

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-01/04-02/06
Date: **09 December 2016**

TRIAL CHAMBER VI

Before: Judge Robert Fremr, Presiding Judge
Judge Kuniko Ozaki
Judge Chang-ho Chung

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

**Public
with Confidential Annex**

**Order placing on the record the parties' submissions underlying the
oral decision of 28 November 2016 on the Defence objection to the preparation
session with Witness P-0300**

Decision 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
Mr Christopher Gosnell

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

Detention Section

**Victims Participation and Reparations
Section**

Others

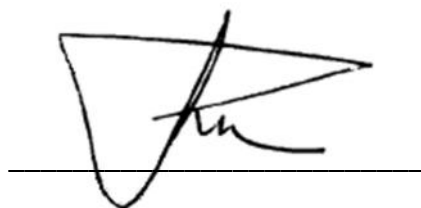
Trial Chamber VI ('Chamber') of the International Criminal Court, in the case of *The Prosecutor v. Bosco Ntaganda*, having regard to Article 64(10) of the Rome Statute, issues the following 'Order placing on the record the parties' submissions underlying the oral decision of 28 November 2016 on the Defence objection to the preparation session with Witness P-0300'.

1. On 28 November 2016, the Chamber issued an oral decision on the Defence objection to the preparation session with P-0300,¹ in which it rejected a request by the defence team for Mr Ntaganda ('Defence') for certain remedies related to its objection to the manner in which the preparation session for Witness P-0300 was conducted by the Office of the Prosecutor ('Prosecution').
2. Noting that, on account of the urgency resulting from the limited time available before the scheduled commencement of Witness P-0300's testimony, the Defence and Prosecution transmitted their respective submissions via email,² the Chamber now places these submissions, attached as a confidential annex to the present order, on the record of the case.

¹ Transcript of hearing on 28 November 2016, ICC-01/04-02/06-T-166-CONF-ENG CT, pp. 12-15.

² Emails from the Defence to the Chamber on 27 November 2016 at 18:43 and at 22:16; Email from the Prosecution to the Chamber on 28 November 2016 at 09:13.

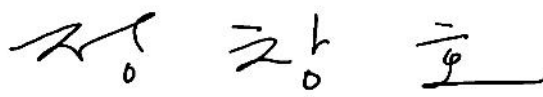
Done in both English and French, the English version being authoritative.

A handwritten signature in black ink, consisting of a large, stylized 'F' followed by 'remr', written over a horizontal line.

Judge Robert Fremr, Presiding Judge

A handwritten signature in black ink, appearing to read 'Kuniko Ozaki', written over a horizontal line.

Judge Kuniko Ozaki

A handwritten signature in black ink, consisting of Korean characters '정창호' followed by a horizontal line.

Judge Chang-ho Chung

Dated this 09 December 2016

At The Hague, The Netherlands