



Original: **English**

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

Date: **11 March 2024**

TRIAL CHAMBER II

Before: Judge Chang-ho Chung, Presiding Judge
Judge Péter Kovacs
Judge Maria del Socorro Flores Liera

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

**IN THE CASE OF
*THE PROSECUTOR V. BOSCO NTAGANDA***

Public

Public Redacted Version of "Defence observations on the Trust Fund for Victims' Fourteenth Update Report on the Implementation of the Initial Draft Implementation Plan", dated 22 December 2023, ICC-01/04-02/06-2886-Conf

Source: Defence Team of Mr Bosco

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

Legal Representatives of Victims

Ms Sarah Pellet

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Ms Cherine Luzaisu

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REGISTRY

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Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Trust Fund for Victims

Ms Deborah Ruiz Verduzco

Further to the [REDACTED] ("[REDACTED]")¹ and the submission by the TFV of its Fourteenth Update Report on the implementation of the Initial Draft Implementation Plan, on 11 December 2023 ("TFV Fourteenth Update Report"),² Counsel for Mr Bosco Ntaganda ("Defence" or "Convicted Person") hereby submits these:

Defence observations on the Trust Fund for Victims' Fourteenth Update Report on the Implementation of the Initial Draft Implementation Plan

"Defence Observations - TFV 14th Report"

SUBMISSIONS

1. On 1 December 2023, the Defence [REDACTED].

2. Therein, [REDACTED], *inter alia*:

"[REDACTED], [REDACTED]. [REDACTED], [REDACTED], [REDACTED], [REDACTED]."³

3. The Defence and the Convicted Person have nonetheless reviewed the TFV Fourteenth Update Report with interest and will continue to review future update reports submitted by the TFV. In this regard, the Defence deems it appropriate to underscore that Grounds 1, 2 and 3 of the Convicted Person's appeal against the 14 July Addendum argues *inter alia*, that Trial Chamber II committed errors of law and procedure by failing to render a new reparations order and by holding that the Initial Draft Implementation Plan submitted by the TFV on 24 March 2022 remained fully operational further to the Appeals Judgment.⁴

4. However, in line with [REDACTED], the Defence is not providing any observations on the TFV Fourteenth Update Report.

¹ [REDACTED].

² 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 ("TFV Fourteenth Update Report").

³ [REDACTED].

⁴ See Defence Appellant Brief against the 14 July Addendum to the Reparations Order of 8 March 2021, 30 October 2023, ICC-01/04-02/06-2876, Grounds 1, 2 and 3.

5. Should Trial Chamber II deem it appropriate to seek observations from the Convicted Person on any issue raised in the TFV Fourteenth Update Report, Mr Ntaganda will oblige without delay.

CONFIDENTIALITY

6. Pursuant to regulation 23*bis* (1) and (2) of the Regulations of the Court, these Defence Observations are classified 'confidential' as they refer to submissions likewise classified "confidential".

RESPECTFULLY SUBMITTED ON THIS 11th DAY OF MARCH 2024

A handwritten signature in black ink, appearing to read 'S+B', with a horizontal line underneath the letters.

Me Stéphane Bourgon *Ad.E.*, Counsel for Bosco Ntaganda

The Hague, The Netherlands