

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

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

Date: **25 July 2019**

TRIAL CHAMBER VI

Before: Judge Chang-ho Chung, Single Judge

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

Public

Order for preliminary information on reparations

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

Ms Paolina Massidda

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

Judge Chang-ho Chung, acting as Single Judge on behalf of Trial Chamber VI (the ‘Single Judge’ and the ‘Chamber’, respectively) of the International Criminal Court, in the case of *The Prosecutor v. Bosco Ntaganda* (the ‘*Ntaganda* case’), having regard to Articles 64 and 75 of the Rome Statute (the ‘Statute’) issues this ‘Order for preliminary information on reparations’.

1. On 8 July 2019, the Chamber issued its Judgment, convicting Mr Ntaganda of five counts of crimes against humanity and thirteen counts of war crimes.¹
2. According to Article 75(1) of the Statute, the Court shall establish ‘principles relating to reparations’ and may, ‘either upon request or on its own motion in exceptional circumstances, determine the scope and extent of any damage, loss and injury to, or in respect of, victims and will state the principles on which it is acting’.
3. The Chamber notes that 2,129 victims were authorised to participate in the case pursuant to Article 68(3) of the Statute.²
4. In order to facilitate the fair and expeditious conduct of the reparations proceedings in the *Ntaganda* case, and without prejudice to providing further directions or convening hearings if necessary, the Single Judge issues the following directions:
 - a. The Registry is requested to submit the following by 5 September 2019:
 - i. information on, and any proposed methodology for, the identification of victims (not yet participating);
 - ii. observations on whether experts may be usefully appointed to assist the Chamber pursuant to Rule 97 of the Rules of Procedure and Evidence and, if so, submit a list of relevant experts available to assist the Chamber; and
 - iii. an update on the security situation in the Democratic Republic of the Congo based on information currently available.

¹ Judgment, ICC-01/04-02/06-2359 (with Annexes A, B and C).

² Procedural overview, 8 July 2019, ICC-01/04-02/06-2359-AnxA, *annexed to* Judgment, para. 1.

- b. Responses to the abovementioned information and observations, if any, shall be filed by the LRVs, the Defence, as well as the Office of the Prosecutor (the ‘Prosecution’) and the Trust Fund for Victims (the ‘TFV’), by 19 September 2019.
5. The Chamber further notes that it intends to order the LRVs, the Defence, the Prosecution, the Registry and the TFV to submit observations on reparations six weeks after the issuance of the Chamber’s decision on sentence pursuant to Article 76 of the Statute. A formal order in this regard will follow in due course.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

ORDERS the Registry to submit the information and observations set out in paragraph 4(a) of this order by 5 September 2019; and

ORDERS the LRVs, the Defence, the Prosecution, and the TFV to file any responses to the abovementioned information and observations by 19 September 2019.

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



Judge Chang-ho Chung

Dated 25 July 2019

At The Hague, The Netherlands