

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 10 April 2015

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 A

Prosecution's provision of the list of witnesses it intends to call until 16 July 2015

Source: Office of the Prosecutor

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

The Office of the Prosecutor

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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

The Office of Public Counsel for Victims

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Mr Herman von Hebel

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Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations Other
Section**

Prosecution's submissions

1. On 12 March 2015, Trial Chamber VI ("Chamber") directed the Office of the Prosecutor ("Prosecution") to provide, by 7 April 2015, a list indicating, in order, the witnesses it intends to call until 16 July 2015 ("First List").¹ On 2 April 2015, the Defence filed a request to postpone the date of trial until 2 November 2015 at the earliest ("Defence Request").² On 7 April 2015, the Prosecution requested authorisation to file its First List after the Chamber decides on the Defence Request and, at the earliest, two months before any new date for the commencement of trial ("Prosecution's Request").³ On 8 April, the Defence filed its "Response on behalf of Mr Ntaganda to Prosecution's request for variation of the Chamber's direction to provide the order of the Prosecution's first witnesses".⁴
2. On 10 April 2015, by e-mail, the Chamber rejected the Prosecution's Request and ordered the Prosecution to immediately submit the list of witnesses it intends to call until 16 July 2015. Further to the Chamber's order, the Prosecution herewith submits said list, in Confidential Annex A.
3. The Prosecution notes that, due to Witness P-0931's unavailability to appear in court between 12 and 23 June 2015, the appended order of appearance may change. Additionally, this order may change if the Chamber decides to postpone the presentation of the Prosecution's case, as witnesses' availability will vary

¹ ICC-01/04-02/06-507, para.6(ii), p.11 ("Order").

² ICC-01/04-02/06-541-Conf-Exp-Red2 with public redacted version at ICC-01/04-02/06-541-Red. The Chamber provided the Prosecution with a courtesy copy of the filing on 2 April 2015 and the filing was notified on 7 April 2015.

³ ICC-01/04-02/06-544-Red.

⁴ ICC-01/04-02/06-551-Red.

depending on the start date of trial, for personal or professional reasons. The Prosecution will inform the Chamber, Parties and participants of any such change.

Confidentiality

4. The annex to this filing is classified as “Confidential” as it contains information which could impact the security of Prosecution witnesses.



Fatou Bensouda,
Prosecutor

Dated this 10th day of April 2015
At The Hague, The Netherlands