

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12 July 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**

Confidential

**Registry's Report pursuant to the Chamber's 'Order Scheduling a Hearing for the
Delivery of the Addendum to the Reparations Order of 8 March 2021,
ICC-01/04-02/06-2659' (ICC-01/04-02/06-2856)**

Source: The Registry

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

The Office of the Prosecutor

Mr Karim A. Khan
Ms Nicole Samson

Counsel for the Defence

Mr Stéphane Bourgon
Mr Benjamin Willame
Mr Jacopo Ricci

Legal Representatives of the Victims

Ms Sarah Pellet
Mr Tars van Litsenborgh

Legal Representatives of the Applicants

Mr Dmytro Suprun
Ms Fiona Lau
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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Mr Pieter Vanaverbeke

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

Presidency

Ms Deborah Ruiz Verduzco, Executive
Director, Trust Fund for Victims

I. Introduction

1. In compliance with Trial Chamber II's ("Chamber") "Order Scheduling a Hearing for the Delivery of the Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659", dated 7 July 2023 ("Order"),¹ the Registry hereby submits its report on the possibility of securing the attendance of Mr Bosco Ntaganda ("Mr Ntaganda") either physically at the seat of the Court or through the use of video technology, at the public hearing scheduled on 14 July 2023.

II. Classification

2. Pursuant to regulation 23 *bis*(2) of the Regulations of the Court, the present submission is classified as confidential as it refers to non-public communications between the Registry and the Belgian State and because it contains information on the Court's *modus operandi*.

III. Submission

3. On 7 July 2023, the Registry liaised with the Belgian authorities in relation to the possibility for Mr Ntaganda to participate in person or remotely in the hearing of 14 July 2023. To this effect, the Registry transmitted the Order to the Belgian authorities.
4. On 11 July 2023, the Belgian authorities responded that given the very short notice and considering the complexity of the organisation of the transfer operation of Mr Ntaganda to the seat of the Court on 14 July 2023, his appearance in person would not be feasible and the preferred option for such an appearance would be via video-link.

¹ Trial Chamber II, "Order Scheduling a Hearing for the Delivery of the Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659", 7 July 2023, ICC-01/04-02/06-2856.

5. Furthermore, on 10 July 2023, the Registry received confirmation from Mr Ntaganda's Counsel that Mr Ntaganda will attend the hearing remotely.²
6. With this in mind and following confirmation from the Belgian authorities of the feasibility of Mr Ntaganda's attendance via video-link from his current location in Belgium, the relevant services of the Registry are undertaking the necessary preparations to provide their services and ensure the remote appearance of Mr Ntaganda at the hearing on 14 July 2023.
7. In this perspective, and with the consent of the Belgian authorities, a Registry Officer will travel to the current location of Mr Ntaganda in Belgium to perform the functions of a Courtroom Officer during the said hearing.

p.p.


Marc Dubuisson

Director, Division of Judicial Services on behalf of
Osvaldo Zavala Giler, Registrar

Dated this 12 July 2023

At The Hague, the Netherlands

² Email from Mr Bourgon to the Counsel Support Section, dated 10 July 2023, at 19h22. The email further indicated that "[I]n attendance for the Ntaganda Defence team will be (in person) Me Jacopo Ricci, M Benjamin Willame as well as (remotely) Ms Kate Gibson and Me Stephane Bourgon *Ad.E.*".