



Original: English

No. ICC-01/04-02/06 A6 A7

Date: 13 September 2023

THE APPEALS CHAMBER

Before:

**Judge Gocha Lordkipanidze, Presiding
Judge Piotr Hofmański
Judge Luz del Carmen Ibáñez Carranza
Judge Marc Perrin de Brichambaut
Judge Solomy Balungi Bossa**

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR v. BOSCO NTAGANDA

Public document

Order concerning reclassification

Order 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 Fiona Lau

Counsel for the Defence

Mr Stéphane Bourgon

Ms Kate Gibson

Trust Fund for Victims

Ms Deborah Ruiz Verduzco

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

The Appeals Chamber of the International Criminal Court,

In the appeals of the common legal representative of the victims of the attacks and of Mr Bosco Ntaganda against the decision of Trial Chamber II entitled “Addendum to the Reparations Order of 8 March 2021, ICC-01/04-02/06-2659” of 14 July 2023 (ICC-01/04-02/06-2858-Red),

Having before it the “Response of the Common Legal Representative of the Victims of the Attacks to the ‘Request for the Defence appeal against the Addendum issued by Trial Chamber II on 14 July 2023 to be given suspensive effect’ and the Trust Fund for Victims’ ‘Observations on the Requests for Suspensive Effect and Request under rule 103 of the Rules of Procedure and Evidence’” of 7 September 2023 (ICC-01/04-02/06-2869-Conf),

Pursuant to regulation 23*bis*(3) of the Regulations of the Court,

Issues the following

ORDER

1. The common legal representative of the victims of the attacks is directed to inform the Appeals Chamber whether filing ICC-01/04-02/06-2869-Conf should remain confidential by 16h00 on 18 September 2023.
2. The Registrar is directed to reclassify as public filing ICC-01/04-02/06-2869-Conf by 16h00 on 19 September 2023 unless the common legal representative of the victims of the attacks informs the Appeals Chamber as directed above.

REASONS

1. Regulation 23*bis*(3) of the Regulations of the Court provides that a chamber may reclassify a document when the basis for the classification no longer exists.
2. Noting that the Defence filed a public redacted version of the “Request for the Defence appeal against the Addendum issued by Trial Chamber II on 14 July 2023 to

be given suspensive effect” on 21 August 2023,¹ and that Trial Chamber II issued a public redacted version of the “First Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations” on 30 August 2023,² it does not appear to the Appeals Chamber that any reason exists for filing ICC-01/04-02/06-2869-Conf to remain confidential. Therefore, unless the common legal representative of the victims of the attacks informs the Appeals Chamber otherwise by 16h00 on 18 September 2023, the Registrar is directed to reclassify filing ICC-01/04-02/06-2869-Conf as public by 16h00 on 19 September 2023.

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



Judge Gocha Lordkipanidze
Presiding

Dated this 13th day of September 2023

At The Hague, The Netherlands

¹ [ICC-01/04-02/06-2864-Red.](#)

² [ICC-01/04-02/06-2860-Red.](#)