

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 24 July 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 resetting certain pre-trial deadlines and other related matters

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

Mr Nigel Verrill

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(3) of the Rome Statute ('Statute') and Rule 134 of the Rules of Procedure and Evidence ('Rules'), issues this 'Order resetting certain pre-trial deadlines and other related matters'.

1. On 22 April 2015, the Chamber postponed the commencement date of trial until the second or third week of July 2015.¹ On 2 June 2015, having taken into consideration the submissions of the Office of the Prosecutor ('Prosecution'),² the defence team for Mr Ntaganda ('Defence'),³ and the Legal Representatives of Victims ('LRVs'),⁴ the Chamber issued the 'Decision on the conduct of proceedings'.⁵
2. At a status conference on 3 July 2015, the Chamber postponed the opening statements to 2 to 4 September 2015.⁶ Accordingly, in light of the new trial commencement date and pursuant to Article 64(3) of the Statute, without prejudice to any pending motions related to the trial date, the Chamber considers it necessary to reset certain pre-trial deadlines.
3. First, the Chamber resets, to 12 August 2015, the deadline for parties and participants to file any motion or request on matters they wish to bring to the Chamber's attention or wish to be decided prior to the start of trial. On a case-by-case basis, the Chamber may shorten the deadline for responses to such requests, but in any case, responses, if any, shall be filed by 20 August 2015.⁷

¹ Transcript of Hearing of 22 April 2015, ICC-01/04-02/06-T-19-ENG ET, page 7, lines 7-10. The Chamber subsequently scheduled the opening statements from 7 to 9 July 2015 – see Order scheduling the opening statements, 16 June 2015, ICC-01/04-02/06-649.

² Prosecution submissions on the conduct of proceedings and the modalities of victim participation at trial, ICC-01/04-02/06-547.

³ Submissions on behalf of Mr Ntaganda on the conduct of proceedings and on modalities of victims' participation at trial, ICC-01/04-02/06-548.

⁴ Joint submissions on the conduct of proceedings, ICC-01/04-02/06-543.

⁵ Decision on the conduct of proceedings, ICC-01/04-02/06-619 ('Conduct of Proceedings Decision').

⁶ Transcript of hearing on 3 July 2015, ICC-01/04-02/06-T-22-CONF-ENG ET, page 5, lines 10-16.

⁷ See Conduct of Proceedings Decision, ICC-01/04-02/06-619, para. 8.

The Chamber emphasises the importance of adhering to these deadlines, and any late filings are expected to be justified.

4. Second, the Chamber recalls its order to the parties and LRVs to disclose, no later than eight days prior to the commencement of trial, copies of any material they intend to use in the course of their opening statements, unless that material is already on the Prosecution's List of Evidence. In that case, they were instructed to, nonetheless, by the same deadline, indicate to the other party and participants which materials they intend to use during opening statements. Objections to the use of such material, if any, were ordered to be filed no later than six days prior to the commencement of trial.⁸
5. The Chamber observes that the parties and LRVs complied with this order.⁹ Noting the Chamber's indication of 3 July 2015 that the deadline for objections and the relevant timelines would be re-established by reference to the revised dates for the holding of opening statements,¹⁰ the Chamber resets to 24 August 2015 the deadline for parties to file any further motion regarding materials to be relied on during opening statements, and 26 August 2015 as the deadline for parties and the LRVs to file objections to any such motion.
6. Finally, the Chamber notes that on 29 June 2015, the Defence filed the required declaration that Mr Ntaganda, *inter alia*, understands the charges previously confirmed by the Pre-Trial Chamber.¹¹

⁸ See Conduct of Proceedings Decision, ICC-01/04-02/06-619, para. 10.

⁹ See Prosecution's notice of the materials it anticipates using in the course of its opening statement, 29 June 2015, ICC-01/04-02/06-680 plus two public annexes; Notice on behalf of Mr Ntaganda informing the Chamber, the Prosecution and the participants of the material the Defence intends to use during its opening statement, 29 June 2015, ICC-01/04-02/06-679; Email from Legal Representatives to the Chamber on 2 July 2015 at 16:13.

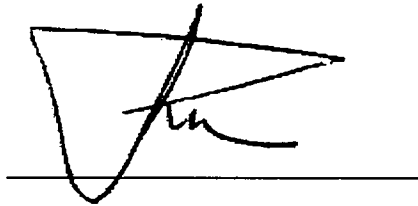
¹⁰ Email communication from Legal Officer of the Chamber to parties and participants on 3 July 2015 at 18:19.

¹¹ Communication to Trial Chamber VI of the "*Déclaration attestant de la compréhension des charges par l'accusé*", ICC-01/04-02/06-678, with one public annex (ICC-01/04-02/06-678-AnxA). See also Conduct of Proceedings Decision, ICC-01/04-02/06-619, para. 9.

FOR THE FOREGOING REASONS THE CHAMBER HEREBY

ADOPTS the aforementioned directions resetting certain deadlines prior to the commencement of trial, as per paragraphs 3 and 5 above.

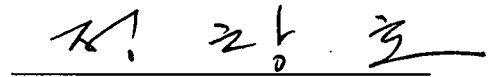
Done in both English and French, the English version being authoritative.

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Judge Robert Fremr, Presiding Judge

A handwritten signature in black ink, featuring a series of connected loops and a horizontal line at the end.

Judge Kuniko Ozaki

A handwritten signature in black ink, with a horizontal line and a small flourish at the end.

Judge Chang-ho Chung

Dated this 24 July 2015

At The Hague, The Netherlands