

1 International Criminal Court
2 Trial Chamber VI - Courtroom 2
3 Situation: Democratic Republic of the Congo
4 In the case of The Prosecutor v. Bosco Ntaganda - ICC-01/04-02/06
5 Presiding Judge Robert Fremr, Judge Kuniko Ozaki and
6 Judge Chang-ho Chung
7 Status Conference
8 Tuesday, 2 June 2015
9 (The status conference starts in open session at 3.36 p.m.)
10 THE COURT USHER: All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE FREMR: Good afternoon and welcome to this status
14 conference.
15 Court officer, please call the case.
16 THE COURT OFFICER: Yes, Mr President. Good afternoon. The situation in the
17 Democratic Republic of the Congo, in the case of The Prosecutor versus Bosco
18 Ntaganda, case reference ICC-01/04-02/06.
19 And for the record, we are in open session.
20 PRESIDING JUDGE FREMR: Thank you.
21 Now appearances, starting with Prosecution.
22 MS SAMSON: Good afternoon, your Honours. Representing the Prosecution
23 today are Dianne Luping, trial lawyer; Eric Iverson, trial lawyer; Rens van der Werf,
24 assistant trial lawyer; Selam Yirgou, case manager; and myself, Nicole Samson, senior
25 trial lawyer.

1 PRESIDING JUDGE FREMR: Thank you, Ms Samson.

2 Now Defence, please.

3 MR BOURGON: (Interpretation) Good afternoon, Mr President. Good afternoon,
4 your Honours. And good afternoon to everyone. Representing Bosco Ntaganda
5 today, who is present in the courtroom, Maître Luc Boutin, co-counsel; Ms
6 Margaux Portier, case manager; Maître Marie-Claude Boisvert, and myself,
7 Stéphane Bourgon. Thank you, Mr President.

8 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon.

9 Then Legal Representatives, please.

10 MR SUPRUN: (Interpretation) Good afternoon, Mr President, your Honours.

11 The victims are represented today by myself, Mr Dmytro Suprun, counsel in OPCV.

12 MS PELLET: (Interpretation) Good afternoon, your Honours. The former child
13 soldiers are represented by myself, Sarah Pellet, counsel at the OPCV. Thank you.

14 PRESIDING JUDGE FREMR: Thank you.

15 And Registry.

16 MR VANAVERBEKE: Good afternoon, Mr President, your Honours. The Registry
17 is at this status conference represented by Dahirou Sant-Anna, legal officer, and
18 myself, Pieter Vanaverbeke, legal coordinator, Division of Court Services. Thank
19 you.

20 PRESIDING JUDGE FREMR: Thank you all. First of all, I would like to apologise
21 to everybody for some delay, even if short one, (Redacted)
22 (Redacted).

23 Now, on the agenda for today is an update on the progress made regarding the
24 preparation for trial, including the status of disclosure. This should be the last status
25 conference dealing with this topic prior to the commencement of trial. The Chamber

1 may, however, still schedule a status conference closer to the start of trial to address
2 practical matters related to the opening statements.

3 In the 22 May order scheduling this status conference, the Chamber directed the
4 parties and participants to propose any additional agenda items by Friday, 29 May.

5 The Prosecution requested to add an update on the definitive date for the start of the
6 trial, while the Defence and Registry indicated that they did not wish to add any
7 additional agenda items.

8 The Chamber will address the issue of the definitive start date of trial after the agenda
9 item concerning the "Update on disclosure and preparation for trial."

10 We will start by placing on the record our reason for rejecting the Prosecution's 7
11 April 2015 request to delay the filing of the Prosecution's list of the first witnesses it
12 intends to call.

13 The Chamber recalls that it had ordered the Prosecution to file the aforementioned list
14 by 7 April 2015. On the same day, the Prosecution filed the request seeking
15 authorisation to delay filing its first list of witnesses until after the Chamber had
16 issued a decision on the then-pending request by the Defence for postponement of
17 commencement date of trial and at the earliest two months before any new date for
18 the commencement of trial.

19 On 10 April 2015, the Chamber informed the parties and participants by email that
20 the Prosecution's request was rejected on the basis that the requirements of
21 Regulation 35 of the Regulations of the Court had not been met. The Chamber
22 considered that the request to file the list at a later date was not sufficiently
23 motivated.

