

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **18 July 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***

Confidential

**Response on behalf of Mr Ntaganda to "Prosecution's request to reclassify
decision of 2 June 2016 (ICC-01/04-02/06-1360-Conf) as public"**

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

Me Stéphane Bourgon
Me Christopher Gosnell

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**

**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**

Further to the submission of the *"Prosecution's request to reclassify decision of 2 June 2016 (ICC-01/04-02/06-1360-Conf) as public"* by the Office of the Prosecutor ("Prosecution") on 24 June 2016 ("Prosecution Application"),¹ Counsel representing Mr Ntaganda ("Defence") hereby submit this:

Response on behalf of Mr Ntaganda to "Prosecution's request to reclassify decision of 2 June 2016 (ICC-01/04-02/06-1360-Conf) as public"

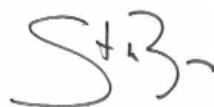
"Defence Response"

1. The Defence does not oppose the Prosecution's request for re-classification of the "Decision on Defence request seeking orders in relation to witness P-0046 and disclosure of related MONUC documents"² considering that Witness P-0046 has now testified and the information has been made public.

CONFIDENTIALITY

2. This Defence Response is filed confidentially in light of the current classification of the Decision. Should the Decision be reclassified as public, the Defence requests that the Defence Response also be reclassified as public.

RESPECTFULLY SUBMITTED ON THIS 18TH DAY OF JULY 2016



Me Stéphane Bourgon, Counsel for Bosco Ntaganda

The Hague, The Netherlands

¹ ICC-01/04-02/06-1421-Conf.

² ICC-01/04-02/06-1360-Conf ("Decision").