

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **1 December 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***

**Confidential
With Confidential Annex A**

**Statement provided by Mr Bosco Ntaganda on 30 November 2023
regarding reparations proceedings**

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 First Decision on the Trust Fund for Victims' Draft Implementation Plan for Reparations issued by Trial Chamber II ("Chamber") on 11 August 2023 ("First Decision on Updated DIP"),¹ the TFV's submission of Additional Information on the Draft Implementation Plan, on 3 November 2023,² the Registry Submission pursuant to ICC-01/04-02/06-2860-Red, on 3 November 2023³ and the Defence response to the TFV and Registry's submissions pursuant to the First Decision on Updated DIP submitted on 16 November 2023 ("Defence 16 November Response"),⁴ Counsel for the Convicted Person ("Defence") hereby submits this:

**Statement provided by Mr Bosco Ntaganda on 30 November 2023
regarding reparations proceedings**

"Statement by Mr Ntaganda"

INTRODUCTION AND OVERVIEW

1. Following the submission of the Defence 16 November Response, the Defence had the opportunity to meet with Mr Ntaganda *via* audio-video conference means to review the state of reparations proceedings and to obtain instructions from him. Further to this exercise, Mr Ntaganda concluded that it was time to stand down and to trust the Court for the implementation of reparations for the benefit of the genuine victims of the crimes he was convicted of.

2. Accordingly, on 30 November 2023, Mr Ntaganda provided the Defence with a personal statement and instructed the Defence to submit the same to the Honorable Judges of Trial Chamber II.

3. The Defence hereby submits, as Annex A, the statement provided by Mr Ntaganda on 30 November 2023.

¹ First Decision on the Trust Fund for Victims' Draft Implementation Plan for Reparations, 11 August 2023, ICC-01/04-02/06-2860 ("First Decision on Updated DIP").

² Trust Fund for Victims' Submission of Additional Information on the Draft Implementation Plan, 3 November 2023, ICC-01/04-02/06-2877.

³ Registry Submission pursuant to ICC-01/04-02/06-2860-Red, 3 November 2023, ICC-01/04-02/06-2878.

⁴ Defence response to the TFV and Registry's submissions pursuant to the First Decision on Updated DIP (ICC-01/04-02/06-2860), 16 November 2023, ICC-01/04-02/06-2882 ("Defence 16 November Response").

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4. Therein, Mr Ntaganda explains that from the beginning of the reparations phase, his intent has been to adopt a responsible and constructive approach.

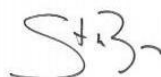
5. More specifically, Mr Ntaganda states that from the beginning of reparations proceedings in this case, he has always been guided by two main objectives, *i.e.* (i) that only genuine victims benefit from reparations; and (ii) that awarding reparations to victims does not cause more harm than good by fueling ethnic tensions and contributing to more violence, insecurity, and armed conflict in the Democratic Republic of Congo.

6. Mr Ntaganda concludes by expressing his intent – other than for the ongoing appeals against the 14 July Addendum⁵ - to stand down and refrain from making further submissions before the Chamber, trusting that his previous submissions will be considered by the Chamber when awarding reparations in this case.

CONFIDENTIALITY

7. Pursuant to Regulation 23bis (1) and (2) Regulations of the Court (“RoC”), this Statement by Bosco Ntaganda is classified confidential as it pertains to ongoing matters and issues subject to the same classification. Public redacted versions of the filing and Annex A will be submitted in due course.

RESPECTFULLY SUBMITTED ON THIS 1st DAY OF DECEMBER 2023



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

The Hague, The Netherlands

⁵ Defence Appellant Brief against the 14 July Addendum to the Reparations Order of 8 March 2021, 30 October 2023, ICC-01/04-02/06-2876; Appeal Brief of the Common Legal Representative of the Victims of the Attacks against the “Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659”, 30 October 2023, ICC-01/04-02/06-2875.