



Original: **French**

No.: ICC-01/04-01/06
Date: 7 November 2017

TRIAL CHAMBER II

Before: Judge Marc Perrin de Brichambaut, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Péter Kovács

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. THOMAS LUBANGA DYILO***

PUBLIC DOCUMENT

**Order Instructing the Trust Fund for Victims to Inform the Chamber of the
Progress Made in the Implementation of Reparations**

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

Office of the Prosecutor

Counsel for Thomas Lubanga Dyilo

Ms Catherine Mabilie

Mr Jean-Marie Biju-Duval

Legal Representatives of Victims V01

Mr Luc Walley

Mr Franck Mulenda

Legal Representatives of Victims V02

Ms Carine Bapita Buyangandu

Mr Paul Kabongo Tshibangu

Mr Joseph Keta Orwinyo

Office of Public Counsel for Victims

Ms Paolina Massidda

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witness Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

TRIAL CHAMBER II of the International Criminal Court (“Chamber”) orders as follows:

1. On 21 October 2016, the Chamber approved the proposed plan of the Trust Fund for Victims (“Trust Fund”) in relation to symbolic collective reparations.¹ In its Order, it instructed the Trust Fund to submit to the Chamber, every three months, a progress report on the implementation of symbolic collective reparations detailing the exact steps it has undertaken.²
2. On 8 December 2016, the Chamber instructed the Trust Fund to submit to it collective reparations proposals by 13 February 2017.³
3. On 23 January 2017, the Trust Fund submitted the first report on the implementation of symbolic collective reparations⁴ and, on 13 February 2017, it submitted its collective reparations proposals.⁵
4. On 6 April 2017, the Chamber approved the first stage of the Trust Fund’s proposed plan of 13 February 2017 in relation to collective reparations,⁶ namely the selection of implementing partners for collective reparations. In this connection, it instructed the Trust Fund to report to the Chamber on the results of the process for selecting implementing partners, and to consult the Chamber before finalizing the contracts with the selected partners.⁷

¹ “Order approving the proposed plan of the Trust Fund for Victims in relation to symbolic collective reparations”, 21 October 2016, ICC-01/04-01/06-3251 (“Order of 21 October 2017”).

² Order of 21 October 2017, para. 17.

³ “Order instructing the Trust Fund for Victims to Submit Information regarding Collective Reparations”, 8 December 2016, ICC-01/04-01/06-3262.

⁴ “First report on the implementation of symbolic collective reparations as per the Trial Chamber II Order of 21 October 2016”, 23 January 2017, ICC-01/04-01/06-3271 with its confidential annex *ex parte* Registry, ICC-01/04-01/06-3271-Conf-Exp-AnxA. A confidential redacted version of the annex was filed on the same day (ICC-01/04-01/06-3271-Conf-AnxA-Red).

⁵ “Information regarding Collective Reparations”, 13 February 2017, ICC-01/04-01/06-3273, and three public annexes (ICC-01/04-01/06-3273-AnxA, ICC-01/04-01/06-3273-AnxB, ICC-01/04-01/06-3273-AnxC), one confidential annex (ICC-01/04-01/06-3273-Conf-AnxD1) and one confidential annex *ex parte* Trial Chamber II (ICC-01/04-01/06-3273-Conf-Exp-AnxD2). A public redacted version of the confidential annex was filed on the same day (ICC-01/04-01/06-3273-Anx-D1-Red).

⁶ “Order approving the proposed programmatic framework for collective service-based reparations submitted by the Trust Fund for Victims”, 6 April 2017, ICC-01/04-01/06-3289 (“Order of 6 April 2017”).

⁷ Order of 6 April 2017, para. 17.

5. On 21 April 2017, the Trust Fund submitted the second progress report on the implementation of symbolic collective reparations.⁸
6. Since 21 April 2017, no information on progress made in the implementation of collective reparations – which includes symbolic collective reparations – has been imparted to the Chamber.

FOR THESE REASONS, the Chamber

INSTRUCTS the Trust Fund to report to the Chamber by 15 November 2017 on the progress made in the implementation of collective reparations, including symbolic collective reparations.

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

[signed]

Judge Marc Perrin de Brichambaut
Presiding Judge

[signed]

Judge Olga Herrera Carbuccia

[signed]

Judge Péter Kovács

Dated this 7 November 2017

At The Hague, Netherlands

⁸ “Second progress report on the implementation of symbolic collective reparations as per the Trial Chamber II order of 21 October 2016”, 21 April 2017, ICC-01/04-01/06-3295, with one public annex (ICC-01/04-01/06-3295-Anx1) and one confidential annex *ex parte* Registry (ICC-01/04-01/06-3295-Conf-Exp-AnxA).