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Cour Pénale Internationale



International Criminal Court

Original: English

No.: ICC-01/04-02/06 Date: 26 August 2014

TRIAL CHAMBER VI

Before:

Judge Robert Fremr, Presiding Judge Judge Kuniko Ozaki Judge Geoffrey Henderson

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO IN THE CASE OF THE PROSECUTOR v. BOSCO NTAGANDA

Public

Order revising dates for the status conference and for receipt of observations

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

The Office of the Prosecutor Ms Fatou Bensouda Mr James Stewart Ms Nicole Samson **Counsel for Bosco Ntaganda** Mr Stéphane Bourgon

Legal Representatives of Victims Ms Sarah Pellet Mr Dmytro Suprun Legal Representatives of Applicants

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 Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit Mr Nigel Verrill

Victims Participation and Reparations Section Ms Fiona McKay

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Detention Section

Others

No. ICC-01/04-02/06

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Trial Chamber VI ('Chamber') of the International Criminal Court, in the case of *The Prosecutor v. Bosco Ntaganda*, having regard to Article 64(3) of the Rome Statute, Rule 132(1) of the Rules of Procedure and Evidence and Regulations 34 and 54 of the Regulations of the Court, issues the following 'Order revising dates for the status conference and for receipt of observations'.

- 1. On 21 July 2014, the Chamber issued the 'Order Scheduling a Status Conference and Setting a Provisional Agenda', in which it scheduled a status conference for 20 August 2014 and ordered the parties and participants to submit written observations on the agenda items by 14 August 2014.¹
- 2. Shortly before the Chamber issued its order, Mr Ntaganda's lead counsel, Marc Desalliers, had been authorised to withdraw from the case.² On 13 August 2014, the defence team for Mr Ntaganda ('Defence') requested an extension of the deadline to file its observations until such time as a new lead counsel had been appointed.³ The Chamber granted the request that same day.⁴
- 3. Mr Ntaganda was given the opportunity to choose a new lead counsel. On 14 August 2014, the counsel of his choice, Stéphane Bourgon, accepted appointment.⁵ The following day, Mr Bourgon was officially assigned as lead counsel for Mr Ntaganda.⁶
- 4. On 15 August 2014, the Chamber rescheduled the status conference for18 September 2014 and directed that the observations of the Defence, as well

¹ ICC-01/04-02/06-339.

² Pre-Trial Chamber II, Decision on the "Requête de Me Marc Desalliers afin d'être autorisé à se retirer du dossier en qualité de Conseil principal de M. Bosco Ntaganda", 16 July 2014, ICC-01/04-02/06-333.

³ E-mail from the Defence to Legal Officer of the Chamber, 13 August 2014, 12:43.

⁴ E-mail from Legal Officer of the Chamber to Defence, 13 August 2014, 17:00.

⁵ Déclaration d'acceptation de designation, signed by Mr Bourgon on 14 August 2014 (ICC-01/04-02/06-353-Anx2).

⁶ Registration in the record of the case of the appointment of Mr. Stéphane Bourgon as Lead Counsel of Mr. Bosco Ntaganda, 15 August 2014, ICC-01/04-02/06-353.

as updated observations from the Office of the Prosecutor ('Prosecution'), be filed by 12 September 2014.7

5. On 22 August 2014,⁸ the Defence notified the Chamber that the newly appointed lead counsel, Mr Bourgon, had a prior engagement for 18 September 2014 which would make it difficult for him to attend the scheduled status conference. Having considered the court calendar and noting the position of the Defence, the Chamber considers it appropriate to revise the date of the status conference, as well as the date for receipt of the outstanding observations.9

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

RESCHEDULES the status conference to 11 September 2014;

ORDERS the Defence to submit its written observations on the provisional agenda, and to inform the Chamber of any items it wishes to be added to the agenda, by 8 September 2014 at 12:00 noon; and

ORDERS the Prosecution to file its updated submissions by 8 September 2014 at 12:00 noon.

 ⁷ Order postponing and setting a new date for the status conference, 15 August 2014, ICC-01/04-02/06-354.
⁸ E-mail from the Defence to Legal Officer of the Chamber, 22 August 2014, 13:24.

⁹ It is noted that the revised deadlines contained in this order were previously notified to the parties and participants by way of e-mail from a Legal Officer of the Chamber, 22 August 2014, 20:34.

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

Judge Robert Fremr, Presiding Judge

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Judge Kuniko Ozaki

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Judge Geoffrey Henderson

Dated 26 August 2014 At The Hague, The Netherlands