

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/04-02/06**
Date: **19 December 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 THE CONGO
IN THE CASE OF
THE PROSECUTOR v. BOSCO NTAGANDA

Public, with one confidential Annex

Sixth decision on the VPRS determinations of victims' eligibility for reparations and priority status and order for further information on the VPRS' request for extension of time and proposal on the reporting of eligibility determinations

Decision 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**

☐ **State's Representatives**

☒ **Trust Fund for Victims**

Registrar

Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☒ **Victims Participation and Reparations
Section**

☒ **Public Information and Outreach
Section**

Trial Chamber II (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v. Bosco Ntaganda*, having regard to article 75 of the Rome Statute and rule 35 of the Regulations of the Court (the ‘Regulations’), issues this ‘Sixth decision on the VPRS determination of victims’ eligibility for reparations and priority status and order for further information on the VPRS’ request for extension of time and proposal on the reporting of eligibility determinations’.

I. PROCEDURAL HISTORY

1. On 8 March 2021, Trial Chamber VI delivered the Reparations Order (the ‘Order’).¹
2. On 14 July 2023, the Chamber, in a prior composition, issued an addendum to the Order (the ‘Addendum’), in which it, *inter alia*, detailed the substantive aspects of the procedure for carrying out the eligibility assessment of victims at the implementation stage.²
3. On 11 August 2023, the Chamber, in a prior composition, tasked the Registry, through the Victims Participation and Reparations Section (the ‘VPRS’), with carrying out the administrative eligibility process, including outreach, identification, and eligibility assessment, ‘within a two-year timeframe’, starting by 1 January 2024, at the latest, and completing the process by 31 December 2025, at the latest.³ The Chamber considered this timeframe ‘fair and reasonable’ taking into account that ‘the service-based collective reparations programme approved in the case will have a five-year duration from 1 January 2024’.⁴

¹ [Order](#), ICC-01/04-02/06-2659.

² Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659, ICC-01/04-02/06-2858-Conf (with public Annex I, confidential *ex parte* and confidential Annex II, and public Annex III) ([public redacted version](#) notified on the same date, ICC-01/04-02/06-2858-Red), paras 34-148.

³ First Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations, ICC-01-04-02/06-2860-Conf ([public redacted version](#) notified on 30 August 2023, ICC-01/04-02/06-2860-Red) (the ‘First Decision on the DIP’), paras 184-185, 187-188. *See also* Second Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations, 27 February 2024, ICC-01/04-02/06-2894-Conf ([public redacted version](#) notified on the same date, ICC-01/04-02/06-2894-Red), para. 145, in which the Chamber, in a prior composition, instructed the VPRS to file ‘its report on the eligibility determinations every four months, with the first report to be filed four months from the date of this decision’; Decision on the First Registry Periodic Report on Eligibility Determinations for Reparations, 20 August 2024, ICC-01/04-02/06-2904-Conf ([public redacted version](#) filed on the same date, ICC-01/04-02/06-2904-Red) (the ‘Decision on the First Periodic Report’), para. 9, in which the Chamber approved the Registry’s proposal of submitting interim eligibility determinations in batches of 50 victims’ dossiers in addition to its quarterly periodic reports, to facilitate faster integration of victims into the Initial Draft Implementation Plan programme.

⁴ [First Decision on the DIP](#), ICC-01/04-02/06-2860-Red, para. 187.

