision on the same is delivered is so long that even the victims have forgotten that their opinions have been incorporated.”⁶⁴

“We prefer not just to be present,” said a female participant in an interview. “We come to watch the video, but sometimes the way we are constantly documented, photos, recording the number of people attending the meetings, writing down everything said, yet we see nothing to show that what we say matters make us begin to wonder whether we are not the show.”⁶⁵

The despair wasn’t all there was to the reflections, however. In an interview in September 2024, a male participant had a cautious, yet heartfelt gratitude for the Reparations Order that had been

⁶³ Male Victim, IDI, March 6, 2023

⁶⁴ Key Informant, Mar 19, 2025

⁶⁵ Female Victim, IDI, Jul, 2023

delivered earlier in February. Noting that key elements of the reparations reflected what they had pleaded in the submissions on reparations they had long feared were ignored, he remarked:

“For many years, we feared that our words just went with the wind. But when people of the Court came and explained to us the Reparations Order, it was clear that a lot was considered from what we asked for. We said we wanted to be paid money most of all because we have different needs as victims, and most of the support given in the document was money for each victim, equally, without segregation. I realised that we were taken seriously. All victims in Lukodi here are very happy about that. Because, if they build a school, not all of us can go to school, but with money, those who want to go to school can, and those who choose business will also start their business.”⁶⁶

These statements above illuminate how, even with the persistent challenges and the long-standing community scepticism, a few victims were able to spot the pertinent indications that participation carried weight after all, and if anything, at the phase that probably mattered to them most - reparations. Such realisations, for the few that were alive to them, formed a foundation of hope - an indication that while the doors of justice might seem heavy and slow, it was not completely shut when persistently pushed.

According to ICTJ (2025), participation fatigue and feelings of de facto exclusion that result from prolonged engagement of victims are widespread challenges in international criminal justice. The initial enthusiasm demonstrated in Lukodi faded away as the endless cycles of meetings spiralled on amidst very slow progress in the process, most of all among the elderly victims.

4.2.7. Gendered Challenges

There was, further, a distinct gendered dimension to participation that reshaped, rather than dissolved, the old hierarchies for victims in Lukodi. Women and girls, most of whom have been disproportionately affected by the violence that drew the ICC into the case in the first place, often found their reach to voice and recognition suppressed by long-held traditional attitudes and some new emerging forms of marginalization that characterised the newfound space of participation. As one brave female participant relayed in an interview:

⁶⁶ Male Victim, IDI, Sept 7, 2024

“Being a woman in this society, I noticed that my pain was either always doubted, or misrepresented, especially by the male leaders among us, and sometimes even supported by our older women. Beyond the kinds of violence that we suffered being very personal and difficult to discuss in the usually public space in which we engaged with the Court, sometimes I caught our male colleagues, even ones that understand our situations very well, lowering their heads and forcing quiet coughs whenever the topic of discussion turned to what happened to girls during the attack on Lukodi. It doesn’t help at all that all the sexual violence that we, the women, complain about was committed against us by men. I had to learn to pick my words with care if I were to brave the attitude and pass my points across. And sometimes, it is the older women who do not want us to speak up.”⁶⁷

The group nature of most of the participation activities posed a peculiar challenge to young ladies. One female participant stated that, “Sometimes the men spoke over us, even if we suffered too, and most of the time, more painfully than they. I stopped raising my hands during our activities at some point, even if both I and my sister were abducted, my sister was killed in front of everyone for refusing to go to bed with a rebel commander and I was raped several times and had a child with a man whose real name I even barely got to know.”⁶⁸

A local women leader had a particularly blunt way to put it: “Gender usually assigns its obstacles. In our society, a woman is less, a man is more, no matter the circumstances. Even when the Court keeps repeating that ‘all voices matter,’ we, the women have to push a lot harder to be heard when we are mixed with men.”⁶⁹

Yet in the midst of this frustration also emerged a sense of victory that wasn’t lost on the women: “Usually there were more women than men in the meetings. Always when we counted, women were more than half in radio listening clubs and video screenings,” one celebrated.

A gendered analysis of victim participation in Lukodi, therefore, reveals different ways through which even the most universal aspirations, such as healing, recognition and repair, were still

⁶⁷ Female Victim, IDI, Oct 13, 2023

⁶⁸ Female Victim, IDI, Dec 8, 2022

⁶⁹ Women Leader, IDI, Jan 14, 2022

experienced through an uneven landscape. This makes the struggle for justice not merely a legal or even political, but also an intricately sociocultural challenge.

These gendered barriers affected women and girls, particularly victims of sexual and gender-based crimes, disproportionately, worsened by entrenched patriarchal cultural norms and taboos that silence women, sometimes with support from older women, even when women usually outnumbered men in these gatherings. This scenario calls for gender-sensitive approaches that address sociocultural obstacles as well as legal remedies.

4.3. Victims' Satisfaction with their engagement in the Case of Dominic Ongwen

My study objective number three was to assess the perceived satisfaction of the victims with the entire process of the case of Dominic Ongwen. My study found that satisfaction was a shifting phenomenon through the progression of the case. It was conjured at a slow pace, shaped by individual expectations, moments of excitement and pride, countless disappointments and the intricate interplay between private healing and collective acknowledgement. Many victims experienced satisfaction as something that had to grow organically from the bottom up, emerging from scepticism, hampered trust, and deep social and historic wounds.

The intricate combination of interviews and the focus group discussions all continually returned to the point that the process had no clear win or loss cut-offs. It was a “journey characterised with shadows” in the words of one FPP, where satisfaction was a fragile space between relief and renewed pain. One participant described the experience in the men’s FGD that, “Satisfaction is something we had to build, slowly, not something we just felt. Sometimes it is as small as a moment of relief, followed by deep disappointment, and so on. Even today, as we speak, we are still building satisfaction, especially as we wait to see what will happen in reparations.”⁷⁰

Over the years of engaging with the victims in Lukodi, specifically the participants in this study, it became increasingly apparent that satisfaction wasn’t a solitary feeling. It was collective, shaped by each victim’s story as witnessed and recognised by their peers, and each’s individual story has been the record of the consciousness of the world beyond Lukodi, across the sea. For some victims,

⁷⁰ Male Victim, FGD, Aug 22, 2024

the mere act of someone “listening and writing their stories in a file” was the closest they had come to recognition and acknowledgement in the longest time, while for others, public recognition brought about new, unexpected burdens, raising new questions about the costs and benefits of speaking out publicly.

It is against this complex emotional topography that several, sometimes unrelated shades and extents of satisfaction emerged in Lukodi, animated by the key puzzle: To what extent did participation make victims feel genuinely heard, acknowledged and valued in the process, at both individual and collective levels?

4.3.1. Recognition and a Sense of Being Heard

A foundational element for satisfaction for most participants was the feeling of being listened to, at long last. The experience of having someone acknowledge and record their reality in an official capacity, for most of whom, for the first time. This, for most of them, went beyond mere individual pride; it became a bridge from individual suffering to collective belonging, and from local invisibility in Lukodi to global recognition.



A female victim makes a contribution during community outreach meeting at Te-Okutu.

Source: ICC

One female participant relayed the process in a well-choreographed detail, stating how the simple act of seeing her suffering go into the official record, in her own words, in her specific and complete statement, transformed her self-opinion and her esteem in the community. She said:

“It was for the very first time that someone was interested in and wrote down my individual story, not just the general list of victims as usual. I felt counted and worthy as a person. I remember when

they first came to register us. They asked questions with so much patience, and when you don't understand, they would repeat slowly. It was different from how we were usually treated when registering to receive any form of relief. Later, when we were told that our names were on the list as victims of Ongwen, two feelings struck me concurrently. I felt the weight of my story seemed to have become lighter, but also, I felt exposed, as if my personal experiences had been opened to the rest of the world. Even my husband, who usually never speaks about what he went through, said that 'It is good. I know they will not bring back everything we have lost, but now they know where we are and what we endured.'"⁷¹

A male participant shared his triumph of “appearing” in the ICC process, something he stated that they once feared was for people above the likes of them in Lukodi:

“I never left Lukodi, but I saw myself in the trial. My pain went *“loka nam”* (across the ocean). One day after the video screening, I remained at home because we had visitors. On return from the screening, some people passing by told me that they heard the story of what happened in my compound being said in the courtroom. Our sorrows had travelled, and they heard it. It is so different to know that very far away, in a very big world court, some strangers are concerned about our suffering, and they are talking about it. Before the ICC came, we had all already accepted the expectation that we would die with our pains without anyone taking it seriously.”⁷²

Others experienced this recognition as a double-edged sword. As much as it came with a sense of vindication and dignity, it also brought just as much scrutiny. Sometimes these manifested in new scepticism or even outright jealousy, as were described in the earlier section under challenges. Many, however, viewed the experience of being heard as a major reward for years of consistent participation, as a seed of self-worth that was planted and watered with commitment.

Satisfaction, therefore, was transformational in status and in esteem, rather than about just outcomes and reparations. As an elder pointed out so powerfully during the men's FGD, “They can't erase what happened anymore, since they have recognised it themselves, but importantly, from now on, they can't pretend that it didn't happen either.”

⁷¹ Female, IDI, Sunday, Nov 10, 2019

⁷² Male, IDI, May 16, 2023

4.3.2. Individual and Communal Healing

Another dimension that explained the participants' sense of satisfaction with the process was how the pursuit of justice through the ICC process opened up unprecedented possibilities for personal and collective healing. Many victims discovered that healing was a function of the collective, not just individual relief. On their journey of collective healing, the victims found purpose and clarity in the spaces that the ICC process provided for mutual witnessing, dialogue and the emergent scope for new social ties out of the remains of their shared trauma.

A female participant artfully described healing as inseparable from the community - the collectivity that the case of Dominic Ongwen united them into, stating that:

“In the dialogues, we found a way to mourn together and to start new conversations about hope, not just despair and bitterness. The dialogues taught me that healing wasn't just about forgetting, but rather about openly sharing experiences and sometimes deeply personal pains with the right group of people. With opening, some of the old hurts begin to lose their grip on you. In some sessions that we created out of our own initiatives, we used to sit and weep at first, but later we began to share the stories from our hearts, about our pains, and the hopes we held for our children. It was always difficult to start talking, but by the end, we would be laughing, maybe softly, but laughing. In these groups, we found reasons to begin to hope again, without shame. This case has transformed us in more ways than I can count.”⁷³

As a young male participant shared, the healing associated with the process of the case began for him, in moments of informal sharing as opposed to the formal legal process:

“The case gave me the strength to share my story with a few of my peers who were also suffering similar pains. The Court just brought us together, but the real work was among ourselves, in our little ways. I still recall one day, after a big meeting with the ICC staff at the market, I shared the road back home with one boy who lost both his parents in the attack. Following the discussions at the meeting, we talked about things we had endured, things that kept us angry, and the things we hoped to build next - a new life, a home we'd call our own, our own families, wives, children and a future. That day was my real beginning of realising that grief need not be endured in solitude - it is better when shared. Since then, I have taken the Court's meetings as a space to share my little

⁷³ Female Victim, FGD, Sept 16, 2024

yet heavy stories while learning from the examples of other victims. Every time I get the chance to talk about what I feel, the weight gets a bit lighter.”⁷⁴

The moments of realisation are usually difficult to state in words. One long-serving FPP summed this ever so clearly, during a follow-up interview: “Sharing, as we learnt from our victim group under the Court, heals slowly.”⁷⁵ Another elder reflected, “I am impressed by the way this Court has empowered us to be able to sit together to discuss what we think about the case, knowing that we are no longer alone in our sorrow. This is not my experience with the Uganda courts.”

For some victims, their experience with the Court’s process brought about a much-welcomed resilience - one that wasn’t defined simply by their wounds, but also by the new strength they discovered in recognising their stories within the larger narrative that characterised their community, and on the wings of a larger, more powerful institution. As one participant encapsulated, “This Court has strengthened us a lot. Knowing that we have rights just as much as anyone, including those who harmed us, we have learnt to trust ourselves and each other. We see each other’s struggles as our responsibilities to address, because, yes, we have seen that we are strong enough to be helpful to one another.”

4.3.3. Knowledge and Empowerment

Several participants tied satisfaction to the acquisition of new knowledge; knowledge regarding the legal proceedings, about their rights as victims, and about other structures of justice that once struck them as too distant and even intimidating. This progressive awareness became the impetus for important transformation, often characterised by a transcendence from fear to empowerment and ownership.

During the FGD with the male participants, one man explained how this shift from passivity to agency and ownership changed the way he related to power. He explained this assurance, stating:

“The understanding of how justice works made us less and less afraid of it. We could now seek out and use it for ourselves, not only collectively but also individually. Before the Court came to Lukodi, we all felt it wasn’t for us, with some of us even fearing that since we were in the LRA

⁷⁴ Male Victim, IDI, March 6, 2023

⁷⁵ Female, IDI, Feb 12, 2022

ourselves, we might as well be arrested and tried at the Court. But with every meeting, every video screening and every radio listening, I started to learn how it works, knowing my role as a victim in the process and my rights. Over the years, we have learnt that even the highest level of the law, like at the ICC, is not just for those who are educated and officers, they are for us, for any victim. Associating with the ICC has transformed the law in our eyes from what we used to fear, to a tool we know we can use to protect ourselves.”⁷⁶

Some female participants experienced the learning as a basis for both participation and leadership. A female youth leader captured this change so clearly, relaying with confidence that:

“We as girls and young women now know our rights. We have moved from being mere victims to becoming even teachers now, teachers for fellow women about their rights. This has been the beginning from which I first saw young ladies speak freely about things that affect their rights, even sometimes correcting older men about issues in the Court. I remember a day when some elderly men said in a meeting that, ‘if there will be reparations, it will probably go to heads of families, the men,’ that it would be the men to manage the resources in their households. We corrected them immediately. We told them that the legal representatives had told us that every victim is an individual and will be treated equally as individuals, male or female.”⁷⁷

Importantly, knowledge gained through engagements with the ICC became self-perpetuating and began to spread beyond the direct cycles of the ICC case of Dominic Ongwen. Some parents spoke of teaching their children about what they had learnt from the process about justice, elders were able to tackle land wrangles with confidence that all parties were to be treated as equals and judged based on the merits of their cases, and villagers felt more empowered to seek answers from their local leaders in a renewed sense of agency and legitimacy.

Satisfaction, in this sense, therefore, wasn’t only a direct result of the process of Ongwen’s case, but more importantly from what it equipped victims to - individually and communally become: valuable banks of knowledge that felt proud to teach and empower one another, and confident agents in shaping the stories of their futures, in Lukodi.

⁷⁶ Male Victim, FGD, Aug 22, 2024

⁷⁷ Female Youth Leader, IDI, Aug 21, 2023

This knowledge moved victims from fear of the law to active self-advocacy, where they reconceptualised the law as a tool for justice rather than one for intimidation. Particularly, women and youth challenged traditional hierarchies and became agents of change among their peers.