24 The Chamber was not persuaded by the general argument put forward by the
25 Prosecution that if the Chamber postponed the trial commencement date, the

1 provision of the first list of witnesses could increase the risks of interference with the
2 witnesses included therein. The Chamber considered that any departure from its
3 schedule for the provision of the first list of witnesses, which was initially required to
4 be filed by 7 April 2015, could compromise the ability of the Defence to adequately
5 prepare for trial. Accordingly, the Chamber considered that the Prosecution had
6 failed to establish good cause so as to warrant the extension requested.

7 That concludes the placing on the record of the Chamber's reasons.

8 The Chamber now wishes to make a clarification as to the deadline for agreed facts.

9 During the last status conference the Chamber extended the deadline for the initial
10 submission of agreed facts by one month. Noting that 6 June falls on Saturday, the
11 Chamber clarifies that, in accordance with Regulation 33 of the Regulations of the
12 Court, the applicable deadline will be Monday, 8 June 2015.

13 The deadline for the legal representatives to make any observations on the list of
14 proposed agreed facts, if any, will accordingly be set for one week later, it means on
15 Monday, 15 June 2015.

16 Now we can move to the first item on the agenda concerning progress made
17 regarding the preparation for trial, including the status of disclosure.

18 I have to emphasise that the Chamber appreciates the constructive efforts that both
19 parties have made to date. The definite start date of trial will be addressed later, but
20 on the issue of preparations, it's recalled that the decision on the conduct of
21 proceedings -- on the conduct of proceedings that was rendered by our Chamber this
22 morning, it's indicated that the hearing of evidence will commence after the summer
23 recess on 24 August 2015, which allows the parties an extra week to prepare
24 compared to previous schedule.

25 Before asking the Prosecution to provide an update, the Chamber would like to

1 briefly address the issue of the Prosecution's list of evidence and its amendments.
2 As you are aware, the Chamber has ruled that any amendments to the list of evidence
3 do not require the Chamber's authorisation and issued a decision last Wednesday
4 indicating that the Chamber shall not reconsider this ruling. However, the Chamber
5 wishes to reiterate that amendments made to the list of evidence must not be
6 extensive and that the Defence may at any time challenge the items subsequently
7 added; for example, on the basis that the Defence received unduly late notice of them,
8 or that such addition affects Mr Ntaganda's right to have adequate time to prepare his
9 defence.

10 The Chamber reiterates its caution that items of evidence added after the disclosure
11 deadline set by the Chamber may not, depending on the circumstances, be ultimately
12 admitted. The Chamber is aware that some of the material added to the list of
13 evidence filed on 1 May 2015 relates to, for example, proposed expert witnesses, or
14 items for which delayed disclosure was authorised, but it notes that further additional
15 items were added on 29 May 2015.

16 In this context, the Chamber further recalls that while the Statute does not prohibit the
17 Prosecution from conducting post-confirmation investigations, the Appeals Chamber
18 has held that such investigations should be 'largely completed' by the Confirmation
19 Hearing. So the Chamber just wanted to emphasise these points today.

20 Now then, Prosecution, can you please update us on your preparation for trial,
21 please.

22 MS SAMSON: Yes, Mr President. The Prosecution will address four main topic
23 areas: One is the status of requests for lifting of conditions under Article 54(3)(e); the
24 next is status of some recent and upcoming disclosure; thirdly, status of translations;
25 and lastly an update on anticipated upcoming filings.

1 So on the first issue, your Honour, the Prosecution has made a new request to source
2 providers for the lifting of conditions to 11 documents that we are of the view ought
3 to be disclosed under Rule 77 and we will disclose those items as soon as the lifting is
4 provided. We do not anticipate any difficulty in the lifting and will certainly keep
5 the Chamber and the parties and participants apprised of any difficulty in that regard.
6 On the second topic of disclosure, the Prosecution disclosed today materials related to
7 Witness (Redacted), that is the subject of a pending request before the Chamber, and
8 we intend to disclose several additional items under Rule 77 either this week or by the
9 end of next week.

10 In terms of translations, your Honour, the Defence and Prosecution have agreed that
11 due to the extensive and resource-intensive exercise of translating materials, that the
12 Prosecution would initially provide what we term "draft translations," which simply
13 mean that the translations haven't undergone final review by a qualified interpreter
14 beyond the initial review and translation. And with a slight revision to our
15 submissions on 22 April, we have two translations that have not yet been provided in
16 draft to the Defence and those will be ready by the end of this week. Otherwise,
17 there are five translations that have already been provided to the Defence in draft for
18 which the final revised version will be provided in the coming weeks. Typically
19 there is not a significant difference between the draft translation and the final
20 translation. We can't exclude that there are changes, but they are typically not
21 extensive.