4. On 20 August 2024,⁵ 3 December 2024,⁶ 14 February 2025,⁷ 13 March 2025,⁸ and 11 July 2025,⁹ the Chamber issued decisions on the VPRS' determinations of victims' eligibility for reparations and priority status.
5. On 28 October 2025, the Registry submitted its 'Fifth Registry Periodic Report on Eligibility for Reparations and Priority Treatment Determinations and Request for Extension of Time' (the 'Fifth Registry Periodic Report'), in which it: (i) informs the Chamber of the eligibility assessments the VPRS conducted between 28 June and 27 October 2025; and (ii) requests an extension of time 'for a period considered appropriate by the Chamber' to complete its administrative eligibility process (the 'Time Extension Request').¹⁰
6. On 9 December 2025, the VPRS submitted a proposal to simplify its system of reporting eligibility determinations to the Chamber for its endorsement.¹¹ Instead of the current format which provides a brief summary of the eligibility assessment of each victim, the VPRS proposes to provide the Chamber with lists of applicants classified by categories.¹² Group A, for victims eligible for reparations; Group B, for victims not eligible for reparations; and, Groups C, for victims for whom the VPRS requires guidance from the Chamber. The VPRS submits that this categorisation mirrors the system for admission of victims to participate in the proceedings contained in the Chamber's Practice Manual,¹³ which was adopted by the Chamber, in its previous composition, during the trial stage of the proceedings.¹⁴ The VPRS submits that this approach would improve the VPRS's efficiency in the eligibility

⁵ [Decision on the First Periodic Report](#), ICC-01/04-02/06-2904-Red.

⁶ Decision on the Second Registry Periodic Report on Eligibility Determinations for Reparations, ICC-01/04-02/06-2910-Conf ([public redacted version](#) notified on 13 January 2025, ICC-01/04-02/06-2910-Red).

⁷ [Third decision on the VPRS determinations of victims' eligibility for reparations and priority status](#), ICC-01/04-02/06-2914.

⁸ [Fourth decision on the VPRS determinations of victims' eligibility for reparations and priority status](#), ICC-01/04-02/06-2918.

⁹ Fifth decision on the VPRS determinations of victims' eligibility for reparations and priority status, ICC-01/04-02/06-2924 (the 'Fifth Decision on Victims Eligibility').

¹⁰ Fifth Registry Periodic Report, ICC-01/04-02/06-2928-Conf (with confidential Annexes I, II and III; corrigendum of Annex III notified on 28 November 2025) ([public redacted version](#) notified on 21 November 2025, ICC-01/04-02/06-2928-Red), paras 2-4.

¹¹ VPRS Email sent to Chamber staff on 9 December 2025, at 15:14. See Confidential Annex I to the present decision.

¹² VPRS Email sent to Chamber staff on 9 December 2025, at 15:14.

¹³ VPRS Email sent to Chamber staff on 9 December 2025, at 15:14, referring to Chambers Practice Manual, pp. 20-22.

¹⁴ See [Decision on the procedure for the admission of victims to participate in proceedings for the purposes of trial](#), 12 March 2020, ICC-01/12-01/18-661, which adopts the system authorised by the Pre-Trial Chamber in the [Decision Establishing the Principles Applicable to Victims' Applications for Participation](#), 24 May 2018, ICC-01/12-01/18-37.

assessment process and would not affect the Trust Fund for Victims’ (the ‘TFV’) implementation needs.¹⁵

II. ANALYSIS

A. Eligibility assessment and priority status determinations

7. The Registry informs the Chamber that it identified 384 victims as eligible for reparations.¹⁶ Of the 384 beneficiaries identified, 176 are victims of the attacks and 208 are victims of crimes against child soldiers.¹⁷ Among the victims of the attacks, the Registry identified 64 priority victims.¹⁸ In addition, one victim previously found eligible was now assessed as a priority victim.¹⁹
8. Further to its oversight mandate,²⁰ the Chamber hereby endorses the eligibility determination of the 384 victims identified by the VPRS as eligible for reparations as well as the priority status of the identified 65 victims.²¹ The Chamber notes that, following this approval, the total number of positive eligibility determinations for reparations is now 2,355 victims.²²

B. Time Extension Request

9. At the outset, the Chamber notes the Registry’s submissions that the factors set out below, compounded by its limited resources, ‘the intricate nature of certain eligibility assessments’ and the at times lengthy process to contact victims due to incomplete applications, have contributed to the Registry falling short of its initial target to process 200 to 300 eligibility assessments per month.²³ As such, the Registry reports that the total number of victims

¹⁵ VPRS Email sent to the Chamber on 9 December 2025, at 15:14.

