

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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Date: 5 September 2025

TRIAL CHAMBER II

Before: Judge María del Socorro Flores Liera, Presiding Judge
Judge Kimberly Prost
Judge Nicolas Guillou

SITUATION IN THE DEMOCRATIC REPUBLIC OF CONGO

IN THE CASE OF THE PROSECUTOR v. BOSCO NTAGANDA

Public

Public Redacted Version of “Request for guidance on issues regarding the eligibility for reparations”, 1 September 2025, ICC-01/04-02/06-2925-Conf

Source: Registry

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

- | | |
|---|--|
| ☐ The Office of the Prosecutor | ☐ Counsel for the Defence |
| ☐ Legal Representatives of the Victims | ☐ Legal Representatives of the Applicants |
| ☐ Unrepresented Victims | ☐ Unrepresented Applicants (Participation/Reparation) |
| ☐ The Office of Public Counsel for Victims | ☐ The Office of Public Counsel for the Defence |
| ☐ States' Representatives | ☐ Amicus Curiae |

REGISTRY

Registrar

- ☐ M. Zavala Giler, Osvaldo

☐ Victims and Witnesses Unit

☒ Victims Participation and Reparations Section

☒ Public Information and Outreach Section

☐ Counsel Support Section

☐ Detention Section

☒ Other

Trust Fund for Victims

I. Introduction

1. On 11 August 2023, Trial Chamber II (“Chamber”) issued the “First Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations” (“First Decision on DIP”), in which it assigned to the Victims Participation and Reparations Section of the Registry (“VPRS”) the mandate of carrying out the identification of potential beneficiaries for reparations, the collection of information, and the administrative eligibility process.¹
2. In the course of its administrative eligibility assessment, the VPRS identified participating victims who have suffered from crimes in certain locations which may fall within the scope of the conviction because of their close geographic proximity to crime sites previously recognized by the Chamber.
3. The VPRS hereby seeks additional guidance from the Chamber to be able to finalise its determinations on the eligibility for reparations for victims who have suffered from crimes in locations near Lipri and Kobu.²
4. The VPRS will simultaneously transmit to the Chamber, outside the record of the case, the dossiers of the victims concerned by this request for the Chamber’s guidance.

II. Procedural History

5. On 8 July 2019, Trial Chamber VI issued the Judgment, convicting Bosco Ntaganda (“Mr. Ntaganda”) of crimes against humanity and war crimes (“Conviction Judgment”).³
6. On 15 December 2020, Trial Chamber VI issued the “Decision on issues raised in the Registry’s First Report on Reparations”, in which it *inter alia* clarified the territorial scope of the aforesaid conviction.⁴

¹ Trial Chamber II, “First Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations”, 11 August 2023, ICC-01/04-02/06-2860-Conf, paras. 181, 184 and 185. A public redacted version was notified on 30 August 2023, [ICC-01/04-02/06-2860-Red](#).

² See *infra*, paras. 15-17 and 18-22.

³ Trial Chamber VI, “Judgment”, 8 July 2019, [ICC-01/04-02/06-2359](#), pp 535-539.

⁴ Trial Chamber VI, “Decision on issues raised in the Registry’s First Report on Reparations”, 15 December 2020, [ICC-01/04-02/06-2630](#), paras. 13-34.

7. On 8 March 2021, Trial Chamber VI delivered the “Reparations Order”.⁵
8. On 14 July 2023, the Chamber issued the “Addendum to the Reparations Order of 8 March 2021” (“Addendum”),⁶ in which it, *inter alia*, summarised the negative and positive findings in the Conviction Judgment in relation to the scope of the conviction pertaining to the victims of the attacks (“Addendum Annex 1”).⁷
9. On 11 August 2023, the Chamber issued the First Decision on DIP.⁸
10. On 3 November 2023, the Registry filed its “Registry Submission pursuant to ICC-01/04-02/06-2860-Red” (“Registry Submission”), in which it *inter alia* provided information on how the VPRS planned to carry out the victim identification, collection of information and eligibility assessment process.⁹
11. On 27 February 2024, the Chamber issued its “Second Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations” (“Second Decision on DIP”), in which it *inter alia* instructs the VPRS to file reports on the eligibility determinations every four months.¹⁰

III. Classification

12. Pursuant to regulation 23bis(1) of the Regulations of the Court (“RoC”), the present request is classified confidential since it contains sensitive information on the victims concerned. A public redacted version of the present submission will be filed shortly.