4.3.4. Reparations and Hope for Tangible Change

For many victims in Lukodi, the prospects for reparations present the most meaningful measure of their satisfaction. It is seen as a concrete milestone in a process that has been marked with too much symbolism. The very imagination of what reparations could look like, for many, was an uncommon moment of collective optimism after years of uncertainty. A female respondent described the status of reaching the brink of reparations that:

“When we made submissions on what we wanted reparations to address, it felt like we were on the brink of something new. Before that, very many meetings were just about where we were; in our loss, our grief and the hopes we had. But when we talked about what we wanted the judges to know about our interests for reparations, the topic began to shift towards addressing what went wrong and needed to be put right. Some even hoped that if reparations weren’t too small, they might open up small businesses at the trading centre. We knew that not every dream could be realised just by reparations, but we felt we had a basis upon which to dream again. Old men, women, and youth seemed awoken to a new real possibility, and this has been the greatest statement of justice for us as victims.”⁷⁸

Other survivors believed that real justice for them was more a function of visible renewal and the restoration of their dignity, rather than the process itself, as noted in an in-depth interview:

“If they listen and act on what we have told them about reparations, then our land will be rebuilt, and our dignity will be restored. What I mind about most isn’t the money in envelopes. I want to see our children going to good schools, our waterpoints clean and safe, and our hospitals helping us stay healthy. I want the names of those who died in this attack, my son’s name, to be remembered with dignity. I want to clear my land that is already overgrown and build a small home there for my family. This is the only satisfaction that lasts. Something able to transform our lives.”⁷⁹

⁷⁸ Female Victim, IDI, Jan 7, 2024

⁷⁹ Male victim, IDI, Feb 12, 2023

Deep senses of anticipation came condensed into short statements by many participants. An elder described it that, “Justice should be able to change our lives tangibly, not just exciting promises,”⁸⁰ while a younger senior secondary school-going female participant said, “We have done enough of talking. Let the remaining gap be filled with something we can hold in our hands, something that can help me finish my studies.”⁸¹

Thus, the promise of reparations, while it might have seemed like satisfaction deferred, wasn’t to be construed as satisfaction diminished. Their involvement in the earlier stages of reparations consultations and submissions created a deeply anchored faith that real justice, the form of justice that would touch their individual lives in tangible ways, would arrive and turn the page from pain to recovery.

4.3.5. Increased Community Cohesion

A profound sense of satisfaction that developed in Lukodi was not some material provision or even the verdict, but instead, the sense of communal rediscovery that emerged through the process of their participation. Notwithstanding the fatigue and occasional tensions that might have come with participation, it also created new threads of belonging among the victims, creating a common purpose that conjured solidarity and mutual care. This collectivity is seen as a transformative force that has moved many victims in Lukodi from the identity of a community of trauma into a community of survivors, with resilience and a shared hope for the future.

I spoke to a middle-aged female participant from her home in Lacoo-Angaa village of Lukodi. She stated, while gazing blankly into the space:

“At last, we found one another. We are no longer just victims, but a family, a new family. Before the ICC got us out, many of us felt so ashamed and hid away. We were too scared and didn’t want to trouble our neighbours or admit our wounds, because you never could tell how someone would react. You know when your only sources of strength call you names, laugh at you and even blame you for things beyond your control? But with the several meetings of the Court, faces began to soften towards us for the things that used to make other victims see us as more of perpetrators than victims. When the Court said that we were all victims, including those who were abducted, served

⁸⁰ Elder, IDI, Mar 14, 2025

⁸¹ Elder, IDI, Mar 14, 2025

in the bush or were even married to commanders, at least someone higher above all of us was understanding our pain. Sometimes neighbours never understood the difference. There was a time when we returned from a meeting with the ICC, a mother of a girl who was abducted and never returned, who used to never talk to me, branched here and sat there (she pointed to the apron of her small hut), and asked why I had hurried back home so fast. I told her that my heart felt heavy with what we had just heard on the radio. She began to comfort me. I was shocked. She told me that for many of them, the Court's teachings have opened their eyes, and we shouldn't fear them. That if I needed to talk to someone, I should not fear coming to her. I couldn't believe what I heard. But that was the beginning of us seeing ourselves as people suffering the same pain. The Court has done a lot of things to bring us together, so much that even if it forgets us tomorrow, we have each other. We have a new energy that is based on all of us together, not individually.”⁸²

With a key informant cultural leader, stating that, “Can kadi pek, ka karacel doko yot,” meaning that “Problems, however heavy, become light when carried together,” in an earlier interview, another male participant, once isolated and mistrustful, explained:

“Now we ask for justice as a group, everyone equal, searching for the same justice. Now we are together, and there is always someone else who understands you and is willing to lend a hand. Earlier, our pain would expel people from us, but now, that same pain has pulled us back together under the Court. Nowadays, the places we used to fear going to for fear of meeting people with an attitude, places like the borehole, playgrounds, and even the church, have become friendly places to go to. Now, when we go, we see faces that both understand what we are going through, and in many cases, we know that they are also going through the same pains. None of us now pains alone, except if one chooses to avoid others, deliberately.”⁸³

On the other hand, one leader of a victims' group, and a respected member of the organising committee for the yearly commemoration for the May 19th Lukodi massacre stated that:

“When we gather, we gather for memory. We are brought together by sad memories of what happened in Lukodi. So, the meetings bring back pain. But they also bring us together as victims,

⁸² Female Victim, IDI, Oct 13, 2019

⁸³ Male Victim, IDI, July 7, 2023

together with the community. We pray together; we listen to speeches and words of encouragement.”⁸⁴

In their small, redefined and refined alliances as victims in the case of Dominic Ongwen, the victims in Lukodi have forged relationships that transcend their past divisions and found new collective resourcefulness for individual resilience. Many who once saw each other with suspicion and maybe even contempt have found a common bond as equal victims in the case and have turned the pain that used to drive them apart into an adhesive force for cohesion. Strongly, many participants pointed out this newfound social resource as an aspect of the Court’s engagement with them, with which they are happy.

4.3.6. Emergence of Leadership and Collective Agency

Emerging from the shadows of violence and a long period of invisibility was probably one of the quietest, yet most profound forms of satisfaction to spring out of the justice process in Lukodi. Through their engagements with the process, the victims rediscovered their agency, a sense of self-worth and purpose. Participation in the case transformed the victims of Lukodi into leaders in their own rights. For many of them, however, leadership was never the goal. It arrived unsolicited, forged through struggles, difficult learning and growth processes, dialogues and sometimes even unwanted calls to duty by peers.

In a barely straightforward transformation, these elevations emerged from a gradual accumulation of trust, mustering rare courage, and humble, yet disciplined participation, as opposed to being a function of training or formal titles. Attending meetings, taking responsibilities to struggle to try and answer difficult questions, volunteering to mobilise others for activities, and organising the meeting venue without asking for any direct reward were key in creating and steering the identification and growth of leaders among victims. Individuals who were selected by their peers as FPPs accepted the role, sometimes begrudgingly, but through the confusion, setback and the overwhelming sense of responsibilities, they soon realised that others began to look to them, for both information and for direction, even in initiatives outside the works of the Court.

⁸⁴ Victims Leader, FGD, Sep 2023

A female FPP recounted her progression in an interview that brought to the fore both pride and vulnerability, stating that:

“I cannot even explain how, through our involvement in this case, I became someone my peers would come to for guidance. I don’t know where the strength came from. At the start, I was totally lost. I would tell myself, ‘How am I expected to answer all these questions when I am personally this confused and even afraid?’ But every time I clarified to someone when the next meeting was going to take place, how many charges they said were brought against Ongwen, explained to an elder what they didn’t understand from the meeting, or spoke to someone who was struggling to return to watch the video screening because of the stress of the pervious one, I began to realise that my voice was useful, and was needed. Sometimes people would come to my place when we returned from a meeting with the ICC in town, many people. Even if I am tired, I would struggle to explain to them what the meeting was about. Sometimes, if they were invited to go and meet with another organisation, they would first come and ask me about it. I realised I had become a pillar for many. Despite my difficulties, I felt the duty not to let down people who had shown me trust. Sometimes I wonder how I changed from the silent person that I used to be. This role is a heavy load, but it is a load I welcome, because this is the first time I have felt needed by my society since the war.”⁸⁵

This change from helplessness to agency stated above also filtered through to the collective. A victims’ group leader summarised this during my conversation with him, saying, “Surviving in the hands of the LRA taught me a very different kind of resilience that has become important in my role as a leader.”⁸⁶ On the other hand, a female youth leader narrated her experience, saying, “I was just forced to stand and speak before boys, because I had no choice. Even up to now, there are days I still feel afraid, but just the knowledge that they will listen and that they also look up to me makes me swallow my fears and speak with a confident face. In front of the ICC, we are all injured. No one is perfect. So, whatever assistance I can offer, I am always ready to help.”⁸⁷

Another female participant described how coming together as victims created both the need and the platform for leadership to mushroom. In her words:

⁸⁵ Female FPP, IDI, Feb 13, 2020

⁸⁶ Victims’ Group Leader, IDI, Mar 14, 2022

⁸⁷ Female Youth Leader, IDI, June 2023

“Coming together under one big shade, coupled with the confusion and struggle of each of us, meant we needed guidance. We needed someone to coordinate us with the ICC and to help organise activities, and the ICC said that we would select from among ourselves. Then we nominated people who were better known from among us, and many of them could read and write. We selected mostly people who like others and people who are open and not selfish. They went for meetings in town several times, then they started to inform us when the video screening would take place, where the radio listening club was going to sit, and visited various members, giving advice and also managing activities during the radio program. They had cameras, files and t-shirts for their work. They have helped us to be organised and to have confidence when we attend meetings. Sometimes they work so much because the Court has many groups. They can come very frequently, but that is how it is when you work to help others. You have to sacrifice your time for your people.”⁸⁸

Meanwhile the leader of one of the victims’ groups spoke of their independent social organising as victims in Lukodi, that:

“In our associations we conduct regular meetings. We don’t usually talk about the case of Ongwen in our victims’ groups meetings. We meet to support one another, and to plan our local activities. When we discuss the case, it is only on how to speak with one voice, usually before an important ICC meeting.”⁸⁹

The emergence of leadership and individual sense of agency cannot be separated from the pain and endurance it required. For the victims in Lukodi, the evolution of leadership in their community, in this case, was typically a bottom-up process, shaped by their day-to-day lived commitments to being visible and available to a community that carries scars, just as much as those who sacrificed their convenience to carry the mantle. The pain of the victims in Lukodi became an unexpected fuel that powered the sense of commitment to responsibility and the future and ran the engine of the leadership that was necessary to travel the long road to that future.

As demonstrated in the above narratives, the emergence of leadership among victims stemmed from local peer recognition other than any formal training. In a force conjured through the collective, victims moved from being passive witnesses to being active agents that played crucial organisational roles, hence enhancing the legitimacy of the process. This nature of agency

⁸⁸ Female Participant, IDI, Dec 7, 2023

⁸⁹ Victims’ Group Leader, FGD, Oct 2024

demonstrates the importance of forging organic leadership in societies emerging from violent conflict.

4.3.7. Enduring Frustration and Unmet Expectations

Yet, even amid hope, there remained a persistent current of disappointment. Participants reiterated that satisfaction was never a pure turf. It comprised a complex cocktail of trust and patience - all the while tempered with difficulty. Many noted that, while the space to speak out and be officially recognised brought along validation, they wouldn't erase the long string of broken promises and unmet needs that characterised their daily lives.

A well-known woman who had once spoken with profound hope during earlier consultations painted a mosaic of this duality in her reflection. She explained that:

“We told our stories, but we cannot say that we have seen many promises that were made met yet. Satisfaction is mixed with pain. The way we poured out our hearts with the hope that they would bring what we asked for, but we heard later repeatedly that even if we made the submissions, it is the judges who will decide, based on many other factors, not just our opinions, and even then, it has taken quite a long time already. We joked to the ICC staff that possibly our words got lost on their way to The Hague, but we meant serious concerns in those jokes. I cannot say that I regret speaking whenever I am asked to, but even then, our empty hands after so many meetings, so many promises, and so many hopes make satisfaction very difficult to claim.”⁹⁰

Other participants who measured time in hunger and hardships also echoed a similar frustration with satisfaction. This is encapsulated in the words of a male participant who said:

“When you have to wait for something for so long, as we have been doing, even the excitement fades away eventually. The Court talks about healing from our past traumas and lost hope, but you cannot heal on an empty stomach. At times, it feels as if the ICC has finished its work, but we are still broken. You don't know how the old victims and the sickly ones talk with pain. Waiting for news of the reparations every month, but nothing is coming. The worst part is that many are even

⁹⁰ Female Victim, IDI, Dec 8, 2023

dying. Some of us continue to believe just because, if we don't keep the faith, then what?"⁹¹ he concluded, throwing his hands in the air, in visible despair.

A male participant captured the same pain of unfulfilled anticipation summarily during an interview when he said, "We have hopped for too long to stop hoping now" (Male, IDI, July 16, 2024), while a widow - a mother of six who is an ardent participant in all ICC activities at Te-Okuto stated, "We opened the gate of Lukodi to justice, but justice hasn't stepped inside the gates of our households after years of following everything they have asked of us."

These contradictions, embodying both the pride of being visible as part of the long, dragging process, and the deep need for lives to improve tangibly, indicate that satisfaction is not just a given. It is a fragile and difficult process that is patiently pieced together, balancing wins and losses, and one that remains incomplete in Lukodi.

The negative impact of the snail-pace of the process, resource constraints and the extensive judicial discretion, such as frustrations among victims and a feeling of unmet expectations, is corroborated by Berkeley Human Rights Centre (2015). The narratives above show that victims' aspirations for reparations often clash with procedural complexities. This results in tempered satisfaction that juxtaposes visibility with continuing hardship (cf. Oxford Faculty of Law, 2020).

The insights above explain the varied forms that victim participation has taken in Lukodi, the complex web of barriers they encountered, and their diverse perceptions of satisfaction as expressed by victims, in the case of Dominic Ongwen. The detailed findings establish a firm foundation for a deeper analysis in Chapter Five, where the underlying factors shaping these experiences and their related implications for international criminal justice are critically analysed.

⁹¹ Male Victim, FGD, Aug 22, 2024

CHAPTER FIVE

DATA ANALYSIS AND DISCUSSIONS

5.1. Introduction

In this chapter, I present an interpretive, critical discussion of the findings presented in Chapter Four. Successively, I elucidate the various ways in which victims in Lukodi, experienced their participation in the case of Dominic Ongwen. To accomplish this, I will analyse their lived experiences using the framework of the research questions and the theoretical perspectives outlined earlier in chapters one and two of this study. Here, I engage deeply with the meanings that victims in Lukodi attached to their participation, the challenges they faced in the process, and their resultant perceptions of satisfaction with the judicial process.

The thematic framework matrix below presents a roadmap for this analytical discussion, organised following the study objectives and emerging themes.

