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No.: **ICC-01/04-02/06**
Date: 19 February 2020

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

**Registry List of Proposed Experts on Reparations Pursuant to Trial Chamber VI's
Order of 5 December 2019**

**With 35 Confidential Annexes, available only to the Defence and the Legal
Representatives of Victims**

Source: Registry

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

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I. Introduction

1. The Registry hereby respectfully submits a list of proposed experts (“List”) relevant to reparations in the case of *The Prosecutor v. Bosco Ntaganda* (“Case”), as well as the related documents submitted by applicants, pursuant to the “Order setting deadlines in relation to reparations” (“Order”)¹ issued by the Single Judge of Trial Chamber VI (“Single Judge”).

II. Procedural History

2. On 8 July 2019, Trial Chamber VI (“Chamber”) issued its Judgment in the Case convicting Mr Ntaganda of war crimes and crimes against humanity.²
3. On 7 November 2019, the Chamber issued its sentencing judgment.³
4. On 5 December 2019, the Single Judge issued the Order requesting the Registry, in consultation with the Defence and the LRVs (together the “Parties”), to identify by 14 February 2020 three or more experts with expertise in, *inter alia*: (i) the scope of liability of the convicted person; (ii) the scope, extent, and evolution of the harm suffered by both direct and indirect victims, including the long-term consequences of the crimes on the affected communities and including the potential cost of repair; (iii) appropriate modalities of reparations; (iv) sexual violence, in particular sexual slavery, and the consequences thereof on the direct and indirect victims; and (v) any other matter deemed relevant after the aforesaid consultation.⁴

¹ Trial Chamber VI, *Ntaganda*, “Order setting deadlines in relation to reparations”, 5 December 2019, ICC-01/04-02/06-2477 (“5 December 2019 Order”), para. 9 (b).

² Trial Chamber VI, *Ntaganda*, “Judgment”, 8 July 2019, ICC-01/04-02/06-2359.

³ Trial Chamber VI, *Ntaganda*, “Sentencing judgment”, 7 November 2019, ICC-01/04-02/06-2442 (with one public annex).

⁴ 5 December 2019 Order, para. 9(b).

5. On 29 January 2020, upon the Registry's request,⁵ the Chamber granted an extension of time until 19 February 2020 to submit the List.⁶

III. Classification

6. Pursuant to regulation 23*bis*(1) of the Regulations of the Court ("RoC"), the 35 annexes to the present filing are submitted as confidential because they contain private contact details and other personal information of the expert applicants.

IV. Applicable Law

7. The Registry submits this filing in accordance with rule 97(2) of the Rules of Procedure and Evidence and regulation 44 of the Regulations of the Court ("RoC"), and in compliance with the Order.

V. Submissions

8. The Registry followed the steps detailed below, in consultation with the Parties, as appropriate, in order to identify experts in the relevant matters as requested by the Single Judge in the Order:
 - (1) The Registry prepared a call for expression of interest, in consultation with the Parties ("Call") in both working languages of the Court, i.e. English and French;
 - (2) The Call was posted for one month on the Court's website and the deadline for the submission of expert applications was set to 19 January 2020;

⁵ Email from Registry to Trial Chamber VI on 27 January 2020 at 18.05.

⁶ Email from the Single Judge to the Registry on 29 January 2020 at 15.55.

- (3) The Call was further disseminated through different channels. This included dissemination through the Public Information and Outreach Section's mailing list, letters to specific organizations, as well as *notes verbales* to various Embassies. In addition, the Call was publicised on the Human Resources Section's social media network.⁷ Finally, the Call was sent to experts on the list of experts maintained by the Registry pursuant to regulation 44 of the RoC in light of the relevant areas of expertise specified by the Single Judge, as well as to experts identified in previous calls for expressions of interest⁸ and to specific focal persons at various universities;⁹
- (4) The Registry received a total of 53 applications within the Call's deadline. These applications were sent to an external consultant¹⁰ for a first assessment on whether the candidates meet the basic requirements mentioned in the Call. Where necessary, the Registry followed up with applicants in order to obtain missing information from applications;
- (5) The external consultant assessed that 34 applications out of 53 meet the basic requirements of the Call;¹¹
- (6) The Registry shared the final list of proposed experts as well as the applications with the Parties on 6 February 2020 as part of the consultation process; it has to date not received any comments.¹²
- (7) The Registry recommends that prior to the Chamber's appointment of experts, if any, the Registry be enabled to carry out a vetting of any

⁷ Linked-in with about 46,100 followers; Facebook with about 21,000 followers; and Twitter with about 5,400 followers.

⁸ The Call was sent to 27 experts with the relevant experience and who were assessed as meeting the minimum requirements of the Al Mahdi and Bemba calls for expression of interest.

⁹ The Call was sent to 26 focal persons within 16 universities mainly located in African, European and Middle Eastern countries.


¹⁰ The Registry usually requests this external consultant to assess the expert applications under regulation 44 of the RoC. This external consultant has already assessed expert applications at previous occasions.

¹¹ See the List in Annex 1.

¹² Email from the Registry to the Defence and LRVs on 6 February 2020 at 16.26.

candidates preliminarily selected, to carry out relevant background checks prior to appointment.

9. Depending on the Chamber's determination of the matter, the Registry will be able to appraise the Chamber of the budgetary impact of the designation of experts in the Case, depending on (i) the number of experts to be appointed by the Chamber, and (ii) the exact modalities of assignment which the Chamber may wish to establish for the experts. The Registry is also cognisant that some applicants may wish that protective measures apply.
10. The Registry hereby submits:
- Annex 1: Confidential Registry List of Proposed Experts; and
 - Annexes 2 to 35: Confidential Applications and Attached Documents of each of the 34 Proposed Experts.



Marc Dubuisson, Director, Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 19 February 2020

At The Hague, The Netherlands