

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/04-02/06**
Date: **18 August 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

**Eighth decision on the VPRS determinations of victims' eligibility for reparations
and priority status**

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**

☒ **The Office of Public Counsel for Victims**

☐ **The Office of Public Counsel for the Defence**

☐ **States' Representatives**

☒ **Trust Fund for Victims**

REGISTRY

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, issues this ‘Eighth decision on the VPRS determinations of victims’ eligibility for reparations and priority status’.

I. PROCEDURAL HISTORY

1. On 8 March 2021, Trial Chamber VI delivered the Reparations Order.¹
2. On 14 July 2023, the Chamber, in a prior composition, issued an addendum to the Reparations Order, 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 assessment of beneficiaries for reparations.³

¹ [Reparations 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 ([public redacted version](#) notified on the same date, ICC-01/04-02/06-2858-Red) (with public Annex I, confidential *ex parte* and confidential Annex II, and public Annex III), 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), para. 185(a). *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 Registry to file, every four months, an update report on the eligibility determinations; 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), para. 9, in which the Chamber approved the Registry’s proposal to submit 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. On 20 August 2024,⁴ 3 December 2024,⁵ 14 February 2025,⁶ 13 March 2025,⁷ 11 July 2025,⁸ 19 December 2025,⁹ and 15 June 2026,¹⁰ the Chamber issued decisions on the VPRS's determinations of victims' eligibility for reparations and priority status.
5. On 28 October 2025, the VPRS requested an extension of time 'for a period considered appropriate by the Chamber' to complete its administrative eligibility process (the 'Time Extension Request').¹¹
6. On 2 April 2026, the Chamber granted the VPRS's request for an extension of time and adopted a modified 'A-B-C approach' on the victim's eligibility determination reporting (the 'A-B-C Decision').¹²
7. On 29 June 2026, the VPRS submitted its 'Sixth Registry Periodic Report on Eligibility for Reparations and Priority Treatment Determinations' (the 'Sixth Registry Periodic Report'),¹³ in which it: (i) provides to the Chamber the results of its determination on victims eligibility for reparations and their priority status, conducted between 28 October 2025 to 26 June 2026 (the 'reporting period');¹⁴ (ii) seeks guidance from the Chamber regarding the eligibility determination of seven victims classified in group C;¹⁵ and (iii)

⁴ [Decision on the First Periodic Report](#), ICC-01/04-02/06-2904-Red.

⁵ 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).

⁶ [Third decision on the VPRS determinations of victims' eligibility for reparations and priority status](#), ICC-01/04-02/06-2914.

⁷ [Fourth decision on the VPRS determinations of victims' eligibility for reparations and priority status](#), ICC-01/04-02/06-2918.

⁸ Fifth decision on the VPRS determinations of victims' eligibility for reparations and priority status, ICC-01/04-02/06-2924.

⁹ [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 (with one confidential annex).

¹⁰ [Seventh decision on the VPRS determinations of victims' eligibility for reparations and priority status](#), ICC-01/04-02/06-2935.

¹¹ Fifth Registry Periodic Report on Eligibility for Reparations and Priority Treatment Determinations and Request for Extension of Time, 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 4, 55.

¹² [Decision on the VPRS' request for extension of time and proposal on the reporting of eligibility determinations](#), ICC-01/04-02/06-2933, paras 14-15, 18-20.

¹³ Sixth Registry Periodic Report on Eligibility for Reparations and Priority Treatment Determinations, ICC-01/04-02/06-2936-Conf (with Confidential Annexes I and II) ([public redacted version](#) notified on 8 July 2026, ICC-01/04-02/06-2936-Red).

¹⁴ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, paras 3, 25-29.

¹⁵ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, paras 5, 32-37.

informs the Chamber about its activities for the identification and notification processes during the reporting period.¹⁶

II. ANALYSIS

A. Eligibility assessment and priority status determination – victims group A

8. The VPRS informs the Chamber that during the reporting period, it identified 624 victims as eligible for reparations within group A.¹⁷ Of the 624 beneficiaries identified, 414 are victims of the attacks and 210 are victims of crimes against children conscripted or enlisted into armed groups and used in hostilities.¹⁸ Among the victims of the attacks, the VPRS identified 29 priority victims eligible for priority treatment.¹⁹
9. The Chamber, noting that the VPRS has followed the procedure established in the A-B-C Decision for the transmission of group A applications,²⁰ and in accordance with its oversight mandate,²¹ approves the VPRS's eligibility determination of the 624 victims identified as eligible for reparations, including the prioritisation of the identified 29 victims.

