

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 11 May 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

**Order requesting the parties' and participants' observations under Article 60(3) of
the Statute**

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
Mr Luc Boutin

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

Mr Patrick Craig

**Victims Participation and Reparations
Section**

Other

Trial Chamber VI ('Chamber')¹ of the International Criminal Court, in the case of *The Prosecutor v. Bosco Ntaganda*, having regard to Articles 58(1), 60(3), 61(11) and 64(6)(a) of the Rome Statute ('Statute') and Rule 118(2) of the Rules of Procedure and Evidence ('Rules'), issues the following 'Order requesting the parties' and participants' observations under Article 60(3) of the Statute'.

1. On 18 November 2013,² 17 March 2014³ and 17 July 2014,⁴ Mr Ntaganda had his detention reviewed by Pre-Trial Chamber II. On each occasion, Pre-Trial Chamber II's Single Judge decided that Mr Ntaganda shall continue to be detained.
2. On 31 October 2014⁵ and 26 February 2015,⁶ the Chamber reviewed Mr Ntaganda's detention and decided that he shall continue to be detained.
3. The Chamber recalls, pursuant to Article 60(3) of the Statute and Rule 118(2) of the Rules, that the pre-trial detention of Mr Ntaganda shall be reviewed at least every 120 days.⁷

¹ Where 'Chamber' is used in this decision it refers to both Trial Chamber VI as composed by the Presidency's 'Decision replacing a judge in Trial Chamber VI', 18 March 2015, ICC-01/04-02/06-521 and to the chamber in its previous composition.

² Decision on the Defence's application for interim release, 18 November 2013, ICC-01/04-02/06-147, upheld by the Appeals Chamber, Judgment on the appeal of Mr Bosco Ntaganda against the decision of Pre-Trial Chamber II of 18 November 2013 entitled "Decision on the Defence's Application for Interim Release", 5 March 2014, ICC-01/04-02/06-271-Red, OA.

³ Second Decision on Bosco Ntaganda's Interim Release, 17 March 2014, ICC-01/04-02/06-284.

⁴ Third Decision on Bosco Ntaganda's Interim Release, 17 July 2014, ICC-01/04-02/06-335.

⁵ Fourth decision on Mr Ntaganda's interim release, 31 October 2014, ICC-01/04-02/06-391 ('Fourth Decision on Interim Release').

⁶ Fifth decision on Mr Ntaganda's interim release, 26 February 2015, ICC-01/04-02/06-477.

⁷ See also Fourth Decision on Interim Release, ICC-01/04-02/06-391, para. 5 c).

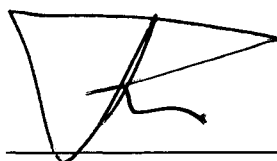
FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

ORDERS the defence team for Mr Ntaganda to submit any observations on the existence of any changed circumstances in relation to his detention pursuant to Article 60(3) of the Statute by 29 May 2015;

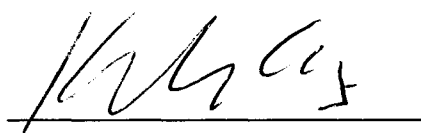
ORDERS the Office of the Prosecutor and the Legal Representatives of Victims to file any observations on the existence of any changed circumstances in relation to Mr Ntaganda's detention pursuant to Article 60(3) of the Statute by 5 June 2015; and

ORDERS the defence team for Mr Ntaganda to submit its response to the observations of the Office of the Prosecutor and the Legal Representatives of Victims, if any, by 12 June 2015.

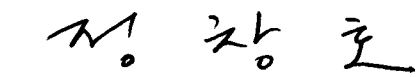
Done in both English and French, the English version being authoritative.



Judge Robert Fremr, Presiding Judge



Judge Kuniko Ozaki



Judge Chang-ho Chung

Dated 11 May 2015

At The Hague, The Netherlands