Table 5.1. Analysis Matrix

Objective	Research Questions	Themes
Objective 1: To document the various forms of participation in which victims in Lukodi engaged in the case of Dominic Ongwen.	Qn. 1: What were the different forms of participation that victims in Lukodi engaged in during the ICC's case of Dominic Ongwen?	• Registration of victims • Giving testimonies in Court. • Making submissions. • Community outreach activities. • Consultations on reparations.
Objective 2: To identify and document the challenges that victims in Lukodi encountered in the course of their participation in the case of Dominic Ongwen.	Qn. 2: What challenges did victims in Lukodi face during their engagement with the case of Dominic Ongwen?	• Complexity of legal proceedings. • Distance and accessibility • Psychological strain from testimonies. • A sense of tokenism. • Fatigue due to long duration of the case.

Objective 3: assess how victims in Lukodi perceive their levels of satisfaction with the case of Dominic Ongwen.	Qn. 3: How do victims in Lukodi perceive their levels of satisfaction with the case of Dominic Ongwen?	• The feeling of being heard and recognised. • Building strong victims' solidarity. • Emergence of leadership from among victims. • Legal literacy. • Frustration and disillusionment due to unmet expectations.
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This study is underpinned by a qualitative research design in which I employed a phenomenological approach, consciously, for the primacy of the exploration of subjective lived experiences (Creswell & Poth, 2018) of people, such as the victims in the case of Dominic Ongwen at the ICC, in Lukodi. Most specifically, this study was guided by a constructivist paradigm, as stipulated by Charmaz (2014), that recognised the co-creation of knowledge through interactions between the researcher and the participants, within the context of their experiences.

In this analysis, I triangulate multiple data sources to enhance depth and credibility of interpretation, to integrate voices and perspectives of victims, leaders and other key actors in victim participation (Fusch et al., 2018; QualPage, 2018). I structure this analysis thematically, based on the three core dimensions of victim participation, namely: Forms of victim participation, Challenges victims faced in their participation, and victims' Satisfaction with the case of Dominic Ongwen.

The following sections engage each of these themes into detail, and anchor analysis in the narratives of victims - supplemented by relevant scholarly literature to critically reflect on the efficacies and limitations of victim participation in the context of the ICC. This chapter will provide a nuanced and multifaceted presentation of the experiences of victims, balancing recognition of victim empowerment opportunities with objective examination of the challenges and frustrations documented in Chapter Four.

Based on inquiries that illuminate, on one hand, the transformative potentials, and on the other, persistent constraints of victim participation in international criminal justice processes, below are the analytical queries that will guide the ensuing in-depth data analysis in Chapter Five:

- How do the experiences of victims align with or diverge from the theoretical propositions of restorative justice, participatory justice, and structural theories of power?
- What complexities and contradictions emerge during the implementation of victim participation?
- How are meanings and effectiveness of victim participation shaped by socio-cultural, institutional, and logistical realities?

To systematically interpret these complex empirical realities, this chapter applies the Triune Hybrid Model of Victim Participation (THM-VP). Rather than evaluating victim experiences through isolated theoretical lenses, the analysis uses the THM-VP's nested architecture to demonstrate how everyday victim engagement simultaneously operates across three interdependent layers: the core layer of *Participatory Justice* (procedural voice and agency), the middle layer of the *Structural Theory of Power* (institutional and socio-cultural barriers), and the outer layer of *Restorative Justice* (psychological healing, recognition, and collective repair). By weaving these three dimensions directly into the empirical narrative, this chapter reveals how structural power dynamics continuously condition whether procedural participation successfully translates into substantive restorative outcomes for the survivors in Lukodi. This chapter reveals nuanced insights into the complex nature of victim participation when these questions are addressed. In this analytic process, I critically appraise the intersections between theory and practice in the context of complex real-world situations such as Lukodi.

5.2. Forms of Victim Participation

Victim participation at the ICC is a wide spectrum of engagements models that far transcends simple formalities. As evidence from Lukodi show, the interactions of victims with the ICC in Ongwen's case happened through a number of different overlapping modalities and presented in the previous chapter.

In this section, I emphasise the expressive diversity of victims. I reject the presentation of victim participation as a static phenomenon that is restricted to bureaucratic steps. Instead, this study reveals participation as embedded in power relations, victims' aspirations for justice and healing, and the tensions that result from the interaction between international criminal justice and the locally lived realities of victims. This perspective strongly conforms to a phenomenological

understanding of the engagement of victims as experienced and interpreted by victims themselves over time.

Using the hybrid framework of lenses provided by Restorative Justice Theory, Participatory Justice Theory, and the Structural Theory of Power, this section unpacks the key forms of victim participation.

5.2.1. Victim Registration and Formal Legal Participation

An important step in the long process of victims' engagement with the ICC is the formal registration of victims for participation. This provision is anchored in Article 68(3) of the Rome Statute. This Article guarantees victims' rights to present their views and concerns "at stages of the proceedings determined to be appropriate by the Court" (ICC, 2011). Experience from Lukodi shows that participation began concretely with the victim registration activities. For the victims, registration was both an administratively critical and symbolically fraught moment.

As victims recalled, being "counted officially" around 2015-2016 as a two-pronged experience when they express reservations whether their registration would amount to anything. For some of them, it was a fragile reveal into visibility that was laden with anxiety. This demonstrates international recognition for victims at the highest level, while demonstrating that it exists in parallel with enduring mistrust and fears rooted in historical repressions and local contextual politics. Registration, therefore, was conducted as a source of hope and empowerment, and also as a site of complex power relations that mediated victim subjectivities.

While the victims' legal counsels' intermediary roles expanded the voices of victims within the formal legal spaces, their roles as gatekeepers also constituted a fresh breed of institutional stratification that filtered and shaped the direct agency of victims. Victims recounted a mediated nature of presence that relied on legal expertise to complex procedural, as well as legal vernacular, into narratives of their suffering and claims for justice and accountability, as an elder stated:

“We saw the registration as either a ticket to *‘Ngol ma atir’* (justice), or as another path where we were going to walk and walk and never even reach anywhere. We don’t know. The lawyers will speak for us.”⁹²

This ambivalence underscores a highly nuanced spectrum of trust and mistrust operating between atrocity survivors and international judicial institutions. Trust in the ICC was neither absolute nor static; rather, it functioned as a continuously renegotiated dialectic. Initial trust was built on the symbolic promise of global recognition and accountability for high-level commanders. However, this fragile trust was systematically tested and eroded by long procedural lulls, opaque judicial decision-making, and institutional communication vacuums. Victims exhibited a pragmatic form of "conditional trust," engaging with court mechanisms out of necessity to secure future reparations or international visibility, while maintaining deep-seated mistrust toward distant legal actors whose agendas they felt powerless to shape. Trust was thus repeatedly filtered through the historical memory of past state neglect and institutional abandonment in northern Uganda.

This feeling of a "mediated nature of participation", coupled with the resignation that they didn’t know, that their lawyers would speak for them, is consistent with Participatory Justice Theory that insists on the centrality of the voices of victims to the procedural legitimacy of international criminal justice processes (Pham et al., 2007). However, simultaneously, the formality of the legal configuration produced tension. The rather intimidating protocols required by the decorum of the courtroom, as seen in videos, the exclusive preserve for decision making by Judges despite earnest submissions, and the paced-out procedural timelines all combined to limit the relational and emotive dimensions that victims far away in Lukodi sought to experience and express. This, to many, made their participation feel too formalistic and practically out of touch and distanced.

Narrative shows that victims, while appreciating these legal mechanisms as necessary for the functioning of the Court, did not fully understand the rationale, and it constrained the feeling of substantive empowerment for victims in the case.

The ambivalence expressed by victims is corroborated by the literature. In Henham (2014) and Human Rights Watch (2008), the ICC's victim participation is criticised for its disproportionate

⁹² Elderly Male, FGD, Aug 22, 2024

reliance on legal representation that potentially, inadvertently silences the nuances of victims' experiences. Robin (2013) problematizes the clear distinction between "voice" as stated in theory and the limited influence that voice wields in practice. This is indicative of broader institutional constraints that are inherent to international criminal justice systems. This paradox has been both alive and live in the experiences of victims in Lukodi, showing that formal recognition may elevate victims' status, yet still circumscribe how agency is asserted within a judicial framework and process that prioritises evidentiary rigour above lived narratives of vulnerable individuals experiencing the process.

Additionally, institutional discretion that is exercised by the ICC in its practice of victim representation and participation decisions creates variability in victim inclusion and influence, which raises the question of procedural fairness. Frustrations with bureaucratic challenges, catalogues of delays, and lack of clarity in the long lulls, and their concomitant sense of helplessness were frequently repeated by victims. Such experiences highlight systematic power asymmetries that are embedded in the procedures of international criminal justice.

5.2.2. Community-Based and Symbolic Participation

In recognition of the limitations and inadequacies of courtroom participation, the ICC and its partners implemented extensive outreach and community engagement programs in the case of Dominic Ongwen. Numerous measures of community-based and symbolic modes of victim engagement brought the justice processes from The Hague to the local settings. A celebrated DANIDA-funded victims' engagement - *The Access to Justice Project* played by the emblematic mantra of, "An ICC Courtroom for Every Parish," and an adage that I borrowed in titling this study. The project activities such as the video screenings and the radio activities were very instrumental in localising and demystifying the judicial process to the common man in Lukodi. They helped to broaden communal awareness of the process and generated dialogue, all of which were critical for the extension of participatory justice beyond the walls of the courthouse in The Hague.

Another community-based victim engagement activity that emerged was the intercommunal dialogue meetings, where victims narrated the stories of their experiences in their respective communities, their challenges and possible coping mechanisms. These, thus, operationalised

Restorative Justice Theory, a framework that emphasises relational repair and psychological healing among people affected by conflict in their engagement with international justice processes (Zehr, 2002).

At the centre of these initiatives of community-level participation was the establishment of the framework of Focal Point Persons (FPPs). FPPs felt a sense of empowerment that came with their engagements, combined with the burden of responsibility and individual perceptions of capacity, as one cited their training in Gulu that oriented them to their roles in the ICC process:

“The training sessions - a combination of men and women, eager to take notes and learn, attaining their very important first detailed understanding of the ICC, community mobilization and coordination strategies.”⁹³

The FPPs acted as a conduit of communication between victims and the ICC and additionally symbolised the collective agency of victims within the context of their communities in Lukodi.

From the perspective of restorative justice, both the community and symbolic forms of participation reveal the imperative of cultural and social processes in facilitating emotional healing, empowerment and the creation of collective agency among victims. These locally generated dimensions that greatly bolster victims' positive experiences of participation are often insufficiently addressed within the formal justice settings (Zehr, 2002). They collectively illustrate how participation penetrates societal fabrics and creates dialogic spaces for recognition of victims' experiences, solidarity among victims, and reconciliation within the self and with peers.

Challenges such as gender disparities continued to manifest within these spaces, however, with women, albeit being the majority in participation activities, remaining under-represented in leadership and decision platforms, which reflects entrenched local power dynamics that tend to amplify intersectional disparities (Henham, 2014; Mamdani, 2001).

⁹³ Male FPP, IDI, Nov 17, 2019

5.2.3. Participation in Reparations Processes

The early involvement of victims in reparations planning, right from the formative stages, represents another crucial and complex area of victims' engagement in the ICC's case of Dominic Ongwen. This step took the victims' involvement beyond judicial determination of guilt into efforts to restore dignity, respond to their daily material needs, and facilitate their psychological healing. Late in the trial of Dominic Ongwen, consultations coupled with subsequent submissions for reparations were organised. For the victims, this captured their priorities on redress.

From the nuanced narratives of the victims emerges a complex voice that was characterised by a combination of hope and scepticism. For many, reparations represent a tangible form of recognition after years of neglect. Whatever optimism they had, however, didn't come unscathed. Many victims expressed fears about the sufficiency of the reparations, timeliness, and practical impact of reparations, as envisaged, in addressing the deep and multifaceted harm inflicted by the conflict and exacerbated by the lapse of time. These could be seen in statements such as:

“When you have to wait for something for so long, as we have been doing, even the excitement fades away eventually. The Court talks about healing from our past traumas and lost hope, but you cannot heal on an empty stomach. At times, it feels as if the ICC has finished its work, but we are still broken.”⁹⁴

Consultation with victims on reparations highlighted their dignity and cultural relevance in reparations. Through their submissions earlier before the Reparations Order, and later after the order was issued, victims voiced their needs for psychological support interventions and community reconciliation to go with the financial awards (International Criminal Court, 2024; Justice Rapid Response, 2024). Even with these involvements, concerns that historically marginalised victims, such as persons living with disabilities, the old and female survivors of sexual and gender-based crimes might still face marginalization haven't been fully dispelled. The continuing scepticism reflects broader concerns about equity in participation and satisfactory sharing of benefits.

⁹⁴ Male Victim, FGD, Aug 22, 2024

These emergent tensions from victims' narratives correspond to theoretical critiques. Theoretically, reparations are seen to oscillate between being tangible recognition of victims, or mere symbolic gestures in the context of international criminal justice where massive scales of crimes have occurred. At the ICC in the case of Dominic Ongwen, the Judges in their Reparations Order makes this ever so apparent. The order emphasises that these reparations are non-compensatory. They are symbolic recognitions of the harms that the victims have suffered. Even with the best intentions for reparations to concretely respond to material deprivations and to restore dignity, limitations in international funding for reparations, legal proceduralism, and temporal lags often render reparations partially symbolic, and offers acknowledgement as opposed to full redress as acclaimed in the spirit of the Rome Statute (International Criminal Court, 2024; Justice Rapid Response, 2024).

The complexity challenges the aspirations of straightforward restorative justice that prioritises healing and empowerment (Zehr, 2002). The case of the Dominic Ongwen reparations demonstrates a tightrope between procedural participation of victims, symbolic validation, and the realistic, pragmatic limitations that international justice institutions face in operationalising reparations on a massive scale.

5.2.4. Symbolic Political Participation and Advocacy

Beyond the formalities of the courtroom and reparations participation, victims were engaged in symbolic political participation and advocacy activities. These initiatives became pathways for the victims to assert their agency and visibility, and to have influence within the Dominic Ongwen judicial process. On the symbolic level, participation took many different forms. Victim representatives had several visits to the ICC Headquarters in The Hague, where they engaged directly with ICC Principles and sometimes attended hearings, visited Dominic Ongwen at his detention centre, conducted community outreach activities and were involved in media activities to raise awareness on the case.

These activities by their very nature transformed victims from passive bystanders into active political actors with the ability to influence international discourse regarding their experiences and their justice claims. This effectively created a bridge between local victims' constituencies and global legal systems. As a leader remarked about their travel:

“I couldn’t believe my eyes! Shaking hands with very important people and judges at the ICC, people who now have great power over the fate of Dominic Ongwen. Dominic Ongwen, who used to treat us as if he were a god.”⁹⁵

The nature of this engagement aligns with participatory justice ideals, where there is strong emphasis on the agency and voices of victims as a basis for the legitimacy of transitional justice efforts (Pham et al., 2007). Further, this nature of politicisation of victim identities can also lead these representatives to internal community contestations or create an additional problem of co-optation by powerful external actors in the process, thereby diluting victims' grassroots agency.

Political participation, therefore, presents a crossroads between empowerment and instrumentalization. The transformative potential of political participation largely depends on the sustenance of authentic leadership of victims that ensures authentic inclusive representation and builds institutional channels that translate victim advocacy efforts into concrete policy influence.

