

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 28 November 2022

TRIAL CHAMBER II

Before: Judge Chang-ho Chung, Presiding Judge
Judge Péter Kovács
Judge María del Socorro Flores Liera

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR v. BOSCO NTAGANDA***

Public

**With 187 confidential *ex parte* annexes only available to the Legal Representatives
of Victims**

**Registry Transmission of 173 Unredacted Victims' Dossiers to the Chamber and
the Legal Representatives of Victims**

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

Stephane Bourgon

Kate Gibson

Benjamin Willame

Legal Representatives of the Victims

Sarah Pellet

Dmytro Suprun

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Paolina Massidda

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Philipp Ambach

Trust Fund for Victims

Franziska Eckelmans

Others

I. Introduction

1. On 25 November 2022, Trial Chamber II (“Chamber”) issued a decision on the Registry submission in compliance with the “Order for the implementation of the Judgment on the appeals against the decision of Trial Chamber VI of 8 March 2021 entitled ‘Reparations Order’”¹ (“Decision”) in the case of *The Prosecutor v. Bosco Ntaganda* (“Case”). In the Decision the Chamber instructed the Registry, through the Victims Participation and Reparations Section (“VPRS”), to transmit 173 unredacted dossiers of victims to the Chamber and each respective Legal Representative of Victims (“LRV”).²

II. Procedural History

2. On 25 October 2022, the Chamber issued its “Order for the implementation of the Judgment on the appeals against the decision of Trial Chamber VI of 8 March 2021 entitled ‘Reparations Order’”, in which it ordered the Registry *inter alia* to submit to the Chamber a list of individuals to be included in a sample of victim applications to be assessed and ruled upon by the Chamber (“Sample”).³
3. On 8 November 2022, the Registry submitted the sample of victims’ dossiers to the Chamber.⁴
4. On 25 November 2022, the Chamber issued the Decision in which it instructed the VPRS to transmit the unredacted dossiers of the victims included in the Sample to the Chamber and each respective LRV who represents and assists them.⁵

¹ Trial Chamber II, “Decision on the Registry submission in compliance with the “Order for the implementation of the Judgment on the appeals against the decision of Trial Chamber VI of 8 March 2021 entitled ‘Reparations Order’”, 25 November 2022, ICC-01/04-02/06-2794.

² Decision, paras 27 and 34(a), and Disposition, p. 23.

³ Trial Chamber II, “Order for the implementation of the Judgment on the appeals against the decision of Trial Chamber VI of 8 March 2021 entitled “Reparations Order””, 25 October 2022, ICC-01/04-02/06-2786, para. 34 (d) and Disposition, p. 21. The Chamber provided instructions on how the Registry should constitute the sample at paras 20 and 22 to 34.

⁴ Registry, “Registry submission in compliance with the “Order for the implementation of the Judgment on the appeals against the decision of Trial Chamber VI of 8 March 2021 entitled ‘Reparations Order’” (ICC-01/04-02/06-2786)”, 8 November 2022, ICC-01/04-02/06-2788.

⁵ Decision, paras 27 and 34(a) and Disposition, p. 23.

III. Classification

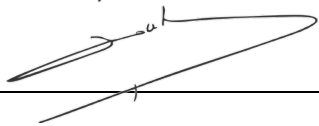
5. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, the annexes to this document are classified confidential *ex parte*, only available to each respective LRV, in accordance with the Decision.

IV. Applicable Law

6. The present transmission is submitted in accordance with the Decision.

V. Transmission

7. The Registry hereby transmits 173 unredacted victims' dossiers⁶ to the Chamber and each respective LRV.⁷



Marc Dubuisson
Director Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 28 November 2022

At The Hague, the Netherlands.

⁶ Because they contain both an application for participation and a consultation form, 18 dossiers are transmitted in two separate and consecutive annexes (a/00140/13, a/00256/13, a/00795/13, a/00811/13, a/00824/13, a/00880/13, a/00891/13, a/01635/13, a/01678/13, a/01720/13, a/30275/15, a/30282/15, a/30286/15, a/30318/20, a/30383/15, a/30397/20, a/40005/21, a/40042/21). This explains the disparity between the overall number of victim dossiers *vs.* the number of annexes to the present filing.

⁷ The Registry notes that Ms Sarah Pellet, LRV of the group of the "victims of crimes against child soldiers" and Mr Dmytro Suprun, LRV of the group of "victims of the attacks", represent and assist, respectively, 36 and 137 victims whose dossiers are part of the Sample. Amongst these, six victims (two victims who are part of the group of the "victims of crimes against child soldiers" and four victims who are part of the group of the "victims of the attack") are non-participating victims. Pursuant to paragraph 27 of the Decision, their unredacted dossiers are transmitted to their respective LRV.