¹⁶ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 15.

¹⁷ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 15.

¹⁸ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 15. *See also* para. 16.

¹⁹ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 15. *See also* para. 16.

²⁰ [First Decision on the DIP](#), ICC-01/04-02/06-2860-Red, para. 185.f.

²¹ Fifth Registry Periodic Report, ICC-01/04-02/06-2928-Conf, para. 15; Annex I to the Fifth Registry Periodic Report, ICC-01/04-02/06-2928-Conf-AnxI; Annex II to the Fifth Registry Periodic Report, ICC-01/04-02/06-2928-Conf-AnxII; Annex III to the Fifth Registry Periodic Report ICC-01/04-02/06-2928-Conf-AnxIII-Corr.

²² The Chamber notes that this is the result of adding the 384 victims whose eligibility determination the Chamber endorses in the present decision to the total number of 1,971 victims whose eligibility determination the Chamber had endorsed up until the present decision (*see* Fifth Decision on Victims Eligibility, ICC-01/04-02/06-2924, para. 8).

²³ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 41 *referring to* 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 ([public redacted version of the annex](#) notified on 22 November 2023, ICC-01/04-02/06-2878-AnxI-Red) (the ‘Registry Submissions’), para. 56.

found eligible for reparations by the VPRS thus far represents approximately 22% of the target estimate of 10,500 potential beneficiaries identified by the Chamber in the Addendum.²⁴

10. In this regard, the Registry recalls the challenges related to the identification of potential beneficiaries and collection of information in the field outlined in its previous reports,²⁵ as well as the several factors that have affected the capacity of the VPRS to operate on the field.²⁶ Further, the Registry reports that while the VPRS meant to ‘considerably’ improve its capacity to reach and assist potential beneficiaries with its new ‘strong IT capacity of victim data collection’ and the use of ‘household’ group forms, this IT tool have been put on hold in the context of the DRC, with the VPRS currently developing and testing suitable alternatives.²⁷ Moreover, with regard to remaining identification activities, the Registry reports on the expectations of the VPRS to identify further eligible victims in specific localities.²⁸
11. Under such circumstances, the Chamber finds that good cause has been shown pursuant to regulation 35 of the Regulations and suspends the initial deadline set on 31 December 2025 for the VPRS to complete its internal administrative eligibility assessment process for reparations.
12. Regarding the new deadline to be set, the Chamber notes the Registry’s projections. Specifically, it notes its submissions that, assuming that the VPRS can maintain and extend its current capacity, the Registry believes that it can issue a minimum of 200 eligibility decisions per month, ‘with an expected major augmentation of these outputs’ once it puts in place the abovementioned IT tools and systems, which it expects to take place in ‘early

²⁴ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 37 referring to, *inter alia*, [Addendum](#), ICC-01/04-02/06-2858-Red, para. 320.

²⁵ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 38 referring to [Registry Submissions](#), ICC-01/04-02/06-2878-AnXI-Red, para. 24. *See also* challenges described at Fifth Registry Periodic Report, ICC-01/04-02/06-2928-Red, paras 26-27, 38.

²⁶ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, paras 39-40. *See also* paras 26-27.

²⁷ Fifth Registry Periodic Report, ICC-01/04-02/06-2928-Conf, paras 46-48. The Chamber notes that where it refers to information contained in a confidential filing, it considers that the information referenced does not warrant a confidential classification.

²⁸ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, paras 42-43, 45. The Chamber notes, in particular, the challenges detailed by the Registry. *See* Fifth Registry Periodic Report, ICC-01/04-02/06-2928-Conf, para. 45.

2026’.²⁹ According to the Registry, this would bring its efforts ‘much closer’ to the Chamber’s target estimate of 10,500 potential beneficiaries later in 2026.³⁰ The Chamber notes however, that, despite the Registry’s projected improvements, the eligibility assessment process would thus reach just over the majority of estimated victims in the case.