5.2.5. Informal Social and Cultural Participation

Along with structural legal procedures and the symbolic political engagements, victims in Ongwen's case participated in various informal social and cultural activities that shaped their experiences while seeking justice. In Lukodi, victims actively engaged in yearly memorial events to commemorate the 19th May 2004 LRA devastating attack on the IDP camp, and in other traditional ceremonies commonly practised in the Acholi culture. In these gatherings, victims and their communities affirmed their collective identities that were long fragmented by conflict. Beyond the remembrances in these ceremonies, they also provided rare spaces where victims reclaimed their agency over meanings associated with their suffering, and committed to the future of recovery and positive coexistence. Additionally, the victims in Lukodi have established a small museum where memories of the attack are kept, and are visited by tourists at a modest fee.

The statement of a victim’s group leader and a member of the yearly memorial organising community as noted below captures the emotional strength attributed to these communal gatherings:

⁹⁵ Victim Group Leader, IDI, Mar 15, 2025

“When we gather, we gather for memory. We are brought together by sad memories of what happened in Lukodi. So, the meetings bring back pain. But they also bring us together as victims, together with the community. We pray together; we listen to speeches and words of encouragement.”⁹⁶

Although it has many advantages, informal participation practices occasionally diverged from, or were sometimes overshadowed by, the ICC's formal processes, which emphasized legalistic narratives framed within strict procedural timelines and evidentiary restrictions (Moffett, 2015; Henham, 2014). This disconnect highlights the complex tensions that victims must continuously maneuver. As victims participate in international justice, they are forced to balance international legal rationales on one side with their own culturally grounded prioritizations for justice and community healing on the other (Clark, 2018; Robins, 2013). It is important to note that local social dynamics, such as entrenched gender norms and intercommunal compartmentalisations, also impacted the inclusivity of these locally rooted activities. Consequently, even within these traditional communal spheres, certain marginalized voices, particularly women and survivors of sexual violence, remained sidelined (O'Rourke, 2018; Refugee Law Project, 2016).

Informal social, cultural, and community-led engagement models therefore form a critical complement to formal judicial modes of participation. By bridging the gap between distant courtrooms and local realities, these informal spaces help anchor international criminal justice in socially credible, culturally resonant, and contextually meaningful frameworks that respect the lived experiences, values, and histories of the victims (Zehr, 2002; Clark, 2018).

5.2.6. Victim Leadership and Collective Action

Victim participation goes much further than individual narratives. The process, as they experienced in Lukodi, became collective, organised structures that function to cultivate sustained agency, support networks, and ordained forces of advocacy. Victim associations, participation in local leadership councils, and many other formalised community groups represent important evolution in victim participation, from isolated engagements toward an empowered and collective form of citizenship.

⁹⁶ Victims Leader, FGD, Sep 2023

Within the victim associations, victims have been able to organise regular meetings in which they discuss justice-related matters and other issues that affect their day-to-day lives, provide mutual psychosocial support to one another, and chart out community-led programs that respond to their needs. While they operate autonomously, these groups form vital structures that the ICC also uses for access and organisational purposes, in areas of victim engagement, outreach, and reparations proceedings. Emphasising this, a victims' leader stated that:

“In our associations, we conduct regular meetings. We don't usually talk about the case of Ongwen in our victims' groups meetings. We meet to support one another, and to plan our local activities. When we discuss the case, it is only on how to speak with one voice, usually before an important ICC meeting.”⁹⁷

These victim organisations agree with the principles of Participatory Justice Theory, in which victims are seen as co-constructors of justice processes as opposed to passive recipients (Pham et al., 2007). The collective action further resonates with the principles of the Restorative Justice Theory of Zehr (2002), as they foster repair, mutual recognition, and community resilience.

Inclusivity and equity of representation, however, remain elusive in these organisations, skirting women, the old and disabled persons to the margins. Intragroup contestations over leadership and resource access often created tensions and undermined collective potency. The internal fissures within victim associations show the continuing social hierarchies that are only a lower-level version of the broader structural inequalities that affect victim participation.

Further, the difficulty of balancing ICC engagements while retaining their grassroots autonomy was a complex dynamic that confronted leaders of the victim organisations. Victim group leaders needed to avoid co-option while also leveraging ICC's institutional support. This is a tension that sometimes creates distrust among their group members, wondering whose interests the men and women in charge were serving, especially in situations where leaders had to explain positions of the Court that were unpopular to their members.

A startling example of this competition occurred in 2022. As a staff of the ICC outreach team, I was managing a video screening activity in a small church structure near Lukodi Primary school,

⁹⁷ Victims' Group Leader, FGD, Oct 2024

with the help of the Focal Point Persons who were our formal line of contact with the victims and their communities, another group of victims, called "*Ot Too*", loosely translating to "The Bereaved Household", came and attempted to forcefully hijack the video screening equipment, which composed of a TV screen, a public address system (PA), and a generator. Their anger was that the FPPs weren't the most affected by the conflict, never mind that some of the FPPs were survivors of sexual and gender-based crimes, and others were formerly abducted persons, in a nutshell, registered participating victims of various shades. They said that such central activities should have been managed by their group, *Ot Too*. Of course, the roles of FPPs also came with recognition and a few other perks that may have played a role in creating jealousy, envy, and hence the "attempted coup."

This friction spotlighted the Court's overly simplistic, binary categorisation of victimhood, which stands in stark contrast to the complex, fluid realities on the ground. International criminal courtrooms inherently rely on idealised, homogenous definitions of "innocent victims" to satisfy legal standing and prosecutorial logic. In practice, as epitomised by the Ongwen case, where the accused himself was a formerly abducted child soldier, victimhood in Lukodi is deeply complex, overlapping, and contested. The tensions between the designated Focal Point Persons and the *Ot Too* group illustrate how formal judicial labels create local hierarchies of victimhood, privileging officially registered participants while marginalising others who feel equally or more aggrieved. The court's rigid parameters fail to capture these localised, dynamic understandings of victim subjectivities, transforming legal recognition itself into a site of local contestation over moral authority and resource allocation.

On the theoretical level, these victim collectives highlight the complexities associated with the contested and negotiated nature of agency in situations of transition, where empowerment is a by-product of a mediation between social structures and established institutional frameworks (Mamdani, 2001). Inherently, these structures are vital arenas where victims assert their rights, challenge marginalization and negotiate their identities in the justice processes beyond the legalistic environments of the Court.

Viewed through the THM-VP framework, these diverse forms of victim participation reveal a dynamic interplay between the inner core and outer layer of the model. Formal registration and

legal filings activated the core layer of *Participatory Justice* by granting Lukodi survivors' procedural visibility and legal standing within the Rome Statute framework. Concurrently, community-based video screenings, local memorialization, and the formation of victim associations expanded participation into the outer layer of *Restorative Justice*, providing crucial spaces for collective storytelling and social solidarity. However, as the emergence of local leadership rivalries and the *Ot Too* conflict illustrated, these participatory processes were constantly mediated by the middle layer of *Structural Power*. Institutional legal gatekeeping and local socio-political hierarchies continually reshaped how victim agency was exercised, proving that procedural inclusion alone cannot deliver restorative outcomes without actively navigating structural power asymmetries.

5.3. Challenges Encountered by Victims

The engagement of victims from Lukodi in the prosecution of Dominic Ongwen at the ICC was also plagued by a complex web of interrelated challenges that fundamentally constrained victims' capacity to fully experience meaningful participation in the process. The myriads of challenges to victim participation in Lukodi didn't operate in isolation, but were rather holistic, extending through physical, cognitive, emotional, social, and institutional aspects. Acting together, these challenges are a web of obstacles that amplify inequalities in victims' access, voice, and agency.

In this section, I situate the challenges within critical theoretical frameworks that reveal their significance and implications. The concept of accessibility prioritises the physical and cognitive aspects that are needed for equitable inclusion, and it demands attention to how fundamental barriers impede the practical realisation of victim participation. Trauma-informed justice theory emphasises the need to recognise and mitigate psychological harm that is inherent to victims' engagement with judicial processes, most especially when past traumatic experiences are invoked in the process.

On the other hand, perspectives on the legitimacy of participation demand that fairness and inclusivity is premised on removing systematic barriers that limit the ability of victims to understand, influence and trust the justice process. Finally, the Structural Theory of Power provides a framework to interrogate the experiences of victims, which are influenced and shaped

by historical legacies and institutional designs that entrench inequalities in international justice processes.

5.3.1. Physical and Logistical Barriers

Participation of victims in the ICC's case of Dominic Ongwen has been deeply shaped by severe physical and logistical constraints that are rooted in the geographic isolation of Lukodi and general infrastructural underdevelopment in the area. Found in Northern Uganda, the landscape of Lukodi is characterised by poor road networks away from the major Gulu - Patiko murram road, difficult terrains that are punctuated by streams, and overall pronounced seasonal variability, most especially during rainy seasons when pathways are muddy, making movements burdensome.

Some victims described the harsh physical realities that went deeper than inconveniencing movements to embodying hardships that challenge their individual health and well-being. The testimony of an elderly victim below is instructive in this regard:

“The video shows, even if I want to go, they are shown in places I cannot reach with my legs. Sometimes my son helps me and takes me on his bicycle, but I remain at home when he goes away with his friends.”⁹⁸

The climatic conditions present physical risks and exhaustion; there are endemic health vulnerabilities related to poverty, past trauma, or age, all intersecting with environmental barriers and, in the end, limiting mobility. Cumulatively, the intersectionality between these challenges creates a form of participation gatekeeping that is dictated by geography, in which the sick and frail, the elderly, and the disabled suffer disproportionate limitations, and their voices remain underrepresented on available platforms.

These challenges impact participation far beyond mere attendance. Their resultant unequal access reduces access to vital information about proceedings for certain demographics of victims and suppresses their voice on aspects of participation, such as contributions to submissions and sometimes even engagements with legal representatives. The spatial dispersions that characterise victims' locations and settlements across Lukodi and surrounding areas, compounded by inabilities

⁹⁸ Elderly Victim, IDI, Nov 10, 2019

to afford even the most basic modes of local transport means, fractured victim communities that aggregate to hinder collective coordination and unified representation. According to informants, some victims barely reach event sites. This results in serious information divides, given that some of the isolated victims also double as the disproportionately vulnerable ones. One submission in the male FGD capture this so clearly when a participant said:

“Some of us have already been silenced by the distance. I participated in less than half the meetings.”⁹⁹

These physical and social fragmentations collectively undermine the ICC’s mandate for inclusive justice, as it operationally privileges those with greater local proximity, better financial means, or physical agility. The existing structural inequalities are reinforced by these spatial inequalities, hence replicating socio-economic marginalization within victim participation.

These field findings are corroborated by scholarly discourses. Brill (2020) posits that infrastructural deficits in rural areas emerging from violent conflict constitute structural obstacles to the agency of victims by limiting physical attendance and the flow of information. As seen from the field results, this negated the ICC’s aspirations for comprehensive and equitable participation of victims.

A report by Refugee Law Project (2016), that drew on their long-term operations in northern Uganda, situates the geographic isolation of Lukodi within a wider system of socio-economic marginalisation and infrastructural neglect. They present a strong case for deliberate, context-informed outreach that mitigates challenges created by distance through decentralisation of participation points, something that the ICC has attempted to address through the Access to Justice Project in order to ensure meaningful inclusion as opposed to nominal procedural compliance.

5.3.2. Linguistic and Legal Complexity

Linguistic and legal complexities combined to create a cognitive dissonance and alienation for the largely Acholi language-speaking victims who engaged with the English-dominated judicial process. The language barriers weren’t limited to vocabulary but also involved the uncharacteristic

⁹⁹ Male Victim, FGD, Aug 22, 2024

struggle to navigate the highly specialised legal jargon, procedural terminologies, and a fast-paced, complex courtroom discourse that seemed constantly inaccessible and opaque to the local victims in Lukodi, most of whom lacked formal education.

The proceedings of the ICC included numerous filings, hearings and official documents, all conducted overwhelmingly in English. Many victims felt that key nuances were sometimes lost in translation between the Acholi, their mother tongue, and the English lingua franca. This lapse negatively impacted the ability of victims to fully understand key case documents and to follow the case's processes and exercise their participatory rights sufficiently.

Testimonies from participants illustrate this linguistic estrangement as one victim recounted:

“We want to understand everything, because it is our pain that is being spoken about, but in reality, it sometimes feels like the Whiteman's justice is not for people who speak like me.”¹⁰⁰

While another added that, “The law constantly speaks in riddles.”¹⁰¹

These responses demonstrate the double-faced challenge. The initial hurdle that comes from language difference, which is compounded by the specialised legalese, the terminologies of the business of criminal law. These two factors combined to generate serious procedural opacity.

From a procedural fairness perspective, comprehensibility is situated as a foundation to participatory legitimacy in justice proceedings. Pham, Vinck, and Stover (2007) stipulate that for justice to be perceived as fair by victims, they have to understand and have meaningful engagement with the process.

Henham (2014) offers a critique of international tribunals for their imposition of legal frameworks that alienate vernacular epistemologies, thus deepening victim marginalisation and erosion of local trust. The language policies of the ICC in the case of Dominic Ongwen demonstrate the functions institutions play in reproducing power asymmetries that privilege Western legal epistemologies at steep costs to the communicative agency of victims (Atingo, Allen, & Macdonald, 2024). In such cases, interpretation challenges hinder more than meaningful access. The failure to convey rich

¹⁰⁰ Female Victim, FGD, Sept 16, 2024

¹⁰¹ Female FPP, IDI, Sept 7, 2019

cultural and emotional meanings that accurately reflect the narratives of victims creates exclusion (Heffer et al., 2024). These failures weaken victims' narrative authority and impair their influence in Court and on the case as a whole.

In spite of the expanded interpretation and translation efforts, such as at the ICC, they have continued to be insufficient to overcome the cognitive and cultural obstacles confronted by victims. This is reflective of broader concerns about the limits of international criminal justice in adapting both language and legal culture to contextual requirements (Heffer et al., 2024; Brun et al., 2023). The heavily textual composition of Court records and judgments in a society that has traditionally depended on oral tradition additionally falls outside the context of the experiences of victims. The Court's reliance of largely linear narratives, hence reflecting Western epistemic norms, consequently, sidelines alternative, sensor-packed models of testimonies (Atingo, Allen, & Macdonald, 2024). Acholi in particular is a largely oral society, and this mismatch has an unavoidable impact of victims' resonance with the process.

This experienced estrangement and institutional opacity strongly align with Phil Clark's (2018) conceptualisation of "distant justice." Clark contends that internationalised judicial interventions, primarily anchored in distant Western hubs like The Hague, operate through structural, spatial, and socio-cultural chasms that alienate the very affected communities they seek to serve. In Lukodi, distant justice manifested not merely as a geographic divide of thousands of miles, but as an epistemic and operational detachment where complex court decorum, foreign legal vernacular, and rigid evidentiary filters translated local trauma into abstract judicial metrics. The Court's reliance on mediated representation physically and symbolically reproduced this distance, reinforcing participants' perceptions that international legal mechanisms remain top-down structures imposed from afar rather than locally resonant instruments of accountability.

