



Original: English

No. ICC-01/04-02/06 A A2 A3

Date: 14 September 2020

THE APPEALS CHAMBER

Before:

**Judge Howard Morrison, Presiding
Judge Chile Eboe-Osuji
Judge Piotr Hofmański
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa**

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR V. BOSCO NTAGANDA

Public document

Directions on the conduct of the hearing

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

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor

Ms Helen Brady

Counsel for the Defence

Mr Stéphane Bourgon

Ms Kate Gibson

Legal Representatives of Victims

Ms Sarah Pellet

Mr Dmytro Suprun

Registrar

Mr Peter Lewis

The Appeals Chamber of the International Criminal Court,

In the appeals of Mr Bosco Ntaganda and the Prosecutor against the ‘Judgment’ of Trial Chamber VI of 8 July 2019 (ICC-01/04-02/06-2359),

In the appeal of Mr Bosco Ntaganda against the ‘Sentencing judgment’ of Trial Chamber VI of 7 November 2019 (ICC-01/04-02/06-2442),

Noting the ‘Second order scheduling a hearing’ of 20 August 2020 (ICC-01/04-02/06-2568), wherein the Appeals Chamber scheduled a hearing on these appeals from 12 to 14 October 2020,

Issues the following

DIRECTIONS

1. The Appeals Chamber invites the parties and the legal representatives of victims to address the Prosecutor’s grounds of appeal and Mr Bosco Ntaganda’s grounds of appeal relating to his conviction and sentence at the hearing, which will be held on a partially virtual basis.
2. With respect to the Prosecutor’s appeal, as per its decision of 24 August 2020 (ICC-01/04-02/06-2569) the Appeals Chamber may invite some of the *amici curiae* to attend the hearing, remotely if necessary, to provide additional details on some matters and/or to answer additional questions. Further directions on that matter will be issued in due course.
3. Due to the COVID-19 restrictions, the schedule for the partially virtual hearing will consist of three sessions of one hour each in duration which will be divided by two breaks of 45 minutes each. The parties and participants will be invited to address the Appeals Chamber on the issues set out above as follows:

Monday, 12 October 2020

- 10:00 – 10:10: Introduction by the Presiding Judge (10 minutes).
- 10:10 – 10:30: The Prosecutor’s submissions on her appeal (20 minutes).
- 10:30 – 10:50: Mr Ntaganda’s submissions and response on the Prosecutor’s appeal (20 minutes).
- 10:50 – 11:00: Victims’ observations (10 minutes).
- 11:00 – 11:45: Break (45 minutes).
- 11:45 – 12:25: *Amici curiae*’s observations (40 minutes).
- 12:25 – 12:30: The Prosecutor’s response to the *amici curiae* and the victims (5 minutes).
- 12:30 – 12:35: Mr Ntaganda’s response to the *amici curiae* and the victims (5 minutes).
- 12:35 – 12:40: Victims’ response to the *amici curiae* (5 minutes).
- 12:40 – 13:25: Break (45 minutes).
- 13:25 – 13:55: Questions from the bench (30 minutes).
- 13:55 – 14:35: Mr Ntaganda’s submissions on his appeal against conviction (40 minutes).

Tuesday, 13 October 2020

- 10:00 – 10:05: Introduction by the Presiding Judge (5 minutes).
- 10:05 – 10:55: Mr Ntaganda’s submissions on his appeal against his conviction (50 minutes).
- 10:55 – 11:40: Break (45 minutes).
- 11:40 – 12:45: The Prosecutor’s submissions and response on Mr Ntaganda’s appeal against conviction (1 hour and 5 minutes).
- 12:45 – 13:30: Break (45 minutes).

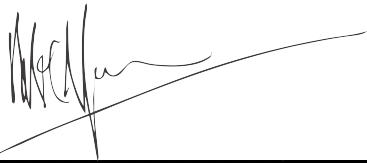
- 13:30 – 13:55: The Prosecutor’s submissions and response on Mr Ntaganda’s appeal against conviction (25 minutes).
- 13:55 – 14:10: Victims’ observations (15 minutes).
- 14:10 – 14:20: Mr Ntaganda’s response to the victims (10 minutes).
- 14:20 – 14:30: The Prosecutor’s response to the victims (10 minutes).

Wednesday, 14 October 2020

- 10:00 – 10:05: Introduction by the Presiding Judge (5 minutes).
 - 10:05 – 10:35: Questions from the bench (30 minutes).
 - 10:35 – 11:05: Mr Ntaganda’s submissions on his appeal against sentence (30 minutes).
 - 11:05 – 11:50: Break (45 minutes).
 - 11:50 – 12:20: The Prosecutor’s submissions and response on Mr Ntaganda’s appeal against sentence (30 minutes).
 - 12:20 – 12:30: Victims’ observations (10 minutes).
 - 12:30 – 12:45: Mr Ntaganda’s response to the victims (15 minutes).
 - 12:45 – 13:30: Break (45 minutes).
 - 13:30 – 13:45: The Prosecutor’s response to the victims (15 minutes).
 - 13:45 – 14:25: Questions from the bench (40 minutes).
 - 14:25 – 14:30: Personal address by Mr Ntaganda (5 minutes) (optional).
4. The bench may put questions to the parties, the legal representatives of victims and the *amici curiae*, if selected for participation in the hearing, in respect of the above submissions or any other relevant issues.

5. Mr Ntaganda and the Prosecutor are invited to provide, by Wednesday, 7 October 2020, a general notice of the issues which they intend to raise in their submissions on the appeals, including an indication of the grounds of appeal to which they relate.
6. A protocol for the conduct of the partially virtual hearing in this case prepared by the Registry in consultation with the Appeals Chamber will be distributed to the parties, the legal representatives of victims and, once selected for participation in the hearing, the *amici curiae*, prior to the hearing.
7. The Registrar is ordered to liaise with the parties, the legal representatives of victims and, once selected for participation in the hearing, the *amici curiae*, as to any technical parameters with respect to the form of the hearing.

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



Judge Howard Morrison
Presiding

Dated this 14th day of September 2020

At The Hague, The Netherlands