



Original: **English**

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

Date: **5 March 2015**

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

**Response on behalf of Mr Ntaganda
to Prosecution's request for extension of page limit for the Pre-Trial Brief
"Defence Response"**

Source: Defence Team of Mr Bosco Ntaganda

Document 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 the Defence

Mr Stéphane Bourgon
Mr Luc Boutin
Mr William St-Michel

Legal Representatives of Victims

Ms Sarah Pellet
Mr Dmytro Suprun

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(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 Verril

Detention Section

**Victims Participation and Reparations
Section**

Other

Further to the “Prosecution’s request for extension of page limit for the Pre-Trial Brief” filed on 2 March 2015 (“Prosecution Request”), Counsel representing Mr Ntaganda (“Mr Ntaganda” or “Defence”) hereby submit this:

**Response on behalf of Mr Ntaganda
to Prosecution’s request for extension of page limit for the Pre-Trial Brief
“Defence Response”**

1. Mr Ntaganda is looking forward to the submission of the Prosecution’s Pre-trial Brief on 9 March 2015 and does not oppose the Prosecution Request, so long as it does not pave the way for any request for an extension of the time limit for the filing of its Pre-trial Brief.
2. As mentioned on numerous occasions, the Defence considers that the Prosecution Pre-trial Brief constitutes a determining instrument, essential for its preparations for trial. In this regard, the Defence welcomes the Prosecution’s assurance that relevant information from all witnesses will be included in its Pre-Trial Brief due on 9 March 2015, including the witnesses for whom delayed disclosure is still being sought.¹
3. In the Lubanga case, the Appeals Chamber underscored the importance of auxiliary documents – such as the Amended Document Containing the Charges and Summary of Evidence – in determining whether sufficiently detailed information was provided² to an accused in accordance with his fundamental rights of to be informed promptly and in detail of the nature, cause and content of the charges and to have adequate time and facilities for the preparation of the defence.³

¹ ICC-01/04-02/06-478, para.13.

² ICC-01/04-01/06-3121-Red, paras.128 and 133-134.

³ Article 67(I)(a) and (b) of the Rome Statute.

RESPECTFULLY SUBMITTED ON THIS 5th DAY OF MARCH 2015

A handwritten signature in black ink, appearing to read 'S.B.' with a stylized flourish at the end.

Me Stéphane Bourgon, Counsel for Bosco Ntaganda

The Hague, The Netherlands