5.3.3. Emotional and Psychological Strain

Victims in the case of Dominic Ongwen reported profound emotional and psychological burdens that resulted from their participation in the process. In Lukodi, the experiences of victims exposed the paradox of engagement with the process as being both empowering and retraumatising to the victims, simultaneously. Participation came with validation and catharsis, yet at the same time

reopening deep emotional wounds that were further exacerbated by long delays and uncertainty associated with procedural dynamics (Refugee Law Project, 2016; O'Rourke, 2018).

Many participants repeatedly cited the distress of retelling their stories during registration, and relieving the experiences through court testimonies, as one stated poignantly:

“During every video screening, several painful memories that I tried to bury and forget returned. Even when justice is said to heal, it reopens wounds.”¹⁰²

Such encapsulations reflect the phenomenon of secondary victimisation that is widely recognised in transitional justice scholarship. This is when recounting abuses potentially intensifies Post Traumatic Stress Disorder (PTSD), anxiety, and depression if there is a lack of robust psychological support (Refugee Law Project, 2016; O'Rourke, 2018). The Refugee Law Project goes on to document that in experiencing the protracted proceedings, victims went through persistent anxieties, with symptoms including nightmares and even hypertension, which underscored the toll of “participation fatigue” that resulted from cumulative emotional stress and the slow pace of justice (Refugee Law Project, 2021).

Theoretically, restorative justice illuminates this psychological complex. The priority here is that justice should be embedded in rebuilding relationships, and trauma-sensitivity while engaging with victims, beyond mere retribution (Zehr, 2002). Lessons from Lukodi have shown that gaps in the use of trauma-informed models still exist. Psychological support for participating victims remains fragmented, under-resourced, and mostly inconsistently integrated with ICC processes (O'Rourke, 2018; Human Rights Watch, 2017).

5.3.4. Social Dynamics, Stigma, and Gendered Exclusion

Complex social dynamics shaped victim participation in the ICC case of Dominic Ongwen as experienced in Lukodi, and ultimately exposed how entrenched local hierarchies, stigma, and gender norms intersect with frameworks of international justice to determine whose voices are projected, and whose are silenced. These factors contradict the common perception of victim

¹⁰² Female Victim, Jan 10, 2024

communities as homogeneous and reveal strong power structures that are embedded in social day-to-day interactions that condition the legitimacy of participation.

In traditionally rooted communities, internal rivalries and competition for leadership roles and scarce power resources fracture collective unity and undermine cohesive victim advocacy in scenarios such as the case of Dominic Ongwen at the ICC. In Lukodi, many factors, including geographic dispersions, reinforced exclusion and distrust within constituencies of victims, intensified these divisions. Noteworthy is the experience of female survivors of sexual and gender-based violence (SGBV) who faced compounded stigma that was rooted in cultural taboos, as well as social and family ostracization from the very people who should provide them the first line of comfort. Due to this stigma, many found it difficult to speak publicly or to assume leadership roles, notwithstanding that in Lukodi, the few who braved the wave of rejection and took up leadership positions among their peers performed quite admirably.

Nonetheless, on the general level, this labelling and name-calling marginalised their perspectives at crucial points of decision-making.

A female survivor of SGBV eloquently portrayed this gendered exclusion when she said:

“Being a woman in this society, I noticed that my pain was either always doubted, or misrepresented, especially by the male leaders among us, and sometimes even supported by our older women...”¹⁰³

The statement explains how patriarchal norms penetrate victim participation spaces, creating a structure within which men predominantly occupy leadership positions and limit substantive inclusion of women, youth, the old and other vulnerable subgroups. Within such structural exclusions, the diversity and representativeness that are necessary for inclusive justice are constrained.

These localised dynamics translated directly into gendered tensions within courtroom spaces and formal legal proceedings. The legal architecture of international criminal tribunals historically prioritises formal testimonial models that can inadvertently re-inscribe patriarchal hierarchies. In

¹⁰³ Female Victim, IDI, Oct 13, 2023

the Ongwen proceedings, female victims facing courtroom decorum or preparing statements through legal intermediaries frequently had to filter their narratives through male legal representatives or community gatekeepers. This structural setup risked reducing complex gendered harms, such as forced marriage and reproductive violence, to standardized legal categories, while sidelining the nuanced, subjective realities of female survival. Rather than acting as neutral forums, formal legal spaces thus became sites of gendered tension where female survivors had to continuously negotiate both external legal formalism and internal patriarchal scrutiny to assert their narrative authority.

The Structural Theory of Power, as stipulated by Henham (2014), situates these observations within the wider sociopolitical frameworks and illustrates how asymmetries that are inherently embedded in Acholi's cultural post-conflict social order interface with institutional arrangements of the ICC, with the potential to reproduce marginalisation at multiple levels. Within international justice mechanisms, there is a real risk of entrenching these culturally engineered social exclusions when they overlook complex local realities by assuming that victim communities are homogenous, rather than socially stratified.

The multifaceted stigma faced by survivors of SGBV: formerly abducted, survivors of sexual violence, and mothers of children fathered by rebels, within a culture that perceives all those as taboos, all combine to deepen vulnerability and deter engagement in a manner that silences their voices for holistic accountability and healing. Existing studies emphasise that without tackling such compounded gendered power inequalities and stigma, victim participation inevitably becomes symbolic rather than transformative (Women's Caucus for Gender Justice, 2018; ICC, 2021).

5.3.5. Information Gaps, and Participation Fatigue

Evidence from Lukodi shows that the engagement of victims in the case of Dominic Ongwen has been significantly constrained by the prolonged information lags, particularly concerning key elements, and that these delays created barriers to meaningful engagement and fostered serious participation-related fatigue for victims involved. This undermined victims' trust in the commitments of the Court, and in the general efficacy of victim participation frameworks.

This statement by a cultural leader describes this unpredictability of the process that:

“Sometimes we stayed for months without anything meaningful happening in the case... Sometimes when they come, you think things are going to take off at a very high speed, then suddenly, you are going for months with nothing new... Even the FPPs had no news to tell us. Sometimes, the silence from the ICC was worse than bad news, because with bad news, you are sure where you stand.”¹⁰⁴

Such testimonies signal what victims in Lukodi experienced with the communication vacuums that might have magnified their uncertainties and diminished their confidence in the process. As one participant’s statement is drawn from Chapter Four, the statement that “silence from the Court worse than bad news...” explains clearly how the absence of information can create more psychological damage than negative outcomes, for people heavily invested in the process. This occurrence compromises victims’ confidence about their place in the process, or their ability to anticipate the future of the process:

Such experiences are situated by scholarly literature within the broader discourse on procedural justice and victim agency. Brill (2020) posits that transparency and timeliness of communication constitute crucial elements for the sustenance of trust and engagement of victims in international justice processes. Participation is construed as symbolic rather than substantive and has the potential to disenchant victims and weaken procedural legitimacy if information isn’t clear and timely. The prolonged procedural timelines and the perceived opacity of the process from the victims may have created psychological weariness and tempered confidence as a consequence in the case of Dominic Ongwen.

Further, these information gaps come with ramifications that far transcend individual disengagement. Rumours and misinformation begin to fill the voids in ways that can fracture collective victim solidarity and complicate coordinated advocacy. From personal experience at the ICC, some of these lulls gave way to unscrupulous actors exploiting the atmosphere of desperation among victims by attempting to sell fake victim registration exercises to unsuspecting victims - a fraud to which a few fell victim before the information could come to the ICC. From the previous chapter, when a cultural leader talked about “forgetting what is happening at the Court,” he

¹⁰⁴ Cultural Leader, KII, Dec 14, 2023

metaphorically signalled how disconnected victims began to feel when information flow seemed to dry out.

In terms of the THM-VP architecture, the physical, linguistic, psychological, and gendered challenges documented in Lukodi represent the disruptive force of the model's middle layer: the *Structural Theory of Power*. While the ICC framework theoretically promises procedural access, structural constraints, ranging from geographic isolation and complex legal vernacular to patriarchal gatekeeping and information vacuums, acted as institutional filters. These structural barriers severely compressed the inner core of *Participatory Justice*, transforming genuine procedural agency into experienced tokenism and participation fatigue. Consequently, when structural power dynamics impede meaningful voice at the core, the flow toward the outer layer of *Restorative Justice* is severed, leaving victims re-traumatized by long procedural delays rather than healed through holistic repair

5.4. Victims' Perceptions of Satisfaction with the Process

Evidence from Lukodi shows that victim satisfaction within the ICC's case of Dominic Ongwen is a complex and deeply subjective construct that is intricately shaped by constant interplays between procedural participation, psychological healing, communal recognition, and broader sociopolitical factors. It fluctuates in response to the evolving phases of the judicial process, punctuated with shifts in expectations, moments where victims feel recognised and empowered, as well as feelings of disenchantment and marginalization. It is a deeply complex phenomenon.

The nuanced phenomenon of satisfaction can be analysed within the normative contours of Participatory Justice Theory, which argues that the legitimacy of transitional justice mechanisms deeply depends on victims' perceptions of having a voice and agency in the process (Pham, Vinck, & Stover, 2007). Simultaneously, the framework of restorative justice throws light on the psychological dimensions of satisfaction. It emphasises the central role of healing, repair of broken relations, and the restoration of dignity as important elements of justice, transcending the limits of formal adjudication (Zehr, 2002).

The two frameworks explained above are complemented by the structural theory of power. Structural theory of power places satisfaction within pertaining sociopolitical hierarchies, and

spotlights how perception of justice and recognition is inevitably shaped by historic inequalities, local power structures, and institutional dynamics (Mamdani, 2001; Henham, 2014).

Satisfaction with international criminal justice processes is thus ambivalent and stratified. It simultaneously provides affirmation and a space that is defined by incomplete realisation and unresolved tensions.

5.4.1. Recognition and Feeling of Being Heard

Victims from Lukodi described participation as a deeply symbolic and procedural affirmation of their dignity and identity; a phenomenon that extends beyond personal catharsis, to embody a broader sense of visibility on the global stage of justice. For these victims, this visibility manifested both as “being counted” among those recognised as victims of the atrocity of 19th May 2004, as well as having their stories, in their own narratives, officially included in international legal frameworks. This recognition, intangible as it might have been, was very important for many victims in the affirmation of their personhood in a context that they had long thought was inaccessible to them.

Findings from my fieldwork capture victims’ descriptions of the process of being heard as fundamental to their psychological validation and the restoration of their narrative sovereignty, in retaking control of their own stories from the usually mediated and dehumanising discourses that surround conflict. One participant stated as much in the focus group discussion, arguing that:

“Satisfaction is something we had to build, slowly, not something we just felt.... Even today as we speak, we are still building satisfaction, especially as we wait to see what will happen in reparations.”¹⁰⁵

The articulation above properly captures the emergent and iterative nature of the recognition of victims, and highlights how their feelings of being heard and acknowledged evolve in accordance with ongoing participation and institutional responsiveness. The discourse between relief and disappointment shows that recognition is not a one-off event, but rather a fluctuating condition that depends on the meaningfulness and responsiveness of the justice process.

¹⁰⁵ Male Victim, August 22, 2024

This feeling of recognition is closely associated with Participatory Justice Theory. Participatory Justice Theory holds that procedural inclusion of victims and having genuine opportunities to voice their experiences are essential prerequisites for the legitimacy of transitional justice processes (Pham, Vinck, & Stover, 2007). Victims are empowered and feel a sense of fairness when their voices have a force to shape the justice processes. This way, victims can reclaim agency and resist marginalisation and form new politically potent identities as rights holders with a voice to articulate their demand for those rights.

Crawford and Lipschutz (2019) and *Global Advances in Victimology and Psychological Studies* (2022) expand this perspective by stressing that “voice” is not merely formal participation. It includes the experience of being meaningfully listened to and valued, hence animating their psychological well-being and their empowerment potentials. In a similar vein, Bell (2009) associate recognition in transitional justice with the reconstruction of identity and social validation that fosters healing and inclusion. Bell, in his work, however, cautions that recognition is sometimes partial and influenced by institutional gatekeepers and more systemic sociopolitical forces that limit its transformational power.

Recognition remained fragile and mediated in the case of Dominic Ongwen, as experienced in Lukodi. Empirical data shows that recognition was often challenged by procedural delays, that meaningful engagement was limited by a largely one-way flow of information, and sometimes victims’ doubts whether their opinions mattered. In Lukodi, community level dynamics like rivalries and the marginalisation of certain subgroups further complicated a feeling of collective acknowledgement. Ultimately, recognition through voice is important for legitimacy, however it is vulnerable to institutional constraints.

In practice, the idealised version of meaningful and inclusive dialectic between victims and international justice institutions have largely remained on paper. This is especially the case given the entrenched social fractures, lengthy and unpredictable timelines, and power imbalances that are embedded in ICC procedures. Indeed, although participation in Ongwen’s case provided meaningful symbolic and procedural recognition to victims, the recognition remained partial, context-tailored, and continuously renegotiated across phases and developments in the case. The

contested and iterative nature of victims' voice in global criminal justice systems as stated in scholarly works resonates with experience from Lukodi.

5.4.2. Personal and Communal Healing

Victims in Lukodi experienced participation as a deeply psychological process that offered conduits for individual catharsis and communal restoration, as opposed to remaining confined to legal formalities. They engaged in shared storytelling and the building of solidarity that facilitated the reconstruction of their fractured identities and the repair of social bonds harmed by violent conflict.

The healing dimension explained agrees with the core goals of restorative justice, to repair relationships, reconcile differences, and offer holistic empowerment of victims to complement formal justice processes (Zehr, 2002; O'Rourke, 2018). Restorative justice principles reject punishment-centric approaches in the search for justice and accountability, and prioritise restoration of dignity, mutual recognition, and the rebuilding of community. It therefore follows that victim participation in international judicial processes is an experimental sight in which restorative aims are pursued, if imperfectly.

Narratives from my field engagements in Lukodi emphasise the importance of communal acknowledgement in shaping their satisfaction with the process. ICC organised intercommunal dialogues and group consultations, which fostered a sense of collective recognition and mutual understanding that created solidarity and hope among victims. Opportunities to share their experiences with other victims who suffered similar experiences made it possible for victims to affirm their identities beyond mere victimhood. Through these platforms, they nurtured a sense of belonging that was essential for sustaining their evolving satisfaction with the process.

This healing, however, and by extension, satisfaction, has been uneven and greatly dependent on ongoing engagement with culturally sensitive frameworks of participation. The integration of Acholi traditional mourning and memorial rituals into victims' collective activities, albeit independently from the ICC, became key to rooting the victims' experience of formal justice in local contexts, thus giving them a more intimate and meaningful connection. Notwithstanding these gains, frustration among victims remains, as the protracted timelines and the delays of

reparations disrupt social repair, sometimes reopening old wounds. Furthermore, structural inequalities embedded in gender, age, and physical ability constrained equality of access to those mechanisms of healing, exemplifying the unevenness inherent to participation and satisfaction among victim groups.