⁵ Trial Chamber VI, “Reparations Order”, 8 March 2021, [ICC-01/04-02/06-2659](#).

⁶ Trial Chamber II, “Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659”, 14 July 2023, ICC-01/04-02/06-2858-Conf. A public redacted version was issued on the same day, [ICC-01/04-02/06-2858-Red](#) (“Addendum”).

⁷ Addendum Annex I, [ICC-01/04-02/06-2858-AnxI](#).

⁸ See *supra*, fn. 1.

⁹ The VPRS in its filing informed the Chamber about the challenge expected by the VPRS to assess whether villages where victims suffered relevant harm are considered inside or outside the scope of the conviction. See Registry, Annex I to “Registry submission pursuant to ICC-01/04-02/06-2860-Red”, 3 November 2023, ICC-01/04-02/06-2878-Conf-AnxI, para. 24. A public redacted version was notified on 22 November 2023, [ICC-01/04-02/06-2878-AnxI-Red](#). The Chamber further clarified the scope of the conviction for the purpose of the eligibility for reparations in its “Decision on the Victims Participation and Reparations Section request for guidance” issued on 31 January 2025 ([ICC-01/04-02/06-2912](#)) (“Guidance Decision”).

¹⁰ Trial Chamber II, “Second Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations”, 27 February 2024, ICC-01/04-02/06-2894-Conf, para. 145. A public redacted version was notified on 25 July 2024, [ICC-01/04-02/06-2894-Red](#).

IV. Applicable Law

13. The present request is submitted by the Registry in accordance with the First and Second Decisions on DIP.

V. Submissions

14. The VPRS seeks the Chamber's guidance to complete its assessment of the eligibility for reparations of: (a) the dossiers submitted by participating victims concerning crimes allegedly committed in Dhepka ("Dhepka dossiers");¹¹ and (b) the dossiers submitted by participating victims concerning crimes allegedly committed in Camp P.M. ("Camp P.M. dossiers").¹²

A. Dhepka dossiers

15. The Conviction Judgment notes the proximity between Dhepka and Lipri, stating that "the villages [...] Dhepka are in such close proximity to Lipri that some witnesses may consider them as part of it".¹³ This proximity was also identified by the VPRS [REDACTED]¹⁴ — which found that Dhekpa is located approximately 170 meters from Lipri—, and by [REDACTED].¹⁵

16. In light of the geographic proximity between Dhekpa and Lipri, the VPRS requests the Chamber's approval to apply, in its determination on the eligibility for reparations of the Dhepka dossiers, the positive findings concerning Lipri¹⁶ to

¹¹ The VPRS has identified so far [REDACTED] victims' dossiers concerned by this issue: [REDACTED].

¹² The VPRS has identified so far [REDACTED] dossiers indicating Camp PM, or Camp PM/Kangama, or Kangama/Camp PM, as crime place.

¹³ Conviction Judgment, fn. 1730.

¹⁴ [REDACTED] is the software employed by the VPRS to calculate straight-line distances. See para. 24 of the Annex I to the Registry Submission cited *supra*, at fn. 10.

¹⁵ The confirmation on the distance was received from the field [REDACTED].

¹⁶ The Chamber rendered positive findings in relation to the following crimes committed in Lipri: persecution as a crime against humanity (Count 10); pillage as a war crime (Count 11); forcible transfer and deportation as a crime against humanity, and ordering displacement of civilian population as a war crime (Counts 12 and 13); and destruction of property as a war crime (Count 18). See Addendum Annex I, para. 5 (7), at page 14.