22 And lastly, your Honours, for upcoming filings, the Prosecution will be filing an
23 amendment to its first order of witnesses for the Chamber's consideration. We have
24 been -- the Defence has provided to the Prosecution its position on agreed facts,
25 although we are awaiting one last portion of those agreed facts, and of the 324 facts

1 that we proposed we've now agreed on 55 and there will be additional agreements we
2 expect tomorrow, so we'll be in a position to jointly file the facts that have been
3 agreed by Monday's deadline, 8 June.

4 The Prosecution is also making a filing under Rule 68(2) to admit prior testimony and
5 that should be ready by the end of this week or next week.

6 We'll be also preparing a Bar table motion for the admission of certain documents
7 which, further to the decision today, we will first provide to the Defence for their
8 input.

9 And these, your Honours, are the upcoming filings and issues that we have at the
10 moment. Subject to any questions you may have, those are our submissions.

11 PRESIDING JUDGE FREMR: Thank you very much. From my part I don't have
12 any questions.

13 My colleagues? Yes, not at the moment.

14 So then I will move forward to the Defence that can also comment submission of
15 Prosecution and then at the -- report on their own preparation for trial.

16 Please, Mr Bourgon.

17 MR BOURGON: Thank you, Mr President. First I would like to say that we have
18 no particular comments to make on the Prosecution's submission.

19 Mr President, on -- in April of -- or, of this year, the Defence adopted what we believe
20 to be a responsible approach to the most important case to date before the
21 International Criminal Court and we decided to request an extension of five months
22 in order to be ready for trial.

23 In our request, Mr President, we highlighted a number of things, but two main areas:
24 First we highlighted the difficulties encountered since I was appointed as lead counsel
25 to represent Mr Ntaganda on 15 August 2014, some seven months earlier only.

1 Secondly, we highlighted the work that had been accomplished by the Defence and
2 we highlighted, of course, the work which remained to be accomplished in our
3 estimate in order to be ready for trial and be prepared to represent effectively
4 Mr Ntaganda in accordance with his fundamental right to have adequate time and
5 facilities to prepare for trial.

6 As we all know, on 22 April, the Chamber denied our request, making it clear that it
7 did not agree with our arguments and with the description of the work that we
8 provided in order to be ready. And I'd like to highlight, Mr President, that as the
9 Chamber said in its decision, the work to be performed, which we highlighted in this
10 request, included detailed amounts of hours and persons involved.

11 As a result of the Chamber's decision, we have reorganised the work being
12 accomplished by members of the Defence in order to abide by the decision of the Trial
13 Chamber. Nonetheless, we did request leave to appeal the Chamber's decision,
14 being convinced that whether Mr Ntaganda did or did not have adequate time and
15 facilities to prepare for trial was an issue of such importance that it required the
16 involvement of the Appeals Chamber.

17 On 21 May, the Chamber denied our request seeking leave for appeal.

18 We acknowledge the Chamber's decision and, as a result, all members of the team are
19 working flat out in order to meet the schedule adopted by the Chamber.

20 Might it be said that the Defence is grateful for the additional week that we have been
21 informed of today.

22 That being said, Mr President, the more we work on preparing the case for trial, the
23 more we realise that the delay we had requested was necessary in order to approach
24 this case in a responsible manner.

25 Consequently, my update today, it is my duty and my obligation as lead counsel

1 representing Mr Ntaganda to inform the Chamber that although the Defence will be
2 present on 24 August when the Prosecution will call its first witness, thereby fully
3 abiding with the Chamber's order, the Defence, Mr President, will not be ready to
4 begin. And Mr Ntaganda in our respectful submission will be seriously
5 disadvantaged in this regard.

6 This concludes, Mr President, my remarks for today regarding the state of readiness
7 of the Defence. That said, if the Chamber -- should the Chamber wish to ask any
8 specific questions with respect to agreed facts or Prosecution expert witnesses,
9 disclosure, Defence investigations, or any other matters, I will be glad to attempt an
10 answer. Thank you, Mr President.