Crucially, the trajectories of healing and social repair in Lukodi were deeply gender-differentiated. While male participants often framed social repair through the lens of restored communal status, political visibility, and land or civic rehabilitation, female survivors navigated healing as an intensely localised, relational, and bodily requirement. For women, particularly survivors of SGBV and mothers of children fathered in captivity, communal healing could not occur purely through public declarations or abstract court verdicts. Instead, their social repair was continually conditioned by daily struggles against domestic ostracisation, re-acceptance by clan structures, and the quiet restoration of bodily autonomy. Consequently, while collective memorialisation provided public catharsis primarily accessible to male community leaders, women's pathways to psychological repair required informal, trauma-informed support spaces that directly addressed the localised, gendered dimensions of post-conflict trauma.

These findings are corroborated by scholarly insights. Rauschenbach and Scalia (2008) equates the importance of social recognition and communal support to formal legal outcomes in fostering satisfaction of victims in international criminal justice. In a similar manner, McEvoy and McGregor (2008) argue that judicial processes alone are inadequate for victims' holistic healing. Both works show that reparative justice requires victim participation to be streamlined into the fabrics of social dynamics and community acknowledgement.

5.4.3. Knowledge Empowerment and Legal Literacy

Outreach activities and other educational efforts by sections of the Court greatly enhanced victims' awareness of their rights and the legal procedures in the case of Dominic Ongwen. The process of knowledge empowerment was a crucial mechanism in enabling victims to connect the abstract legal entitlements to their practical applications. The increase in legal literacy enabled victims in Lukodi to reclaim agency over their justice narratives and transform their role from being passive recipients to active participants with agency within an institutional framework that is otherwise complex and opaque.

A male participant described this shift during the focus group discussion. He explained that:

“The understanding of how justice works made us less and less afraid of it. We could now seek out and use it for ourselves, not only collectively but also individually. Before the Court came to Lukodi, we all felt it wasn’t for us, with some of us even fearing that since we were in the LRA ourselves, we might as well be arrested and tried at the Court... Over the years, we have learnt that even the highest level of the law, like at the ICC, is not just for those who are educated and officers, they are for us, for any victim.”¹⁰⁶

The quote shows the shift in self-perception, from apprehension to confidence and knowledge in the course of engaging with the ICC process. Various sections from within the court empowered the victims with various forms of legal education, hence strengthening their capacities to navigate the process.

There were structural impediments to equal empowerment, however. Some victims were illiterate, gender inequalities continued, and infrastructural disparities across the community had various limiting impacts of different victim subgroups. These factors constrained and varied access to the available cache of knowledge in a manner that reflected broader educational inequalities within communities and spotlighted their persistence and reproduction.

Such knowledge empowerment is indispensable, from a participatory justice perspective. Key scholars in the field of transitional justice like Sarkin (2011) and Cohen (2009) state the importance of legal literacy in the assertion of victims’ rights as co-creators in the field of transitional justice. This empowerment is an important step in moving victim participation from the peripheries and symbolism to the centre, and substantively so.

In the argument of Sarkin (2011), outreach should be culturally coherent and linguistically accessible to the local populations, cautioning that failure to adapt programs to the requirements of local contexts risks perpetuating existing disparities. Cohen (2009) equally warns against reductionist empowerment models that fail to address intersectional barriers that victim subgroups face.

¹⁰⁶ Male Victim, FGD, Aug 22, 2024

5.4.4. Hope and Disappointment Surrounding Reparations

Victims' hope and frustrations surrounding reparations played a great role in shaping their sense of satisfaction in the case of Dominic Ongwen. From the beginning, most victims welcomed reparations as an exemplary step towards acknowledgement and restoration of their dignity and the promotion of their collective recovery. Here's a poignant response from a female participant when asked about her satisfaction with the process:

“When we made submissions on what we wanted reparations to address, it felt like we were on the brink of something new... But we felt we had a basis upon which to dream again. Old men, women, and youth seemed awoken to a new real possibility, and this has been the greatest statement of justice for us as victims.”¹⁰⁷

The statement demonstrates how the active involvement of victims in reparations discussions rekindled hope and communal aspirations. These consequently contributed to the evolving satisfaction among victims. Through the consultations and the submissions, victims conjured a sense of fragile, yet meaningful empowerment that was above and beyond symbolic recognition.

Satisfaction of victims is a product of social recognition, hope and a sense of meaningful responsiveness of the process (Rauschenbach & Scalia, 2008). Henham (2014) and Zack (2015) both emphasise that tangible redress should be balanced with psychological and symbolic needs when implementing reparations. They proceed to warn against minimalist, and transactional approaches to reparations. The importance of relational repair, cultural sensitivity, and community rebuilding in cultivating sustainable satisfaction is further reinforced by restorative justice frameworks (Walker, 2007; Zehr, 2002).

In the case of Dominic Ongwen, reparations present a core site where victims' satisfaction with the process is constructed and contested concurrently. The hopeful engagement of victims with reparations demonstrates their desires for substantive justice and transformation, but their aspirations are dampened by the structural and procedural realities that complicate the actual delivery of reparations. The ambivalent state of satisfaction, therefore, reflects the broader

¹⁰⁷ Female Victim, IDI, Jan 7, 2024

challenges that transitional justice encounters in balancing symbolic and meaningful, final, lasting impact.

5.4.5. Unmet Expectations and Victims' Frustrations

Enduring tensions between hope and disappointment, particularly concerning prolonged judicial timelines, sporadic communication on key issues, and widespread perception of participation as largely symbolic, greatly characterised victim satisfaction with the process of Dominic Ongwen's case. This apparent disconnection between the aspirations of victims for meaningful influence and the tardy, largely opaque realities of international criminal justice has a significant impact on victims' sense of satisfaction.

From one of my in-depth interviews, the statement of this female victim is instructive:

“We told our stories, but we cannot say that we have seen many promises that were made met yet. Satisfaction is mixed with pain. The way we poured out our hearts with the hope that they would bring what we asked for, but we heard later repeatedly that even if we made the submissions, it is the judges who will decide, based on many other factors, not just our opinions, and even then, it has taken quite a long time already.”¹⁰⁸

The above statement conveys the emotional toll associated with repeated engagements resulting in few tangible results. This reflects fragile satisfaction. One that is shadowed by frustration and a feeling of marginalisation in decision-making. Recurrent delays and earlier stated limitations on the influence of victims on the process deepen the ambivalence.

When scholars such as Robins (2013) and Brill (2020) emphasise the inadequacy of procedural inclusion in victim participation if it doesn't result in genuine empowerment, with transparent and timely communication, which are crucial for sustaining trust, they corroborate this complex dynamic. Furthermore, Macdonald (2019) draw attention to the risk of fatigue resulting from participation amidst a drawn-out process versus unmet expectations, which ultimately erodes the motivation of victims and the spirit of collective engagement. Similarly, Hogan (2017) spells out how tardy timelines and inadequate feedback in international criminal justice processes can

¹⁰⁸ Female Victim, IDI, Dec 8, 2023

exacerbate engagement fatigue and undermine victims' satisfaction and perceptions of legitimacy of the process.

Generally, interpreting victim satisfaction through the THM-VP demonstrates why survivor perceptions in Lukodi remain deeply ambivalent, iterative, and fragile. Within the THM-VP framework, satisfaction is achieved only when there is structural alignment across all three layers of the model. In the case of Dominic Ongwen, while the core layer of Participatory Justice yielded meaningful symbolic recognition and legal literacy, and the outer layer of Restorative Justice sparked initial hope through community dialogues and reparations planning, the unaddressed middle layer of Structural Power, manifested in protracted timelines, judicial discretion, and top-down communication, continually undermined these gains. Satisfaction in Lukodi thus fluctuates precisely because structural institutional constraints prevent procedural participation from fully delivering tangible, restorative justice.

By applying the THM-VP, this chapter proves that tribunals must dismantle structural power asymmetries to convert procedural voice into true restorative healing.

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

6.1. Introduction

Chapter Six serves as the concluding chapter of this study, synthesizing the core empirical findings and theoretical insights developed throughout the preceding chapters. Building upon the theoretically grounded analysis of victim engagement presented in the case of Dominic Ongwen at the International Criminal Court (ICC), this chapter consolidates the study's primary conclusions and articulates its broader contributions to scholarship and practice. To provide a cohesive final assessment of how victim participation practically unfolded, this chapter brings together the empirical evidence under the integrated framework established earlier, combining restorative justice, participatory justice, and structural power dynamics into the Triune Hybrid Model of Victim Participation (THM-VP).

In the following sections, I systematically lay out the various discussions and recommendations, finally closing the dissertation with evidence-driven policy contributions.

6.2. Thematic Synthesis of Findings

In this section, I present an integration of the key findings, following the core themes of the study. I draw attention to the relational aspects and theoretical perspectives that shape the understanding of the experiences of victims, the challenges they encounter, and their feelings of satisfaction with the Dominic Ongwen case.

6.2.1. The Complexity and Multidimensionality of Victim Participation

Findings from the case of Dominic Ongwen show that victim participation goes beyond the minimalist conceptualisation that is positioned within the constraints of the formal legal procedure. It demonstrates that victim engagement is a highly complex and relational subject. The findings present victim participation as a lived phenomenon that is experienced through a number of varied modalities, ranging from legal, communal, cultural, reparative and even political dimensions.

Based on Article 68(3) of the Rome Statute, the formal mechanisms of victim engagement provide only a framework, a structural foundation. Formal mechanisms of victim participation are insufficient to accommodate the lived realities and experiences of the agency of victims. Victim participation is enriched and becomes more genuine when it is embedded in flexible and responsive community outreach initiatives and other collective activities that respond to their culture, society, and needs in a manner that empowers them to have agency in the process. In the eyes of victims, every sociocultural and symbolic dimension of participation provides an essential space to reaffirm their identity, take control of their narratives, and forge meaningful presence, collectively.

Empirics from Lukodi show how victims continuously negotiated these overlapping spaces by exercising their agency in the midst of constraints coming from institutional frameworks and sociopolitical power structures. The navigation of the combination of platforms and their associated powers demonstrates the fluid and evolving process that includes a combination of individual victim's aspiration for recognition and collective healing. Management of these contradictions, between the formalism of the courtroom and a form of justice that is culturally meaningful is therefore a major aspect of victim participation. The concept I advance here is therefore hybrid interplay of international legal tradition, and victims' local realities.

6.2.2. Barriers Limiting Meaningful Engagement of Victims

It is apparently clear the many forms of participation available to victims as seen in Lukodi, however, their capacities to fully take advantage of these engagement opportunities remain constrained by equally numerous interrelated barriers. Participation of victims function concurrently across physical, psychological, linguistic, social and informational obstacles that make victims' experiences of participation unevenly accessible.

Physical and logistical challenges, remote and sparse settlements, poor infrastructure, and victims' personal circumstances such as health vulnerabilities create serious obstacles to continuous engagement with the judicial process. Spatial and material exclusions affected the elderly, disabled persons, women and economically disadvantaged victims disproportionately. These challenges reproduce and amplify pre-existing inequalities among the community of victims who participate (Brill, 2020; Refugee Law Project, 2016). Legal and cognitive complexities further worsen the

exclusion of victims. The mixture of English being the Court's preeminent lingua franca, the complex legalese all resulted to obstructions to comprehension and genuine interaction of the victims with the judicial process.

Further complexes such as occasionally delayed information on key issues, partial and sometimes incongruent translations exacerbated this exclusion in Lukodi. Victims felt alienated from the “Whiteman’s justice,” a feeling that was compounded by the linguistic barriers, thus weakening the narrative authority of victims. This hindered their ability to meaningfully influence the judicial process as some of them barely kept abreast (Henham, 2014; Atingo, Allen, & Macdonald, 2024).

Victims’ encounters with retraumatizing narratives and the protracted judicial process, coupled with uncertainties also created psychological and emotional distress. The experiences documented show that this leads to fatigue and a sense of disenchantment among victims. This is further worsened by inadequate and often fragmented psychological support for victims, underpinning the need to integrate meaningful trauma-responsive approaches that resonate with local cultural contexts (Refugee Law Project, 2016; O’Rourke, 2018; Zehr, 2002).

Local sociocultural norms such as patriarchy, stigmatisation, mostly targeting victims of sexual and gender-based crimes, buttressed by intracommunal rivalries push the exclusion of subgroups already struggling with marginalisation further away from leadership and decision-making spaces. These numerous negative vices might be unintended, but they undermine equity in representation, and they leave some critical subgroups invisible in the process (Women's Caucus for Gender Justice, 2018; ICC, 2021).

Lastly, constrained access to clear information that resulted from opaque, sporadic and unidirectional communication all combines to create confusion, frustration and sometimes mistrust and suspicion. When there is prolonged silence on matters of great interest to victims, they became uncertain and are susceptible to rumors and exploitation. These weakened the solidarity of victims and heightened their disaffection from the process (Brill, 2020). These compounded barriers show that in the absence of substantive context-sensitive mechanisms that adequately respond to the complexly interacting challenges of victims’ access, legal procedural rights remain insufficient.

6.2.3. Fragile, Iterative, and Evolving Victim Satisfaction

In the case of Dominic Ongwen, victim satisfaction emerges from a fraught and dialectic terrain. Satisfaction of victims develops from a background of complex clash between affirmation and detachment, recognition and marginalisation, and hope and disappointment. Satisfaction is not a static result. It is a fragile, iterative and constantly evolving perception that is intricately shaped by how victims continue to experience their participation, psychological healing, and sociopolitical validation in the judicial process.

When victims feel heard and recognised in the judicial process, they derive psychological and symbolic validation. This consequently gives them agency and dignity. This recognition, however, remains partial and contingent upon institutional responsiveness. Challenges such as delays in legal proceedings, obscure decision-making processes, and victims' perceived lack of influence on the process create scepticism. These collectively highlight the limits associated with procedural voice alone in creating substantive empowerment of victims (Pham et al., 2007; Bell, 2009).

On the other hand, reparations are playing a crucial, if ambivalent, role in the process of defining satisfaction among victims. Victims began from a place of scepticism towards reparations. This quickly changed to celebrations when the Reparations Order was issued following a guilty verdict in the case of Dominic Ongwen. But this joy was again quickly dampened with the timelines of the planned implementation of the order. There are further practical concerns regarding whether the awards will translate to meaningful redress. All these multidimensional factors have tempered satisfaction among the victims. These factors, operating concurrently with communication lapses, demonstrate challenges that balancing material reparations with psychological and symbolic reparative needs of victims, crucial elements for healing and justice, present (Rauschenbach & Scalia, 2008; Henham, 2014).

Intercommunal rivalries, social stigmatisation, and hierarchies further create complications for collective validation and satisfaction for victims. Victims in Lukodi have endured unequal access to spaces and platforms for healing and empowerment due to these complications. The victims, therefore, continue to experience participation as an ongoing endeavour, not settled, and continuing to be shaped by the interplays between individual healing and collective recognition.

The ambivalence and fluidity highlighted clarify the realities that victims within international criminal justice experience. Their participation is constrained by institutional power asymmetries and sociopolitical forces, thus reminding both the epistemic and the practice communities of the need to contextualise victim participation as a phenomenon that is created by multiple moving components, and not a static product.

