

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/04-02/06**

Date: **2 April 2026**

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

**Decision 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 ‘Decision 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 on 1 January 2024, at the latest, and completing the process by 31 December 2025, at the latest.³
4. 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, *inter alia*, requested an extension of time ‘for a period considered appropriate by the Chamber’ to complete its administrative eligibility process (the ‘Time Extension Request’).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 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.

5. On 9 December 2025, the VPRS submitted a proposal to simplify its system of reporting eligibility determinations to the Chamber and suggested adopting an approach that mirrors the ‘A-B-C system’ applicable at the participation stage.⁵
6. On 19 December 2025, the Chamber, *inter alia*, suspended the initial deadline for the completion of the eligibility assessment process, ordered the Registry to submit supplementary observations and invited the Trust Fund for Victims (the ‘TFV’) and the Office of the Public Counsel for Victims (the ‘OPCV’) to provide observations on the Time Extension Request.⁶
7. On 2 February 2026, the TFV⁷ and the Registry⁸ submitted additional observations on the Time Extension Request.⁹

II. SUBMISSIONS

8. In its additional submissions, the Registry sets out its expected monthly capacity for the identification, assessment and notification of the remaining 6,150 potentially eligible beneficiaries.¹⁰ The Registry’s projected timeline for the completion of these three consecutive steps, which are to run in parallel, is estimated at two years.¹¹
9. The Registry cautions that its estimates are contingent upon five conditions: ‘(i) the forms from newly identified victims will predominantly be household forms, consisting of three household members on average; (ii) the Section will maintain its current level of resources allocated to the Case; (iii) there will be no major disruptions to the use of the IT tools already in place nor to the new ones the Section is currently developing; (iv) the Section will have continuous access to the victims; and (v) the quality and integrity of the process will not be otherwise compromised’.¹²

⁵ Email from the VPRS, 9 December 2025, at 15:14.

⁶ 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, ICC-01/04-02/06-2929 (hereinafter: ‘[Decision of 19 December 2025](#)’).

⁷ Trust Fund for Victims’ observations on Registry’s request for extension of time, ICC-01/04-02/06-2930 (hereinafter: ‘[TFV’s additional submissions](#)’).

⁸ Additional Registry Submissions on the Time Extension Request, ICC-01/04-02/06-2931 (hereinafter: ‘[Registry’s additional submissions](#)’).

⁹ The OPCV did not file any submissions.

¹⁰ [Registry’s additional submissions](#), ICC-01/04-02/06-2931, p. 6 (table with VPRS’s expected monthly capacity).

¹¹ [Registry’s additional submissions](#), ICC-01/04-02/06-2931, para. 10 and p. 6.

¹² [Registry’s additional submissions](#), ICC-01/04-02/06-2931, para. 13.

10. To further enhance efficiency, the Registry requests the Chamber's approval on the implementation of two procedural amendments to the current process,¹³ namely: (i) to adopt a modified version of the 'A-B-C' approach to the reparations process;¹⁴ and (ii) to set separate deadlines for identifying new potential beneficiaries of reparations and for completing the eligibility assessment process,¹⁵ as suggested by the Chamber.¹⁶ Under the 'A-B-C' approach, the VPRS proposes to transfer to the Chamber 'only lists of applicants classified by categories (in group A, those eligible for reparations; in group B, those not eligible for reparations; and, in group C, those for whom the VPRS would need guidance from the Chamber)'.¹⁷
11. In its observations, the TFV submits that, as the body determined by the Chamber to conduct the identification and eligibility process, the VPRS is best placed to provide the monthly numerical projection requested by the Chamber.¹⁸ However, the TFV shares its lessons learned from previous identification¹⁹ and eligibility assessment²⁰ processes and further highlights the difficulties in the identification and eligibility assessment processes in the present case, namely the difficulty in accessing the victims' locations and the substantive numerical projections for the total number of victims.²¹ Finally, with regard to innovations and efficiencies, the TFV submits that it has focused on technological innovations, by finalising the procurement of a new information and data-management system,²² and by exploring the use of artificial intelligence to enable efficiencies in data processing.²³

III. ANALYSIS

12. While the Chamber acknowledges the challenges encountered by the VPRS in the identification of potential beneficiaries and the notification of their eligibility for reparations, in particular the security situation in Ituri and the ensuing displacement of the affected population,²⁴ the Chamber also notes the length of time elapsed since the issuance

¹³ [Registry's additional submissions](#), ICC-01/04-02/06-2931, para. 19.

¹⁴ [Registry's additional submissions](#), ICC-01/04-02/06-2931, paras 20-23.

¹⁵ [Registry's additional submissions](#), ICC-01/04-02/06-2931, para. 24.

¹⁶ [Decision of 19 December 2025](#), ICC-01/04-02/06-2929, para. 14.

¹⁷ Email from the VPRS, 9 December 2025, at 15:14, *referring to* Chamber's Practice Manual for the participation stage, pp. 20-22; [Registry's additional submissions](#), ICC-01/04-02/06-2931, paras 20-23.

¹⁸ [TFV's additional submissions](#), ICC-01/04-02/06-2930, para. 13.

¹⁹ [TFV's additional submissions](#), ICC-01/04-02/06-2930, paras 16-28.

