

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 20 June 2017

TRIAL CHAMBER VI

Before: Judge Robert Fremr, Presiding Judge
Judge Kuniko Ozaki
Judge Chang-ho Chung

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. BOSCO NTAGANDA***

Public

Decision on withdrawal of a victim's application for participation

To be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Ms Fatou Bensouda
Mr James Stewart
Ms Nicole Samson

Counsel for Bosco Ntaganda

Mr Stéphane Bourgon
Mr Christopher Gosnell

Legal Representatives of Victims

Ms Sarah Pellet
Mr Dmytro Suprun

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Trial Chamber VI ('Chamber') of the International Criminal Court, in the case of *The Prosecutor v. Bosco Ntaganda*, having regard to Article 68(1) and (3) of the Rome Statute, Rules 85 and 89 of the Rules of Procedure and Evidence, and Regulation 101(2) of the Regulations of the Registry ('Regulations') issues this 'Decision on withdrawal of a victim's application for participation'.

1. On 16 June 2015, the Chamber issued its 'Second Decision on victims' participation in trial proceedings',¹ in which it admitted, among others, Victim a/00682/13 as a participating victim in the current proceedings.
2. On 12 June 2017, the Registry filed its 'Notification of a Request for Withdrawal of an Application for Participation',² in which it indicated that on 7 June 2017, the Victims Participation and Reparations Section received a memorandum from the Legal Representative for former child soldiers, containing a request for withdrawal of Victim a/00682/13's application for participation, including the underlying reasons ('Withdrawal').³ The Registry thereby transmitted, pursuant to Regulation 101(2) of the Regulations, the Withdrawal to the Chamber.
3. Pursuant to Regulation 101(2) of the Regulations, '[if a victim decides to withdraw an application for participation, and] the application has already been presented to the Chamber, the Registry shall present the withdrawal to that Chamber, including any reasons given for the withdrawal'.
4. The Chamber takes note of Victim a/00682/13's intention to withdraw his application for participation. In light of these circumstances, the Chamber decides to terminate Victim a/00682/13's status as a victim participating in the present proceedings.

¹ ICC-01/04-02/06-650 and ICC-01/04-02/06-650-AnxA.

² ICC-01/04-02/06-1949-Conf.

³ ICC-01/04-02/06-1949-Conf and ICC-01/04-02/06-1949-Conf-Exp-Anx.

5. The Chamber further indicates that, should any further participating victim indicate his or her intention to withdraw an application for participation in the present case, the Registry, pursuant to Regulation 101(2) of the Regulations, shall present the withdrawal to the Chamber. The Chamber considers that notification of such withdrawal, absent any specific request requiring the Chamber's intervention, will automatically terminate the status of the concerned individual as a participating victim in the proceedings. The same applies to any notification of any unavailability of a victim to continue participation in the present case. Any amendment of the number of participating victims shall be reflected in the periodic reports on victims filed by the Registry before the Chamber.⁴

⁴ See for the latest report, Seventh Periodic Report on Victims in the Case and their General Situation, 6 June 2017, ICC-01/04-02/06-1938.

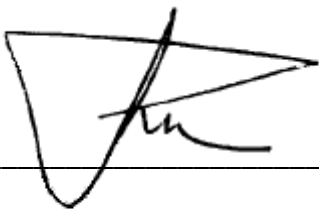
FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

TAKES NOTE of Victim a/00682/13's Withdrawal;

DECIDES to terminate the status of Victim a/00682/13 as a victim participating in the present proceedings; and

ADOPTS the procedure to be followed with regard to any future withdrawal of applications for participation or unavailability of victims to continue participation set out in paragraph 5 of the present decision.

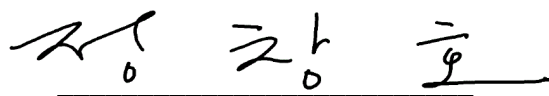
Done in both English and French, the English version being authoritative.



Judge Robert Fremr, Presiding Judge



Judge Kuniko Ozaki



Judge Chang-ho Chung

Dated 20 June 2017

At The Hague, The Netherlands