6.2.4. An Integrative Analysis Findings

This integrative approach is a valuable tool of interpretation that positions the empirical findings within the wider normative and critical discourses on victim participation.

In prioritising healing, restoration and the repair of broken relationships, Restorative Justice Theory foregrounds culturally appropriate approaches to victim participation. It advocates for an approach that fosters the psychological wellbeing of victims, and the restoration of victims' communities as foundational to satisfaction (Zehr, 2002; Van Camp & Wemmers, 2013).

Participatory Justice Theory complements this perspective by fronting victims' agency, transparency of the process, and genuine inclusion of victims as prerequisites for a fair and legitimate transitional justice process (Robins, 2013; Pham et al., 2007; Cohen, 2009).

Structural Theory of Power places all these considerations in the context of the influence of colonial legacies and hierarchies that are ingrained in institutional formations, and social inequalities that perpetuate asymmetries, hence negatively impacting on participation (Henham, 2014).

The integrated frameworks posit an urgent call for multidimensionality and intersectionality in interpreting the engagement of victims and their satisfaction within international criminal justice processes. It requires a framework that considers the victims' lived experiences, the pertaining sociocultural contexts, institutional designs, and their impacts, combined with interactions between exclusion, and empowerment of victims.

6.3. Interpretations and Implications for Victim Participation

As perceived from the Triune Hybrid Model of Victim Participation (THM-VP), field findings from the case of Dominic Ongwen compel a critical reconsideration of prevailing frameworks governing the engagement of victims in international criminal justice processes.

6.3.1. Reconceptualising Victim Participation

International criminal justice frames victim involvement from a hegemonic viewpoint, equating it with formal procedural inclusion. While procedural guidelines remain necessary, this minimalist model fails to capture the complex lived realities of victims documented in Lukodi. True participation operates as a relational, culturally grounded, and constantly contested political negotiation.

Empirical data demands expanding victim participation beyond static legal frameworks into a dynamic practice situated between sociocultural imperatives and institutional power structures. This approach accounts for intersectional elements like gender, age, health, education, and socioeconomic standing. Reductionist legal analysis obscures these realities, reducing victims to symbolic actors in an overseas-directed process.

Scholars challenge this formalist approach by demanding that agency, voice, and empowerment anchor victim involvement (Robins, 2013; Moffett, 2015). Participatory justice prioritizes substantive influence over mere legal entitlement, while Restorative Justice Theory positions participation as vital for holistic healing and community relationship repair (Zehr, 2002).

In a nutshell, victim participation must function as an iterative, context-driven practice shaped by how victims navigate institutional and social constraints.

6.3.2. Power, Legitimacy, and Institutional Tensions

In the bid to achieve global justice, the ICC is confronted with a plethora of local realities and embedded power imbalances that constrain both the agency of the victims and the legitimacy of its processes. In the case of Dominic Ongwen, this tension appears ever so clearly. While the ICC principally seeks the amplification of the voices of victims and the delivery of accountability, systematic and culturally embedded factors have continually limited the substantive agency and empowerment of victims in the processes.

The strict procedural rules, primacy of Western legal traditions, and bureaucratic discretion strengthen structural inequalities that are inherent in the Court's institutional makeup (Mamdani,

2001; Henham, 2014). These forces manifest through limited access for victims, language alienation, and victims' limited influence over the outcomes of the process. This portrays a disturbing mismatch between international judicial rhetoric and the operational realities surrounding victim participation.

At the local level, numerous sociopolitical fault-lines like gendered exclusion, intracommunal competition, and stigmatisation of certain victim subgroups further limit meaningful cohesion and equity in participation. This sometimes comes with the risk of co-option or marginalisation of vulnerable subgroups. These interplays are a cause for serious concerns regarding the role of the Court as a "victims' court", when victims are confronted with fragmentation and exclusion from within.

The ICC therefore faces challenges of legitimacy, with no clear institutional path to making participation genuinely empowering, particularly in ways that resonate with local as well as international standards. This challenge creates a demand for the recognition of victims as active agents, as opposed to passive recipients, while dismantling structural power asymmetries through institutional reform and culturally grounded management practices.

6.3.3. Reparations

Reparations present another ambivalent arena where the hopes of victims, institutional rigidities and cultural expectations combine to collide with the promise of tangible justice that reparations bring. Victims in Lukodi saw reparations as a symbol of their acknowledgement, and material support with the potential to rebuild their lives.

The protracted and unpredictable reparations timelines, uncertainties of funding, and concerns about the inclusivity and adequacy of reparations combined to breed frustrations and scepticism among victims. Above and beyond the financial and material awards, significant psychological and symbolic meanings are associated with repair in the context of Lukodi. These components call for well thought-out approaches that are culturally sensitive to foster meaningful healing and reconciliation across the communities (Rauschenbach & Scalia, 2008; Henham, 2014).

Integrating reparative justice with traditional healing practices such as rituals, and community approaches as demonstrated in Lukodi is a promising route to deepening the relevance, coherence

and impact of reparations. This hybridity is the best chance to counterbalance the largely mechanistic formal makeup of international reparations with local community validations and relational repairs. This can cultivate more legitimate redress, durable victim satisfaction, and social cohesion.

6.3.4. Psychosocial Dimensions and Cultural Resonance

Another area of importance that this study sheds light on is the role of trauma-informed and culturally responsive psychological support initiatives to provide a much-needed respite. Victims' propensity to fall into retraumatisation, the emotional strain of participation, and the resultant fatigue all affirm that legal rights for victim participation alone remain insufficient, if not supported by holistic care that addresses mental health and social reintegration.

Attuning support to locally meaningful cultural practices such as traditional mourning, memorialisation, and cultural rituals fortifies psychological resilience and restoration of victims' identities. Such a coherent, culturally acceptable framework bridges international legal processes to the day-to-day realities of the lives of victims and enables empowerment and sustained engagement with the process.

Moreover, approaches that are locally embedded and support empowerment, reduce stigmatisation, and enable inclusive leadership inherently promote healing and enhance the legitimacy of participation. These approaches offer locally grounded forces to counter retraumatisation and actively support the reconstruction of relations and trust among victims, countering procedural alienation.

Sustained institutional prioritisation of psychological services in victim engagement is a key building block for remodelling their participation from a transactional procedure into a transformative and supportive process that achieves meaningful healing for victims.

These reflections foreground the need for the reimagination of victim participation in international criminal justice, to go beyond the limitations of procedural formalities. Interventions should acknowledge and address power asymmetries, embrace local cultural complexities, integrate reparative psychological care, and foster meaningful agency of victims as crucial steps towards the realisation of holistic justice for victims of atrocious crimes.

6.4. Recommendations

The detailed understanding of victim participation from the case of Dominic Ongwen at the ICC calls for targeted, contextually attuned, and culturally sensitive measures. The recommendations here, therefore, aim to strengthen the inclusivity, agency, and overall depth of victim participation in international criminal justice processes.

6.4.1. Accessibility and Equity in Participation

Decentralised and Flexible Outreach

It is important for the ICC and its partner organisations, including local government structures, to further decentralise outreach points and particularly target far-flung locations where some victims reside. The involvement of community-based organisations and other local actors, including churches and informal groups, can further the reach of outreach to even vulnerable victims in remote, hard-to-reach areas.

Culturally and Linguistically Tailored Legal Literacy

The ICC should develop and implement tailored legal literacy programs that transcend literal translations and are contextualised within local idioms, culturally resonant narratives, to reduce cognitive barriers created by legal jargon and the linguistic monopoly of English. Local “justice navigators” from among the victims, who can understand both international law and community contexts, can empower victims to better grasp their rights and the process.

Inclusive Participation of Vulnerable Subgroups

Design specific initiatives that target marginalised victim subgroups such as the elderly, persons with disabilities, and survivors of sexual and gender-based crimes. These groups require safe spaces to ensure equitable access to participation platforms. These may include home visits and affirmative steps that target existing power imbalances.

6.4.2. Trauma-Informed and Culturally Sensitive Support Systems

The ICC should design and adopt long-term, culturally appropriate psychosocial support initiatives with accessibility to victims through all stages of their participation. This should be done in a concrete, well-coordinated partnership with local health facilities, community-based organisations,

and socially available structures such as women's groups, youth groups, cultural organisations, and religious organisations.

Gender-Sensitive Programming

The compounded stigma faced by women, survivors of SGBV, and children born in captivity has to be targeted through specific interventions. The creation of confidential service access that provides gender-tailored counselling, and promoting community awareness and attitude change campaigns to dismantle harmful social norms that suppress victims' voices is invaluable. The cultural leadership framework can be a very powerful partner in this.

Training and Capacity Building for Support Providers

Embedding professional psychotherapists and investing in training outreach officers as victims' first contact points with the Court, and legal representatives to practice with greater trauma sensitivity and gender responsiveness, with the capability to recognise signs of distress and offer appropriate responses while remaining coherent will be a powerful first step towards creating safe and meaningful participation for victims.

Psychological Support and Respite for Frontline Staff

The Court's frontline staff, such as outreach personnel, legal representatives of victims, and the proposed psychotherapists, should have regular retreats to temporarily disassociate themselves from victims' trauma, and prevent normalisation and internalisation of stress. Additionally, the Court should have an expert psychotherapist on call for immediate support to the frontline staff and conduct their routine assessments to safeguard the well-being of staff and maintain effective service delivery.

6.4.3. Transparency, Communication, and Process Efficiency

Proactive and Continuous Two-Way Communication

The ICC's usually comprehensive communication strategies should emphasise timeliness, reciprocity in information exchange, and transparency, especially on key decisions. Victims should receive regular priority updates on case milestone decisions promptly, through multiple accessible

channels such as radio broadcasts, community meetings, SMS services, social media networks, and Television stations, and have various applicable platforms to ask questions.

Combating Misinformation

In order to sustain trust and collective engagement over the course of the usually lengthy judicial processes, it is important to establish good working relationships with local government structures such as the Local Council systems and other political leaders. In these networks, besides the Focal Point Persons, periodic information meetings to share accurate information can become a good strategy to keep them empowered with the right information and to help dispel misinformation. This also leads to further ownership and legitimacy.

Streamline Judicial and Reparations Processes

For the case of Dominic Ongwen to commence in 2015 and only get to a Reparations Order in 2024, with no victim having received any reparations a decade later in late 2025, this is a painfully long stretch of engagement for the victims, hanging on nothing more than their hopes. With many victims in dire situations based on their health and age, and many dying, the Court should prioritise efficiency in judicial timelines and reparations delivery, without compromising fairness. A reduction of prolonged uncertainty and possible frustration and helplessness is another valuable form of justice that the Court ought to recognise and uphold.

Institutional Commitment to Feedback Mechanisms

The Court's esteemed aspiration for meaningful victim inclusion and agency deserves institutionalised mechanisms that not only allow but also facilitate victims to contribute meaningfully to procedural improvements and policy reforms and reinforce the perception that their voices matter substantively. This would be a great addition to the cyclic submissions when done on agreed predictable intervals.

6.4.4. Empowering Victim Agency and Leadership

Support for Victim-Led Organisations

Provision of technical and institutional support to empower grassroots victim associations and coalitions. Victim groups act as critical interlocutors to aggregate victims' voices, offer a deeper

understanding of victims' experiences, and create a common victims' front for advocacy with the ICC processes. In this area, partnerships with other victim support groups, such as civil society organisations and other like-minded Non-governmental Organisations (NGOs), can play a crucial supportive role.

Capacity Building in Leadership and Advocacy

The Court should make some investment in building the capacity of leaders of victim groups in critical skills such as negotiation and legal literacy, with specific emphasis on diversity and inclusive representation across all demographics, such as age, gender, and other usually marginalised victim subgroups. Further capacity enhancement, in skills of teamwork, mediation, and leadership, would help create further agency and more effective victim presence.

6.4.5. Institutional and Structural Reforms

Review and Reform ICC Procedural Frameworks

Review and Reform ICC Procedural Frameworks: The ICC should critically reassess its victim participation frameworks to reduce procedural rigidities that marginalize victim voices, ensuring that legal filings and representation mechanisms prioritize substantive victim agency alongside formal legal requirements.

Embed Intersectional Justice Principles

It is important for the Court to acknowledge that victims are not a homogeneous lot, but represent variabilities such as age, gender, disability, nature of harm, and even economic status. This intersectionality has a profound impact on how and to what extent victims engage. A deliberate and conscious effort to address the sociopolitical realities of participation that arise from these differences by designing and implementing participation mechanisms that ensure substantive equality is a well-deserved intervention.

6.5. Contributions of the Study

This study makes considerable contributions across empirical, theoretical, policy, and wider scholarly fields. It enriches the understanding of victim participation in international criminal justice and advances the debates on transitional justice with a deep, victim-centred perspective.

Empirical Contribution

Foremost, this study addresses a critical empirical gap by providing a rich, in-depth qualitative understanding of the participation of victims as experienced by victims, in the ICC's case of Dominic Ongwen. By engaging victims directly over a period of seven years, this study captures the evolution of the realities of participation beyond the static legal blueprints and institutional narratives. The victim-centredness of this study approach has accentuated the victims' lived experiences, their voices, and the subjective meanings they attach to their participation. This valuable angle that has been missing from empirics, theories, policies, and practice provides a rare, authentic, and comprehensive dataset that articulates the complexities of inclusion, marginalisation, and agency in an international judicial space.

Unlike most early literature, which has traditionally privileged legal frameworks or case documents above the experiences of victims, this study elevates victims as primary holders of knowledge and offers a granular understanding of the means through which theoretical insights are practically negotiated in a post-conflict rural African community that is deeply affected by crimes of international concern.

Theoretical Contribution

This study offers important contributions to theory by integrating three mutually supportive theories. These are restorative justice theory, participatory justice theory, and structural theory of power. The study combines these frameworks into a robust analytical triad that captures the multidimensionality of victim participation and satisfaction and proceeds to suggest the Triune Hybrid Model of Victim Participation (THM-VP) for understanding victim participation in international justice. Through the synthesis, a more holistic and intersectional understanding of victim participation that clearly articulates the challenges and the power-driven negotiations therein is made possible. This is a valuable theoretical apparatus for future inquiries and practice.

Policy and Practical Relevance

The findings of this research offer policy and practice insights that are directly applicable to international criminal justice organisations, victims' support groups, and actors in the field of

transitional justice, based on rich understanding of the experiences of victims in international criminal justice processes and their perceptions.

Broader Justice Discourse and African Context

The final contributions that this study makes is to global scholarship on transitional justice. This study anchors an African case to reveal the complexities of translating international criminal justice to practice in post-conflict settings that are still rife with unpredictable social, cultural and political realities. This study presents a stand against universal assumptions that are detached from contextual realities. It emphasises culturally sensitive approaches that reconcile international criminal norms with the urgent need for local practices and communal healing that follows.

The insights into the case provide important perspectives on the promise and limitations that victim participation bears in the context of Africa. This study therefore enriches the debates on the legitimacy, access and the transformative potential of international criminal justice. It emphasises the need to achieve durable justice through sustained institutional reflexivity, cultural coherence, and meaningful engagement with local realities.

6.6. Study Limitations

Notwithstanding the rich, qualitative insights that this study offers, I acknowledge some inherent limitations that contextualise and qualify its findings.