11 PRESIDING JUDGE FREMR: Thank you very much, Mr Bourgon. Just two issues
12 from my part. The first one, you exactly quoted the decision in fact, our decision
13 about your request for postponement. We rejected that. But it's also fair to say that
14 in fact we postponed commencement of trial compared to previous,
15 previously-scheduled date for two and a half months at the moment. So in fact it
16 was 50 per cent of what you have requested.

17 The second issue you are now saying that you will be present at the time scheduled,
18 but you will not be ready. So I still don't understand whether I should take it as a
19 new submission, because you hypothetically could make a submission saying that
20 conditions are according to your view now new, or you just get some new
21 information, or now you can see your perspective from a different point of view than
22 two months ago.

23 So if you want to make it as a submission, please do it. If you just -- it's something
24 like complain with no substance of submission, please clarify that.

25 MR BOURGON: Thank you, Mr President. As I've mentioned a little earlier, when

1 we filed our request seeking a postponement for five months, we thought we were
2 acting in a responsible manner and we thought that we could engage in actually
3 ensuring that the trial will proceed fairly.

4 We are grateful for the 2.5 additional months that we received, and as I've mentioned
5 also we are grateful for even the additional week that we received today, that we are
6 allotted today.

7 We have tried and we have used every recourse at our disposal to request
8 postponement of this trial. Our request for leave to appeal has been denied. We do
9 not feel that there is any other recourse available to us at this time. And we will be
10 present, Mr President. I don't -- I would not like the Chamber to regard my
11 submission as a complaint. It is a situation of fact, Mr President, and a situation of
12 fact, in our respectful submission, will have a bearing on the conduct of trial. Thank
13 you, Mr President.

14 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon. It means we can move to
15 further on.

16 So now we will move to the item B of our agenda, which is definitive start date of
17 trial.

18 The Prosecution asked to be updated on the start date of trial. During the previous
19 status conference, the Chamber postponed the opening statements until the second or
20 third week of July 2015, without prejudice to the Presidency's decision on whether
21 they are to be held in the DRC or not. The Chamber indicated that in light of the
22 pending decision of the Presidency, it did not consider it appropriate to identify the
23 specific date within the time frame. The Chamber further indicated that the
24 deadlines that had to be calculated on the basis of the start of trial should take 7
25 July 2015 as the provisional commencement date for trial. That remains the same.

1 I have to inform you that yesterday the Chamber met with Presidency in its
2 composition assigned to decide about our recommendation on in situ hearing and
3 with Mr Registrar. We have been informed by Mr Registrar about his submission to
4 the DRC. We understood that the Registry had continued its preparations for a
5 potential in situ hearing. There is further scrutiny conducted on security aspects and
6 on issue of cooperation needed from the DRC government.

7 As you are aware, the Presidency's decision hasn't yet been taken, however, I can
8 indicate that it's anticipated that you will be informed whether or not opening
9 statements will take place in the DRC and relatedly the specific date for opening
10 statements by coming Monday at the latest. Relatedly, the Chamber notes that the
11 Prosecution and Defence both requested that if opening statements are to be held in
12 situ, they may attend with three representatives of their respective teams instead of
13 two. The Chamber finds the request reasonable. It therefore has consulted with the
14 Registry, which has indicated that it would be able to accommodate these requests.
15 So Prosecution and Defence, please inform the Registry by Thursday which three
16 persons you would wish to have present so that any necessary arrangements can be
17 taken swiftly should it be decided that opening statements shall be held in situ.

18 In this regard, the Chamber also notes the Defence request to be involved in in situ
19 outreach efforts and the responses thereto. The Chamber's decision on this request
20 will be issued after the decision as to in situ opening statements has been taken
21 should it remain relevant understandably.

22 Now, during the last status conference, the Chamber already indicated that it would
23 set a deadline for any motion or request on matters that the parties or participants
24 wish to bring to the Chamber's attention or wish to be decided prior to the start of
25 trial. So you are reminded -- sorry, you are reminded that in the conduct of

1 proceedings decision, this deadline was set for 15 June 2015. Although the Chamber
2 may decide to further shorten the deadline for responses to such requests on a
3 case-by-case basis, in principle, responses to any such requests, if any, shall be filed
4 by 23 June 2015.

5 So according to my understanding, we exhausted all items of our agenda as
6 announced. So now I would like to ask you whether are there any further issues,
7 requests or questions from the floor? Ms Samson?