Dhepka, insofar as they do not conflict with the specific negative findings rendered in respect of Dhepka.¹⁷

17. Subject to the Chamber's authorisation, the VPRS would, in light of the foregoing, consider eligible for reparations victims who suffered harm as a result of pillage and/or forced displacement in Dhepka.¹⁸

B. Camp P.M. dossiers

18. On 14 July 2025, the Common Legal representative of the attacks ("CLR2") transmitted to the VPRS supplementary information regarding Camp P.M. dossiers.¹⁹ Based on the information collected from victims, the CLR2 affirms that Camp P.M. is within Kangama.

19. Whereas the precise location of Camp P.M. was not found in [REDACTED], the VPRS was in a position to verify [REDACTED] the location of Camp P.M., and found that it is indeed within Kangama.²⁰

20. With regards to the location of Kangama itself, the VPRS recalls that it has verified that Kangama and Kobu share the same geographical coordinates, thereby confirming that Kangama is within Kobu.²¹

21. Given the geographic proximity between Camp P.M. and Kobu, the VPRS requests the Chamber's approval to apply, for its determination on the eligibility for

¹⁷ The Chamber rendered negative findings in relation to the following crimes committed in Dhepka: intentionally attacking civilians as a war crime (Count 3); persecution as a crime against humanity (Count 10); and destruction of property as a war crime (Count 18). See Addendum Annex I, para. 3 (6), at page 3.

¹⁸ For these crimes, the Chamber rendered positive findings in relation to Lipri and did not render any negative findings in relation to Dhekpa. See *supra*, fn. 16-17.

In accordance with the Chamber's negative findings concerning Dhekpa, the victims who suffered from the following crimes remain ineligible for reparations: intentionally attacking civilians as a war crime (Count 3); persecution as a crime against humanity (Count 10); and destruction of property as a war crime (Count 18).

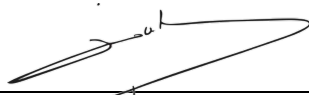
¹⁹ Email from the CLR2 to the VPRS on 14 July 2025 at 12:58.

²⁰ The confirmation on the location was received from the field [REDACTED].

²¹ [REDACTED].

reparations of the Camp P.M. dossiers, the positive findings concerning Kobu²², provided they do not contradict the specific negative findings applicable to Camp P.M.²³

22. Subject to the Chamber's authorisation, the VPRS would, in light of the foregoing, consider eligible for reparations victims who suffered harm as a result of pillage and forced displacement, rape, sexual slavery and murder in Camp P.M.²⁴



 Marc Dubuisson, Director Division of Judicial Services
 on behalf of
 Osvaldo Zavala Giler, Registrar

Dated this 5 September 2025

At The Hague, the Netherlands

²² The Chamber rendered positive findings in relation to the following crimes committed in Kobu: persecution as a crime against humanity (Count 10); pillage as a war crime (Count 11); forcible transfer and deportation as a crime against humanity, and ordering displacement of civilian population as a war crime (Counts 12 and 13); destruction of property as a war crime (Count 18); murder and attempted murder as a crime against humanity and as a war crime (Counts 1 and 2); rape as a crime against humanity and as a war crime (Counts 4 and 5); and sexual slavery as a crime against humanity and as a war crime (Counts 7 and 8). See Addendum Annex I, para. 5 (1), at pages 11-12.

²³ The Chamber rendered negative findings in relation to the following crimes committed in Camp P.M.: intentionally attacking civilians as a war crime (Count 3); persecution as a crime against humanity (Count 10); and destruction of property as a war crime (Count 18). See Addendum Annex I, para. 3 (5), at page 3.

²⁴ For these crimes, the Chamber rendered positive findings in relation to Kobu and did not render any negative findings in relation to Camp P.M. The VPRS acknowledges that the number of victims falling within the scope of rape, sexual slavery and murder may be reduced due to the Chamber's specific positive findings for these crimes in Kobu.

In accordance with the Chamber's negative findings concerning Camp P.M., the victims who suffered from the following crimes remain ineligible for reparations: intentionally attacking civilians as a war crime (Count 3); persecution as a crime against humanity (Count 10); and destruction of property as a war crime (Count 18).