

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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

Date: **21 April 2017**

TRIAL CHAMBER II

Before: Judge Marc Perrin de Brichambaut, Presiding
Judge Olga Herrera Carbuccion
Judge Péter Kovács

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF**

THE PROSECUTOR v. THOMAS LUBANGA DYILO

Public document

**Second progress report on the implementation of symbolic collective
reparations as per the Trial Chamber II order of 21 October 2016
with**

**one public Annex 1, and
one confidential ex parte Annex A available to the Registrar only**

Source:

The Trust Fund for Victims

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

The Office of the Prosecutor

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Counsel Support Section

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Detention Section Others

Victims Participation and Reparations Section

Mr Phillip Ambach

I. Procedural History

1. On 3 March 2015, the Appeals Chamber issued, by majority, its judgment concerning the “Decision establishing the principles and procedures to be applied to reparations”,¹ together with the “Amended order for reparations”, appended as an annex thereto.²
2. On 3 November 2015, the Trust Fund for Victims (hereinafter “Trust Fund”), submitted its draft implementation plan.³
3. On 9 February 2016, the Trial Chamber issued the “Order instructing the Trust Fund for Victims to supplement the draft implementation plan”.⁴
4. On 7 June 2016, the Trust Fund submitted additional information.⁵
5. On 15 July 2016, the Trial Chamber issued the “Request Concerning the Feasibility of Applying Symbolic Collective Reparations”.⁶
6. On 19 September 2016, the Trust Fund submitted a filing relevant to the request regarding symbolic reparations.⁷
7. On 21 October 2016, the Trial Chamber issued the “Order approving the proposed plan of the Trust Fund for Victims in relation to symbolic collective reparations”,⁸ in which it instructed the Trust Fund to provide it with progress reports every three months.⁹
8. On 20 January 2017, the Trust Fund submitted its first progress report.¹⁰
9. The Trust Fund hereby submits its second progress report relevant to symbolic collective reparations.

¹ ICC-01/04-01/06-3129.

² ICC-01/04-01/06-3129-AnxA.

³ “Filing on Reparations and Draft Implementation Plan”, ICC-01/04-01/06-3177-Red.

⁴ ICC-01/04-01/06-3198-tENG.

⁵ “Additional Programme Information Filing”, ICC-01/04-01/06-3209.

⁶ ICC-01/04-01/06-3219.

⁷ ICC-01/04-01/06-3223-Conf and confidential annex, ICC-01/04-01/06-3223-Conf-Anx.

⁸ ICC-01/04-01/06-3251.

⁹ ICC-01/04-01/06-3251, para. 17.

¹⁰ ICC-01/04-01/06-3271-Conf-Exp-AnxA .

II. Classification of the Present Filing

10. The Trust Fund has classified annex A of the present filing as confidential, *ex parte* pursuant to regulation 23 *bis* (1) of the Regulations of the Court because annex A contains confidential information pertaining to the ongoing procurement process, issues that do not relate to the rights of the convicted person.

III. Second Progress Report

11. The second progress report includes the steps undertaken by the Trust Fund since the submission of its first progress report. The report addresses steps undertaken, in consultation with the relevant sections of the Registry, in the procurement process, including the invitation to the organizational applicants to participate in the competitive bidding process, and the beginning of the evaluation process of the proposals received. The Trust Fund notes with appreciation the efforts and prioritization given to this process by the Registry's Procurement section.

12. The Trust Fund reiterates its commitment to updating the Trial Chamber on any further progress on the implementation of the symbolic collective reparations component in periodic intervals of three months, as per the Trial Chamber's instructions.

FOR THE FOREGOING REASONS

The Board of Directors respectfully submits its second progress report, contained in annex A to this filing



Pieter W.I. de Baan

Executive Director of the Secretariat of the Trust Fund for Victims,
on behalf of the Board of Directors of the Trust Fund for Victims

Dated this 21 April 2017

At The Hague, The Netherlands