Methodological Limitations

- This study relied heavily on retrospective accounts of events and experiences. This might have exposed the study to potential recall bias. Participants' memories may be affected by the passage of time, evolving understanding of phenomena, or even the emotional weight of trauma. It is also possible that some participants may have idealised or downplayed certain aspects of their experiences. Different efforts, such as data triangulation, member checking, and the prolonged temporal window of engagement, mitigated these limitations, but cannot be said to have eliminated them.

- There is also the possibility that social desirability bias may have influenced some participants' responses, given their awareness of my dual identity, based on my affiliation with the ICC. Despite rigorous steps taken to build trust, guarantee participant confidentiality, and encourage openness, some participants might have still tempered their critiques or accentuated positive perspectives in line with communal or institutional expectations.

Contextual Limitations

This study strictly focused on Lukodi. Lukodi is a victim community that has been deeply affected by the LRA-Government of Uganda conflict in northern Uganda, yet marked by distinct sociopolitical dynamics, coupled with the ongoing evolution of the reparations phase in the aftermath of the trial. This means that the perceptions of victims may continue to shift beyond this study. There are also variable contextual particularities that have defined this study. Specifics such as local leadership structures, cultural norms, and realities of infrastructure, may also limit applicability to other ICC case locations or international criminal justice contexts.

Multi-Actor Institutional Complexity

The engagement of victims in ICC proceedings takes place within interactions of international, national, and community actors. In the methodological spirit of phenomenology, this study primarily emphasises the perceptions and insights of victims but necessarily simplifies the complex multi-tiered institutional arrangements and networks that shape the participation of victims. Certain elements such as prosecutorial strategy, judicial decision-making processes, and institutional politics may have been mentioned in this study, but they remain largely unexplored.

6.7. Directions for Future Research

Building on the contributions and limitations of this study, a number of worthwhile avenues to deepen and widen research and scholarship on victim participation and satisfaction within international criminal justice and transitional justice are opened.

Comparative ICC Case and Jurisdictional Studies

Further research, using comparative and mixed-method analysis across multiple ICC cases and jurisdictions, should be undertaken to understand how victim participation experiences and satisfaction vary by contexts, conflict type, institutional practices, and across time. Such a cross-case study has the potential to generate transferable lessons, emerging patterns and trends, challenges, and innovations from practice.

Evaluations of Trauma-Informed and Gender-Sensitive Policies

Given the prominence with which psychological well-being and gender exclusion have emerged in this study, there is a critical need for thorough evaluation studies on the implementation and efficacy of trauma-informed and gender-sensitive support initiatives for victims within the context of international criminal justice.

Impact Assessment of Reparations

As the reparations phase commences, it is important to examine the effects of reparations, specifically looking at the material, psychological, and symbolic aspects over time. How reparations impact the repair of relations, victims' recovery, and frame perceptions of justice can support improvements in restorative justice models, and the programming of reparations at the ICC, if tracked and documented.

Operationalising Victim Agency within ICC and National Mechanisms

Further research work should investigate mechanisms and institutional reforms that translate victim participation from symbolic gestures into substantive, empowered engagements in practice most effectively. Key areas include policy analysis, participant observation within the Court's judicial and outreach processes, and dialogues with other actors within the ICC and victim groups to co-create participatory frameworks.

The future directions presented above are pivotal steps towards the enhancement of the legitimacy, responsiveness, and transformative prospects of international justice for victims of atrocity crimes. By sustaining scholarly attention and policy commitment, the evolving field of international

criminal justice bears real promise to better coordinate procedural rights with the lived realities of victims and the aspirations of healing and restitution.

6.8. Closing Reflections

The case of Dominic Ongwen proves that victim engagement in international criminal justice requires conceptualization as a complex, negotiated, and continuously evolving process. Participation transcends bureaucratic box-ticking and formal rights, operating instead as a lived experience enmeshed with sociocultural meaning-making, power relations, and ongoing struggles for recognition, healing, and agency. Victims refine this participation while navigating institutional structures, local sociopolitical realities, and their own aspirations for justice and restoration.

Lukodi field data shows that the ICC and peer institutions must move beyond symbolic forms of participation. Genuine empowerment demands culturally embedded and contextually tailored approaches that nurture agency, promote relational healing, and honor diverse identities. Fulfilling this high-stakes institutional rhetoric requires dismantling persistent structural inequalities rooted in colonial legacies, institutional hierarchies, and sociopolitical exclusion that limit victim influence and access.

Despite widespread challenges, victim resilience and hope drive and shape judicial proceedings. Sustained engagement, organizational ability, and demands for substantive recognition confirm that victims act as active co-creators of international justice rather than passive recipients. This adaptable agency challenges international justice mechanisms to remain agile, inclusive, and responsive through legal reforms that affirm dignity and foster collective restoration.

Ultimately, this study serves as a clarion call for an unwavering institutional commitment to victim-centered justice. International institutions must embrace participation as an ongoing, dialectic process defining institutional effectiveness, ownership, and legitimacy. Realizing this vision requires sustained reforms, multidimensional inclusivity, culturally coherent support, and transparent communication, ensuring victims are recognized as empowered partners in the pursuit of justice, healing, and sustainable peace.

This commitment functions as a practical necessity to align international justice with the lived realities of victims and foster durable reconciliation in post-conflict societies. Embracing this

transformative ethos allows international criminal justice to fulfill its promise of a genuinely victim-centered search for justice.

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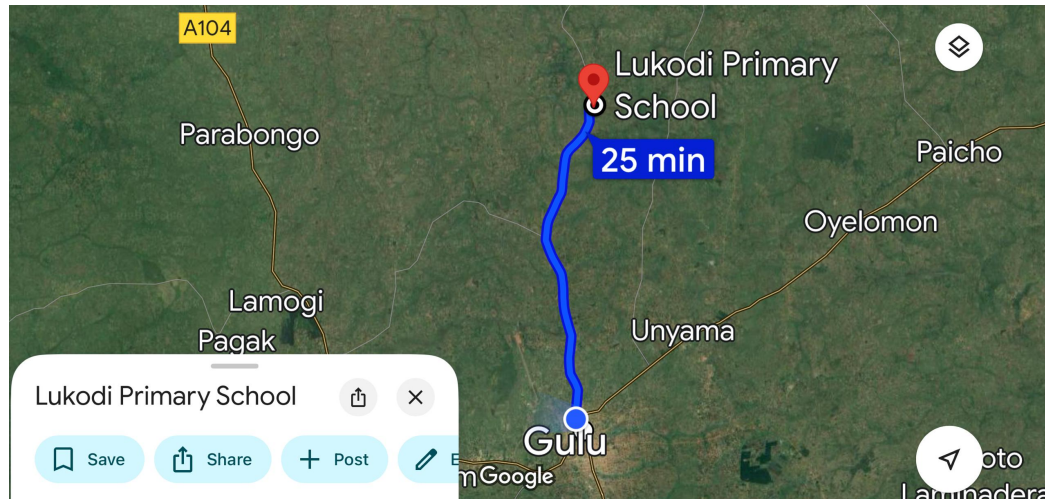
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Map 1: Map Showing the Location of Lukodi



Source: Google Maps

Appendix 1: In-Depth Interview Guide

Topic: Victim Participation in the ICC's Case of Dominic Ongwen

I. Preliminaries

- I introduce myself and explain the purpose of the study.
- Reassure confidentiality and voluntary participation.
- I explain how their responses will be used and how their confidentiality will be protected.
- Making clarification that I am doing this research as a student of Gulu University, and not as a staff of the ICC, and emphasising the need to separate the two and be objective.
- I obtain participant's informed consent.

II. Background Information

May you please share with me what you are comfortable sharing:

- How old are you (approximately)?
- Which village do you live in?
- What is your connection to the case of Dominic Ongwen (e.g., victim, family member)?
- What is the nature of harm that you suffered? (optional).
- Do you hold any position of leadership/responsibility among the victims?

III. Interview Questions

- How did you first come to know about your right to participate in the ICC case against Dominic Ongwen?
- Explain to me your recollection of your experience of registration to participate?
- How frequently do you meet with various teams from the ICC?
- Do you feel that your views and concerns have been communicated clearly and effectively?
- What are the different activities and programs you have been engaged in to participate in the case?

- Have you experienced any challenges to your participation in the case of Dominic Ongwen?
 - If so, could you please, describe for me the challenges you have encountered?
- Have you received any support to overcome those challenges?
- If so, what form of support have you received, and from whom?
- Do you believe that your participation has had an impact on the process?
 - If you do, in what ways, specifically?
- How satisfied, or unsatisfied are you with the process of the case of Dominic Ongwen?
 - What particularly satisfies, or dissatisfies you with the process?

Conclusion

- I want to thank you sincerely for accepting to speak with me, and for your insights.
- I again want to reiterate that your identities will be kept strictly confidential, and your response will be used strictly for the purpose of this research.
- I may still contact you again, if there is anything that I need clarification.

Lamed A: Lok ma doro peny me kwed

Topic: Bedo pa dano ma kitimmo bal i kom gi i lok me pido i kom Dominic Ongwen i kot me ICC

I. Mukwongo

- Anyute, ki atito tyen kwed man.
- Mok me gwoko mung ki yee bedo i kwed man labongo dic.
- Atito kit ma kibitic ki lagam gi ki kit ma kibigwoko kede lok kom gi.
- Gonyo kamaleng ni atye katimmo kwed man macalo latinkwan me Gulu University, ento pe macalo latic me ICC, ki moko ni mite ni kipok kin jami ariyo magi dok kilok labongo lenge.
- Anongo yeyo pa dano ma bibedo i kwed man.

II. Ngec i kom dano

Iromo konyo itito jami ma itye agonya me nywako:

- I tye mwaka adi (kit ma ibyeko kede)?
- I bedo i *ward* mene?
- Wat ango matye i kin in ki lok pido ma i kom Dominic Ongwen (labolle, itye dano ma kitimmo bal i kome, lamemba me ot)?
- Kit awano ango ma inongo (iromo gamo ka imito).
- I tye ki rwom me tela / tic i kin dano ma kitimmo bal i kom gi?

III. Lapeny me kwed

- Ingeyo nining tyen me acaki, twero ni me bedo i lok ma i kot me ICC i kom Dominic Ongwen ni?
- Tita kit ma icone kede me bedo i lok man?
- Orwate ki dul mapatpat ma aa ki i kot me ICC inge kare ma romene?
- Iwinyo ni tam wu ki miti wu tye ka kati maleng dok maber i kot man?
- Tic, ki yub mene ma patpat ma wubedo iyi gi me bedo i lok kom pido man?
- Itye ka nongo peko mo i bedo ni i lok ma i kom Dominic Ongwen ni?
- Ka inongo, iromo kong tito peko ma inongo gi ni?

- Inongo kony mo me cobo peko magi?
 - Ka inongo, inongo kit kony ango ki, ki bot nga?
- Itamo ni bedo tye ni tye kabedo ki adwogi mo i kom pido man?
 - Ka adwogi tye, iyo mene, atit-atir?
- Iyeng onyo pe iyeng i yoo ma yub me pido i kom Dominic Ongwen tye ka wot kede?
 - Ngo kikome ma iyeng kede, onyo pe iyeng kede i pido man?

IV. Tweyo lok

- Amito pwoyo in matek me yee lok kweda, kacel ki tam mabeco ma ileyo.
- Amito dok nwoyo ne ni ngec i komi in kibigwoko i mung, dok lagam mamegi kibitic kede i yub me kwed man keken.
- Aromo dok pud kube kedi ka abimito niang gin mo.

Appendix 2: Key Informant Interview (KII) Guide

Topic: Victim Participation in the case of Dominic Ongwen at the ICC

I. Introduction

- Self-introduction, and stating the purpose of the study.
- Making clarification that I am doing this research as a student of Gulu University, and not as a staff of the ICC, and emphasising the need to separate the two and be objective.
- Making assurance of confidentiality of participants and voluntary nature of engagement.
- Obtain informed consent to proceed with the interview.
- Emphasising that confidentiality will be maintained and information is strictly for study purpose.

II. Background Information

Could you please tell:

1. Your name, and title (if applicable).
2. How many years would you say you have been associated with the case of Dominic Ongwen?

III. Interview Questions

1. In your opinion, what is the goal of engaging victims in an international criminal justice trial like that of Dominic Ongwen?
2. What are some of your most important engagements with the process of Ongwen's trial?
3. What ways have you observed, or possibly even facilitated victims engage with the case of Dominic Ongwen in Lukodi?
 - Would you like to cite a few examples of key engagements at different stages of the case?
4. In your opinion, how effective were these modalities of participation in meeting the intended goals of victim participation?

5. What were some of the challenges that victim face in the course of participating in the case?
6. Were there any attempts to address those challenges?
 - If so, how were the challenge addressed, and by whom?
7. Based on your personal observation, how satisfied are you with the ICC's process of Dominic Ongwen's case?
8. What about other victims, how do they feel about the process?
 - What are those specific factors that makes you arrive at that conclusion?
9. Based on your experience with the process, are there any areas you would want improved? How should they be improved?
10. Is there anything else that I didn't ask but you feel is relevant for me to know, whether is it about the case, or my research?

IV. Conclusion

- I want to thank you sincerely for your time and for speaking with me.
- Do you have any questions for me
- Thank you very much, again. I will be getting back to you, if I need clarification on anything.

Appendix 3: Focus Group Discussion (FGD) Guide

Topic: Victim Participation in the Case of Dominic Ongwen

- **Preliminaries**

- A warm welcome to all the participants and thanking them for honoring the invitation.
- Self-introduction and explaining the purpose of the meeting and of the study
- Explaining the independence of this study from the researcher's known affiliation to the ICC, and the need for objectivity.
- Reassuring participants of their confidentiality and the strict use of the data for the study only.
- Setting ground rules on openness, active participation, respect of one another's opinion, and phone use protocols.
- Obtaining informed consent and permission to audio record the proceedings.

- **Discussion questions**

1. Could two or three of you share with all of us the most recent engagements you have had with the ICC in the case of Dominic Ongwen, please?
2. In what ways have you been a part of the case of Dominic Ongwen at the ICC, right from when it started?
3. Can you narrate the story of how you individually participated in some of those activities and how that made you feel?
4. What are some of the challenges that you have faced during or as a result of participating in the activities you have stated earlier?
5. How do those challenges affect the way you engage with the process
 - How have those challenges affected you individually, or as a group?
6. Reflecting of how the case of Dominic Ongwen had progressed, how satisfied, or dissatisfied are you with the process?
 - What are the most important reasons for your satisfaction/dissatisfaction with the process?
7. In your assessment, do you feel that your engagement has influence on the process or now?

- In your opinion, do you think your opinion matter in the process?
8. Are there particular ways that you think you experience the process differently from your female/male counterparts?
 9. Are there any additional things you would like to share about your experiences as victims in the case?

- **Closing**

- Thank you for your time, and for sharing your experiences with us.
- We want to assure you that all your identities will be kept confidential, and this material will only be used for the purpose of this research.
- Please, do accept to talk to me again if I follow up on anything that I may not have understood too well.

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