8 MS SAMSON: No. Thank you, your Honour.

9 PRESIDING JUDGE FREMR: Thank you.

10 Mr Bourgon?

11 MR BOURGON: No issues, Monsieur President. Thank you.

12 PRESIDING JUDGE FREMR: Thank you.

13 Legal Representatives?

14 MR SUPRUN: (Interpretation) Mr President, I would like to make a number of
15 submissions with regard to the recommendation of the Chamber to hold in situ
16 hearings. I did not request for this to be included in the agenda for today, and this
17 was because we held recent consultations with the victims and yesterday we received
18 the results from these victims, and I would like to request the authorisation of the
19 Chamber to provide you with some information that I think to be very relevant in this
20 regard.

21 PRESIDING JUDGE FREMR: Mr Suprun, I have some doubts because, you know,
22 now the decision is not in our hands, in fact; the decision is in the hands of the
23 Presidency. In fact, the involvement of the Chamber has finished by our
24 recommendation presented to the Presidency.

25 Yesterday we, it is true as I told, we had been present, but just as observers to the

1 meeting between Mr Registrar and the Presidency. But in fact any submission from
2 your part I guess couldn't influence that process, or maybe would it be possible that
3 he can just transmit -- maybe I was wrong, we can just transmit your submission to
4 the Presidency. So, sorry, go ahead.

5 Give me just one minute.

6 (Trial Chambers confers)

7 PRESIDING JUDGE FREMR: Judge Ozaki rightly remind me, do you think, Mr
8 Suprun, that your submission could be made in open session or are there any issues
9 which require rather private session? What do you mean?

10 MR SUPRUN: (Interpretation) Mr President, I can make these submissions in open
11 session, yes.

12 PRESIDING JUDGE FREMR: Okay then, then please go ahead.

13 MR SUPRUN: (Interpretation) Thank you, Mr President.

14 As I have just indicated, your Honour, your Honours, and since the date of the public
15 announcement by your Chamber recommending the holding of hearings in Bunia, we
16 have consulted victims, the victims in question in order to collect their views and
17 concerns as to what they think about the recommendation to holding part of these
18 hearings in situ, and we have been conducting a follow-up of their opinions recently
19 in order to see whether there had been any developments in their opinions, and also
20 to monitor the security situation within the communities that are directly affected by
21 this recommendation.

22 I am only too well aware of the fact that the Registry is monitoring the security
23 situation throughout the region, and I also presume that the Registry is also
24 consulting in order to select those individuals who will come and take part in the trial.
25 But I also believe that it is important for me to illustrate to you the views and

1 concerns that have been recently expressed by the victims and also which show the
2 concerns and fears within the communities directly affected.

3 Now, Mr President, your Honours, the victims' views are rather diverging on the
4 subject, but they have not changed since the very first consultations were made. In
5 fact, the victims are generally satisfied to see that the Court is going to come close to
6 home. And in a majority they still express concerns and fears with regard to their
7 well-being and safety. And particularly those victims also say that it is very likely
8 that there will be tension between supporters and opponents of the accused.

9 Even recently there has been a high probability that the supporters of the accused,
10 who are very numerous in Bunia, might try and release him or free him in fact when
11 he comes to Bunia. Those who are living in Bunia are particularly worried about this.
12 They clearly say that in order to avoid any security worries, and in order not to put
13 them in danger in any way, it would be a better idea to hold the entirety of the
14 proceedings in The Hague. For fear of their safety and their well-being, those
15 victims living in Bunia and the surrounding areas intend to leave town during the
16 hearings. There are only a very small number of victims who agree to come and
17 follow the hearings in Bunia when they take place.

18 Now, the victims also talk about the aggravated security situation in Bunia and in the
19 region itself and most particularly those recent events in North Kivu and in Beni.

20 They also talk about an increased number of hold-ups and rapes in addition to the
21 fact that many people are armed in Ituri and ready and willing to use those weapons.

22 Also a number of victims mentioned the fact that holding hearings in Bunia and
23 having the accused present there is also very likely to remind the victims of their
24 suffering and could upset those victims who are still suffering and traumatised.

25 So, in order for us to hear those views and concerns, most particularly, I'm going to

1 give you a few citations or quotes of what victims who live in the various villages in
2 the area have said.

