



Original: English

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

Date: 14 August 2023

TRIAL CHAMBER II

Before: Judge Chang-ho Chung, Presiding Judge
Judge Péter Kovacs
Judge Maria del Socorro Flores Liera

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public

**Defence observations on the Trust Fund for Victims' Twelfth Update Report on
the Implementation of the Initial Draft Implementation Plan**

Source: Defence Team of Mr Bosco Ntaganda

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

Legal Representatives of Victims

Ms Sarah Pellet

Mr Tars Van Litsenborgh

Mr Dmytro Suprun

Ms Cherine Luzaisu

Ms Fiona Lau

Counsel for the Defence

Me Stéphane Bourgon, *Ad.E.*

Mrs Kate Gibson

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REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Ms Deborah Ruiz Verduzco

Further to the submission of the Defence observations on the Trust Fund for Victims' Eleventh Update Report on the Implementation of the Initial Draft Implementation Plan on 12 June 2023 ("Defence Observations – TFV Eleventh Update Report")¹ and the Trust Fund for Victims ("TFV")'s submission of its Twelfth Update Report on the Implementation of the Initial Draft Implementation Plan, on 31 July 2023 ("TFV Twelfth Update Report"),² Counsel for the Convicted Person ("Defence") hereby submits this:

Defence observations on the Trust Fund for Victims' Twelfth Update Report on the Implementation of the Initial Draft Implementation Plan

"Defence Observations – TFV Twelfth Update Report"

SUBMISSIONS

1. In light of the Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659 rendered by Trial Chamber II on 14 July 2023 ("14 July Addendum")³ and the First Decision on the Trust Fund for Victims' Draft Implementation Plan for Reparations issued by Trial Chamber II on 11 August 2023 ("First Decision on TFV Updated DIP"),⁴ the Defence hereby informs Trial Chamber II that it will not be submitting observations on the TFV Twelfth Update Report.

2. The Defence nonetheless reserves the right to address issues arising from the TFV Twelfth Update Report in the Defence Notice of Appeal against the

¹ Defence observations on the Trust Fund for Victims' Eleventh Update Report on the Implementation of the Initial Draft Implementation Plan, 12 June 2023, ICC-01/04-02/06-2855 ("Defence Observations – TFV Eleventh Update Report").

² Trust Fund for Victims' Twelfth Update Report on the Implementation of the Initial Draft Implementation Plan, 31 July 2023, ICC-01/04-02/06-2859 ("TFV Twelfth Update Report").

³ Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659, 14 July 2023, ICC-01/04-02/06-2858-Conf ("14 July Addendum").

⁴ First Decision on the Trust Fund for Victims' Draft Implementation Plan for Reparations, 11 August 2023, ICC-01/04-02/06-2860-Conf ("First Decision on TFV Updated DIP")

“Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659,” due on 16 August 2023.

RESPECTFULLY SUBMITTED ON THIS 14th DAY OF AUGUST 2023

A handwritten signature in black ink, appearing to read 'S. Bourgon'.

Me Stéphane Bourgon *Ad.E.*, Counsel for Bosco Ntaganda

The Hague, The Netherlands