²⁰ [TFV's additional submissions](#), ICC-01/04-02/06-2930, paras 29-34.

²¹ [TFV's additional submissions](#), ICC-01/04-02/06-2930, paras 35-43.

²² [TFV's additional submissions](#), ICC-01/04-02/06-2930, paras 68-69.

²³ [TFV's additional submissions](#), ICC-01/04-02/06-2930, para. 70.

²⁴ [Time Extension Request](#), ICC-01/04-02/06-2928-Red, paras 26-28.

of the Order and its Addendum. During this time, the VPRS has identified 4,300 victims, however, the number of completed assessments and notifications remains moderate. The Chamber, mindful of the rights of the victims, who have been waiting for the implementation of the reparations for many years, finds the pace of the progress concerning.

13. Nevertheless, noting the VPRS' monthly numerical projections for the identification, assessment and notification of potential beneficiaries, the Chamber considers these projections to be realistic. Accordingly, the Chamber, recalls its previous suspension of the initial deadline for the completion of the eligibility assessment process, and finds that good cause has been shown for the extension of the time limit and grants the Registry's request for extension of time to complete its administrative eligibility process.
14. The Chamber deems it appropriate to set separate deadlines for the identification of potential beneficiaries on the one hand, and the assessment and notification process on the other.²⁵ Based on the monthly numerical projections provided by the VPRS, the Chamber hereby extends the time for the proactive identification process by **18 months**, starting from the initial deadline for completion of the administrative eligibility process for reparations, namely 31 December 2025. During this period, the VPRS is encouraged to actively seek potential beneficiaries of reparations, including potential beneficiaries that are currently outside of its reach.²⁶
15. For the remaining two steps of the administrative eligibility process, namely assessment and notification, the Chamber grants an extension of a total of **two years** for their completion, starting from 31 December 2025.
16. In light of the above, as well as the rights and needs of the victims affected, the Chamber, while granting the extension for the time reflected, expects the extension to be limited to the time strictly necessary for the completion of the process. The Chamber anticipates that no further extensions of time will be needed.
17. Should any potential beneficiary present themselves to the Registry after the 18 months deadline for the proactive identification process, their application is to be assessed on a case-by-case basis until the completion of the assessment and notification process.

²⁵ [Registry's additional submissions](#), ICC-01/04-02/06-2931, para. 24.

²⁶ [Time Extension Request](#), ICC-01/04-02/06-2928-Red, paras 42, 45.

18. In respect of the adoption of the ‘A-B-C’ approach adapted to the present reparations process,²⁷ the Chamber finds that this approach, as formulated in the Chamber’s Manual, allows for the Chamber to fulfil its judicial oversight role on the eligibility assessment process²⁸ whilst incorporating a more efficient classification of the victims’ application forms. However, the Chamber notes that certain features of the ‘A-B-C’ approach shall be adapted to the current stage of the proceedings and neither the Prosecutor nor the Defence will be expected to be involved in the process.
19. The Chamber establishes that under the ‘modified A-B-C’ approach, the VPRS shall transfer to the Chamber lists of applicants classified by categories: in group A, those eligible for reparations; in group B, those not eligible for reparations; and, in group C, those for whom the VPRS would need guidance from the Chamber.²⁹ The VPRS will send all complete applications to the Chamber and, for group B applications, the relevant common legal representative related to the applications, on a rolling basis. Along with each transmission, the VPRS will provide a report to the Chamber, listing victim applications within the three specified groups. The report related to group A will not contain detailed reasoning or analysis for each application and the Chamber will ratify the assessments through a decision unless a clear, material error in the VPRS’ assessment is identified.³⁰
20. Thus, the Chamber endorses the Registry’s proposal and instructs it to transmit the results of its eligibility assessment process accordingly.
21. The Chamber notes the innovations already implemented by the VPRS³¹ and encourages the section to continue its efforts to improve efficiency in the administrative eligibility process for reparations.
22. Finally, the Chamber encourages the VPRS to continue its close collaboration with the TFV and the Public Information Outreach Section (the ‘PIOS’) to ensure maximum efficiency, adopt innovative means of outreach and complete the administrative eligibility process within the extended period of time.

²⁷ [Registry’s additional submissions](#), ICC-01/04-02/06-2931, paras 20-23.

²⁸ [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 (A4 A5), para. 387.

²⁹ See [Registry’s additional submissions](#), ICC-01/04-02/06-2931, para. 23.

³⁰ See [Registry’s additional submissions](#), ICC-01/04-02/06-2931, para. 23.

³¹ [Registry’s additional submissions](#), ICC-01/04-02/06-2931, paras 16-18.

FOR THESE REASONS, THE CHAMBER HEREBY

GRANTS the VPRS' request for extension of time and proposal on the reporting of eligibility determinations;

INSTRUCTS the VPRS to complete the identification process within 18 months, and the eligibility assessment and notification processes within two years, as of 31 December 2025; and

INSTRUCTS the VPRS to transfer to the Chamber lists of applicants under the 'modified A-B-C' approach pursuant to the procedure established in paragraph 19 of this decision.

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 this 2 April 2026

At The Hague, The Netherlands