

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12 January 2023

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 one confidential *ex parte* annex only available to the Registry

Registry Transmission of One Victim Dossier in Compliance with the “Decision on the Trust Fund for Victims’ submission of information on certain victims selected in Trial Chamber II’s approved sample” (ICC-01/04-02/06-2808)

Source: Registry

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

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Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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REGISTRY

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**Victims Participation and Reparations
Section**

Philipp Ambach

Trust Fund for Victims

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Other

I. Introduction

1. The Registry's Victims Participation and Reparations Section ("VPRS") herewith submits in annex the dossier of a victim randomly selected, in compliance with Trial Chamber II's "Decision on the Trust Fund for Victims' submission of information on certain victims selected in Trial Chamber II's approved sample" issued on 9 January 2023 (respectively, "Chamber" and "Decision").¹

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'" (*"Order"*), in which it ordered *inter alia* the Registry 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 to the Chamber a list of 173 victim's dossiers, compiled in compliance with the Order, as well as a table containing details extracted from the aforementioned victims' dossiers (*"Submission of Sample"*).⁴
4. On 25 November 2022, the Chamber issued a decision in which it *inter alia* approved the Sample and instructed the VPRS to transmit the unredacted dossiers of the victims included in the Sample to the Chamber and the common legal representatives of Victims (*"CLRs"*).⁵

¹ Trial Chamber II, "Decision on the Trust Fund for Victims' submission of information on certain victims selected in Trial Chamber II's approved sample", 9 January 2023, ICC-01/04-02/06-2808.

² 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.

³ Order, para. 34 and Disposition, p. 21.

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 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

5. On 28 November 2022, the Registry transmitted the 173 unredacted victims' dossiers included in the Sample to the Chamber and the CLRs.⁶
6. On 22 December 2022, the Trust Fund for Victims filed a submission providing information on certain victims included in the Sample ("TFV Submission").⁷
7. On 9 January 2023, the Chamber issued the Decision in which it excluded victims a/30383/15, a/30453/15, and a/00707/13 from the Sample. It further instructed the Registry to randomly select, in accordance with the methodology set forth in the Order, another victim from the group of 'victims of crimes against child soldiers' and transmit its dossier to the Chamber within three days of the notification of the Decision.⁸

III. Classification

8. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, the annex to this document is classified confidential *ex parte*, only available to the Registry, in accordance with the Decision.⁹

IV. Applicable Law

9. The Registry submits the present filing in accordance with the Decision.

V. Submissions

10. On 11 January 2023, the VPRS administered a random sample process using an online computer program, following the below steps, as described in its Submission of Sample:¹⁰

2021 entitled 'Reparations Order', 25 November 2022, ICC-01/04-02/06-2794. The Registry notes that Ms Sarah Pellet represents the group of the "victims of crimes against child soldiers" ("CLR1") and Mr Dmytro Suprun represents the group of "victims of the attacks" ("CLR2").

⁶ Registry, "Registry Transmission of 173 Unredacted Victims' Dossiers to the Chamber and the Legal Representatives of Victims", 28 November 2022, ICC-01/04-02/06-2795.

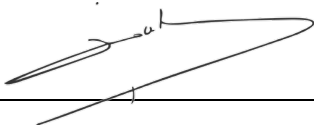
⁷ TFV, "Trust Fund for Victims' submission of information on certain victims selected in Trial Chamber II's approved sample", 22 December 2022, ICC-01/04-02/06-2807.

⁸ Decision, para. 15 and Disposition, p.8

⁹ *Ibid.*

¹⁰ Submission of Sample, paras 15 and 16.

- i. The VPRS attributed a distinct number to each victim's dossier included in the pool of 232 victims of crimes against child soldiers;¹¹
 - ii. The program generated one number randomly selected from the pool of distinct numbers;
 - iii. The VPRS matched the number randomly selected by the program with the reference number of the victim's dossier it corresponded to, thus constituting the dossier selected included in the confidential *ex parte* annex to the present transmission.
11. The Registry stands ready to provide any further information and assistance as the Chamber may deem necessary.



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

Dated this 12 January 2023

At The Hague, the Netherlands.

¹¹ The constitution of the pool of "victims of crimes against child soldiers" was further described at paras 13 and 14 of the Submission of Sample. The VPRS removed from said pool the dossier of victim a/00707/13, following its exclusion by the Chamber from the Sample (See Decision, paras 14 and 15 and Disposition, p. 8).