

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **10 June 2021**

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***

Public

**Order for the submission of observations on the initial draft implementation plan
with focus on priority victims**

To be notified, in accordance with Regulation 31 of the Regulations of the Court, to:

Legal Representatives of Victims

Ms Sarah Pellet
Ms Anna Bonini

Mr Dmytro Suprun
Ms Anne Grabowski

Counsel for Bosco Ntaganda

Mr Stéphane Bourgon

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

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Mr Pieter de Baan

Others

Trial Chamber II of the International Criminal Court (the ‘Chamber’), in the case of *The Prosecutor v. Bosco Ntaganda* (the ‘Ntaganda case’), having regard to article 75 of the Rome Statute and Regulation 28 of the Regulations of the Court, issues this Order for the submission of observations on the initial draft implementation plan with focus on priority victims (the ‘Order’).

1. On 8 March 2021, Trial Chamber VI, in its former composition, delivered its Reparations Order,¹ *inter alia*, directing the Trust Fund for Victims (‘TFV’) to submit, by 8 June 2021 at the latest, an initial draft implementation plan focusing exclusively on the options for addressing the most urgent needs of victims that require priority treatment, relying as much as possible on existing mechanisms, identified intermediaries, and partnership already established.²

2. On 8 June 2021, the TFV submitted an initial draft implementation plan with focus on priority victims (the ‘initial draft implementation plan’).³

3. In the view of the Chamber, prior to approving the initial draft implementation plan, the parties shall have the opportunity to submit observations to the Chamber regarding those aspects of the plan affecting their interests and rights.⁴ In addition, the Chamber recalls that, in line with its general approach to reparations,⁵ the TFV was instructed to rely on the Registry and the Legal Representatives for Victims (‘LRVs’), in order to ensure that the implementation process and consultations with victims comply with all principles on reparations.⁶ In light of the above, the Chamber considers that the Registry shall also have the opportunity to submit observations on the initial draft implementation plan.

4. Consequently, the Chamber directs the parties and the Registry to file any observations they may have on the initial draft implementation plan by 23 June 2021.

¹ Trial Chamber VI, *Prosecutor v. Bosco Ntaganda*, Reparations Order (‘Reparations Order’), 8 March 2021, [ICC-01/04-02/06-2659](#).

² Reparations Order, [ICC-01/04-02/06-2659](#), para. 252.

³ Report on Trust Fund’s Preparation for Draft Implementation Plan (notified on 9 June 2021), ICC-01/04-02/06-2676-Conf, with Annex A, Initial Draft Implementation Plan with focus on Priority Victims, ICC-01/04-02/06-2676-Conf-AnxA.

⁴ For a similar approach, see Appeals Chamber, *Prosecutor v. Thomas Lubanga Dyilo*, Judgment on the appeals against the ‘Decision establishing the principles and procedures to be applied to reparations’ of 7 August 2012 with AMENDED order for reparations (Annex A) and public annexes 1 and 2, 3 March 2015, [ICC-01/04-01/06-3129](#), Annex A, Order for Reparations (amended), [ICC-01/04-01/06-3129-AnxA](#), para. 77.

⁵ See, for instance, First Decision on Reparations Process, [ICC-01/04-02/06-2547](#), para. 25.

⁶ Reparations Order, [ICC-01/04-02/06-2659](#), para. 251.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY,

DIRECTS the parties and the Registry to file any observations on the initial draft implementation plan by 23 June 2021.

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



Judge Chang-ho Chung, Presiding Judge



Judge Péter Kovács



Judge María del Socorro Flores Liera

Dated this Thursday, 10 June 2021

At The Hague, The Netherlands