13. The Chamber finds the Registry’s submissions insufficient to allow it to decide on the request and on an appropriate time extension and deadlines. The Chamber requires additional information from the VPRS.
14. Thus, the Chamber, mindful of the challenges faced by the VPRS, orders the Registry to: (i) submit realistic monthly numerical projections on the identification of new beneficiaries for reparations, the assessment of victims eligibility and priority categorization and the communication of assessment results with applicants and the TFV;³¹ and (ii) inform the Chamber of any innovative procedure to expediate their processes that could be adopted, and that could need the involvement of the Chamber or the TFV, such as the VPRS’s proposal to change its process of reporting eligibility determinations for reparations or the introduction of separate deadlines for identifying new potential beneficiaries of reparations and for completing the eligibility assessment process.³² In these supplementary submissions, the Chamber instructs the Registry *not to repeat or re-submit* information already submitted to the Chamber. The Registry’s supplementary submissions should also include the views of the Public Information and Outreach Section (‘PIOS’), if any, on the topics mentioned above.
15. The Chamber also invites the TFV and the Office of Public Counsel for Victims (the ‘OPCV’) to submit any observations on the topics mentioned above.
16. The participants’ observations should be submitted by 31 January 2026.

²⁹ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red paras 49-51. The Chamber notes that the Registry makes this estimation also on the basis that ‘most newly identified victims can be assessed as eligible for reparations’ (para. 50). The Registry further indicates that this estimation ‘highly depend[s] on the resources available to process applications, the level of complexity of the applications and the number of dossiers received’ (para. 50, n. 66). Moreover, the Registry notes that events outside of its control could affect this number, notably ‘a further deterioration of the security situation in the field’ (para. 51).

³⁰ [Fifth Registry Periodic Report](#), ICC-01/04-02/06-2928-Red, para. 49.

³¹ For example, the VPRS could submit tables with estimated numbers to the Chamber.

³² See para. 6 above.

17. Finally, the Chamber notes the VPRS's proposal to change its process of reporting eligibility determinations for reparations to the Chamber in the present case.³³ The VPRS submits that the TFV indicates that this new approach would not affect its work.³⁴ The Chamber instructs the Registry to formally submit information on this proposal in its supplemental filing, including its views as to how this new proposal may comply with the Chamber's obligation to provide specific judicial approval of administrative screenings.³⁵ The TFV is invited to provide its observation on this proposal.
18. The Chamber notes that the time limit suspension and the potential extension of the deadline for the completion of the eligibility assessment process will not impact the delivery of reparations to victims already found eligible for reparations.

³³ VPRS Email sent to Chamber staff on 9 December 2025, at 15:14. *See* para. 6 *above*.

³⁴ VPRS Email sent to Chamber staff on 9 December 2025, at 15:14. *See* para. 6 *above*.

³⁵ *See* [Judgment on the appeals against the decision of Trial Chamber VI of 8 March 2021 entitled "Reparations Order"](#), 12 September 2022, ICC-01/04-02/06-2782, para. 387 ('While an administrative screening of eligibility can be carried out by the TFV, the outcome of any such screening must be judicially approved by the Trial Chamber.').

FOR THESE REASONS, THE CHAMBER HEREBY

ENDORSES the Registry's eligibility determination of the 384 victims for reparations as referenced in paragraph 8 above;

SUSPENDS the deadline of 31 December 2025 for the Registry, through the VPRS, to complete the administrative eligibility process for reparations;

ORDERS the Registry to submit supplementary observations, as detailed in paragraphs 14 and 17 above, by 31 January 2026; and

INVITES the TFV and the OPCV to submit any observations on the topics mentioned at paragraph 14, by 31 January 2026.

Done in both English and French, the English version being authoritative.

Judge María del Socorro Flores Liera
Presiding Judge

Judge Kimberly Prost

Judge Nicolas Guillou

Dated 19 December 2025

At The Hague, The Netherlands