B. Eligibility assessment – victims group C

10. Regarding victims in group C, the VPRS seeks the Chamber's guidance on the eligibility of seven potential beneficiaries and whether they could be considered as victims of rape in Kilo.²² The VPRS notes that Mr Ntaganda was found guilty, *inter alia*, of rape in Kilo in relation to 'an unspecified number of girls'.²³ However, it notes that beyond the crime of conscripting and enlisting children under the age of 15 into armed groups and using them in hostilities, the Conviction Judgment gives no definition of 'girl' when referring to victims of the attacks.²⁴ The VPRS further notes that, in the Conviction Judgment, P-0017's

¹⁶ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, paras 4, 40-48.

¹⁷ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, paras 25-26, n. 41.

¹⁸ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, paras 25, 30-31.

¹⁹ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, paras 25-27, n. 45.

²⁰ [A-B-C Decision](#), ICC-01/04-02/06-2933, para. 19.

²¹ [First Decision on the DIP](#), ICC-01/04-02/06-2860-Red, paras 11, 185(f). *See also* [A-B-C Decision](#), ICC-01/04-02/06-2933, para. 19, where the Chamber decided that for group A applications, it 'will ratify the assessments through a decision unless a clear, material error in the VPRS' assessment is identified'.

²² [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, para. 32.

²³ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, para. 33, referring to [Conviction Judgment](#), 8 July 2019, ICC-01/04-02/06-2359, paras 545, 548, 940-948, 1199; [Sentencing Judgment](#), 7 November 2019, ICC-01/04-02/06-2442, paras 91, 98, n. 255; [Annex I to the 'Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659'](#), 14 July 2023, ICC-01/04-02/06-2858-AnxI, p. 10.

²⁴ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, para. 34, referring to [Conviction Judgment](#), ICC-01/04-02/06-2359, paras 400, 408, 518, 579, 945.

testimony was the main evidence relied upon to prove the commission of rape in Kilo, and that in his statement he used the terms ‘*filles*’ and ‘*femmes*’ interchangeably.²⁵ Moreover, it submits that the term ‘girls’ in the DRC is used to refer not only to girls under 18 years old, but also to young females.²⁶

11. The Chamber recalls that the factual findings supporting the commission of rape in Kilo refer to:

[T]wo or three instances, [in which] the commanders saw girls whose appearance they liked on the road in front of the camp and ordered soldiers to call the girls. A UPC/FPLC soldier who was present reported that the girls had no choice but to come and that they were directed to the bedrooms inside the camp.²⁷

12. As indicated by the VPRS, these findings were based on the evidence provided by P-0017, who did not refer to the exact age of the victims during his testimony in trial and testified equally about ‘girls’ and ‘women’ being raped by UPC/FPLC soldiers.²⁸ The Chamber also notes that, in the Conviction Judgment, the age of the victims was only relevant to reinforce the soldiers’ abuse of power against the victims, and the fact that they took advantage of the coercive environment and authority to have sexual intercourse with girls or women.²⁹ Therefore, the Chamber considers that the fact that a victim was older than 18 at the time of the events does not prevent her from being eligible for reparations.
13. Accordingly, the Chamber approves the VPRS’s eligibility determination of the seven victims of rape in Kilo.

²⁵ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, para. 35, referring to [Transcript of hearing](#), 29 January 2016, ICC-01/04-02/06-T-59-Red-FRA, p. 40, lines 13-15 and 19-28; [Conviction Judgment](#), ICC-01/04-02/06-2359, para. 548, n. 1650.

²⁶ [Sixth Registry Periodic Report](#), ICC-01/04-02/06-2936-Red, para. 36.

²⁷ [Conviction Judgment](#), ICC-01/04-02/06-2359, para. 548. The Chamber also notes that in footnote 1650 of paragraph 548, Trial Chamber VI referred to women being subject of rape, see [Conviction Judgment](#), ICC-01/04-02/06-2359, para. 548, n. 1650.

²⁸ See [Transcript of hearing](#), 29 January 2016, ICC-01/04-02/06-T-59-Red-ENG, p. 40, lines 3-24.

²⁹ [Conviction Judgment](#), ICC-01/04-02/06-2359, paras 940, 945.

FOR THESE REASONS, THE CHAMBER HEREBY

APPROVES the VPRS's eligibility determination and priority treatment of the 631 victims found eligible for reparations, as referred to in paragraphs 9 and 13 above.

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 18 August 2026

At The Hague, The Netherlands