

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 2 February 2024

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, with
Confidential *EX PARTE* Annex I, available only to the TFV and CLR1, and
Confidential *EX PARTE* Annexes II and III, available only to the TFV and CLR2**

First Registry Report on VPRS Determinations of Victims' Most Urgent Needs

Source: Registry

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

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**Unrepresented Applicants
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Section**

Mr Philipp Ambach

Trust Fund for Victims

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I. Transmission

1. The Victims Participation and Reparations Section (“VPRS”) submits with the present filing its determination of priority victims’ eligibility to benefit from the Trust Fund for Victims’ (“TFV”) initial draft implementation plan (“IDIP”). These assessments complement the VPRS’ previous findings on the individual victims’ eligibility for reparations and priority status, submitted as the “First Registry Notification of VPRS Determinations of Victims’ Eligibility for Reparations and/or Priority Status” on 23 January 2024 (“First Notification”).¹
2. The present submission follows the same format as the First Notification in providing separate assessment tables, for, respectively, victims of crimes against child soldiers (Annex I), and victims of the attacks (Annexes II and III).²
3. The present assessment report is submitted following the Chamber’s instruction that the eligibility process, including the identification of new beneficiaries, be conducted by the VPRS,³ as well as the agreement between the Trust Fund for Victims (“TFV”) and the VPRS of 8 December 2023 pursuant to which the latter would carry out the eligibility, priority and urgency assessment from here onward.⁴ The VPRS is thus to submit to the TFV, in line with the First Decision on the DIP, on a rolling basis the names and contact information of those priority victims found in urgent need⁵ and thus eligible for the IDIP.

¹ ICC-01/04-02/06-2890.

² For victims who have already been accepted as beneficiaries of reparations by the Chamber in its Addendum to the Reparations Order, the VPRS provides a third separate table (Annex III).

³ Trial Chamber II, “First Decision on the Trust Fund for Victims’ Draft Implementation Plan for Reparations”, 11 August 2023, ICC- 01/04-02/06-2860-Conf (“First Decision on the DIP”). A public redacted version was filed on 30 August 2023, ICC-01/04-02/06-2860-Red.

⁴ Meeting held on 8 December 2023; *see also* TFV, “Trust Fund for Victims’ Fourteenth Update Report on the Implementation of the Initial Draft Implementation Plan”, 11 December 2023, ICC-01/04-02/06-2885-Conf.

⁵ For the definition of ‘urgent needs’ *see infra* para. 5 and the relevant jurisprudence from Trial Chamber II cited there.

4. In its assessment tables, the VPRS provides (1) information on the identity of the applicant, as well as (2) the facts underlying its determination that each of the applicants in the tables is a priority victim with urgent needs who should benefit from the TFV's IDIP.
5. In accordance with the Chamber's rulings, 'urgent needs' for the purposes of the IDIP are "those for which the victims need to receive immediate physical and/or psychological medical care, and/or support due to financial hardship that endangers the person's life".⁶
6. The assessment of whether an applicant fulfils the requirement of 'urgency' to benefit from the IDIP is conducted through a desk review of information provided by the victims in their relevant application form, including additional clarifying information subsequently obtained as appropriate and possible.
7. In future reports on victims' eligibility for reparations, the VPRS will combine its assessments on eligibility, priority status and urgent needs for the purpose of the IDIP where applicable in one single report/assessment table.⁷

⁶ Trial Chamber II, "Decision on the TFV's initial draft implementation plan with focus on priority victims", 23 July 2021, ICC-01/04-02/06-2696, para. 7; *see also id.*, para. 32. See also "Decision on the TFV's First Progress Report on the implementation of the Initial Draft Implementation Plan and Notification of Board of Directors' decision pursuant to regulation 56 of the Regulations of the Trust Fund", dated 28 October 2021 and notified on 29 October 2021, ICC-01/04-02/06-2718-Conf (A public redacted version was notified on the same day, ICC-01/04-02/06-2718-Red), para. 11.

⁷ The subdivision into victims of crimes against child soldiers and victims of the attacks as per the First Notification and the present Annexes will be retained.

II. Classification

8. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, Annexes I, II and III to this document are classified confidential *ex parte*, only available to the TFV and the relevant Common Legal Representative of victims, since they contain sensitive information on the victims concerned.

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Marc Dubuisson
Director Division of Judicial Services
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 2 February 2024

At The Hague, the Netherlands