3 One victim living in Bunia said as follows, and I quote, "This trial, if it is to be held in
4 Bunia, it will be a curious affair. It will draw a lot of people. It is a good thing from
5 a pedagogical point of view, but will the security precautions that are to be taken, will
6 they be sufficient? And what is more, there have been many security problems in
7 the area of Bunia recently. We hear that those who are now killing in Beni will be
8 making their way to Bunia, those people who are committing violent acts. And what
9 is more, the climate in Beni itself is not good. There has been an increase in hold-ups
10 and rapes. I shall not be going to follow the hearings." End of quote.

11 A victim living in Kobu said as follows: "I think that it's a bad idea to hold the
12 hearings. In addition to the logistical issues that are not of interest to me, I wonder
13 whether the security situation will be addressed. Armed men can very well come
14 along and sabotage the hearing because there are many supporters of Bosco in Bunia
15 and in the surrounding area. I will not be coming to take part in the trial." End of
16 quote.

17 A victim in Mongbwalu said as follows: "I do not believe that it is a good thing for
18 the trial to be held in Bunia because I wonder how the victims are going to manage
19 his presence in Bunia, especially those who have experienced exceptionally difficult
20 circumstances as I think that this will bring back memories that may well upset some
21 people." End of quote.

22 A victim living in Bambu said as follows: "I do not believe that this is a good
23 decision and I wonder how the people, Bosco's people will react in Bunia. I think
24 there could very well be disturbances. If I am invited to attend the trial, I will not
25 attend." End of quote.

1 A victim living in Lipri said as follows: "This is not a good thing for the trial to be
2 held in Bunia. Seeing Bosco may well open up old wounds amongst the victims."
3 End of quote.

4 An intermediary living in Bunia, this is a person who helps us to work with the
5 victims, said as follows: "There is fear amongst the population. People don't really
6 know what is going to happen. The population believes that anything can occur
7 during this trial." End of quote.

8 Another intermediary in Bunia said as follows: "Today there is a relative lull and
9 people are awaiting for a final decision to be taken. However, when the news of the
10 probable trial in Bunia spread, people were hysterical. People are afraid of what
11 might occur because many people in Bunia think that Bosco is a hero. And will
12 those supporters of Bosco allow him to go back to The Hague without doing
13 anything?" End of quote.

14 And one very last citation to illustrate the differing viewpoints among the victims, a
15 victim living in Lipri said as follows: "I believe that it is a good thing for Bosco to be
16 tried in Bunia. I do not think that this will pose any problems. A number of
17 victims have never seen him in the flesh. He was the one after all who sent his men
18 to rape, kill and pillage. Victims will finally be able to put a face to a name because
19 many people do not know Bosco. It is history. It is true that we lost family
20 members and belongings, but it is history." End of quote.

21 There we have it, Mr President, your Honours. Here are some elements I thought
22 important to bring to the attention of the Chamber, I think also to the attention of the
23 Presidency, as to the current situation amongst the communities concerned and I
24 thank you.

25 PRESIDING JUDGE FREMR: Thank you very much.

1 Before I comment this, Madam Pellet, do you have something to add?

2 MS PELLET: (Interpretation) No, Mr President. I have already made
3 observations on this subject during the previous hearing.

4 PRESIDING JUDGE FREMR: Thank you very much, Mr Suprun. I have to say that
5 you are representing victims here so it was absolutely legitimate to express concern,
6 at least some of them, on possible holding hearing in situ.

7 At the moment I can give you two guarantees: The first one that we will for sure
8 transmit this submission to the Presidency, which will have -- which will decide
9 hopefully by the end of this week; and second one, that it was not new information
10 for us. I can confirm that even yesterday during our meeting there where

11 Mr Registrar informed us about outcomes of his mission to the DRC, he also
12 mentioned this kind of concern and in fact gave us, and mainly to Presidency,
13 detailed information about those kind of concerns. So thank you very much.

14 Now maybe because it's a new issue, I would like to ask parties whether they want to
15 comment this.

16 First, Prosecution?

17 MS SAMSON: No, nothing. Thank you, your Honour.

18 PRESIDING JUDGE FREMR: Thank you, Ms Samson.

19 Mr Bourgon?

20 MR BOURGON: Very rapidly, Mr President. I do not object to the fact that the
21 legal representative of victims would like to alert the Trial Chamber and the
22 Presidency regarding the possible in situ hearing in Bunia. That is, I guess, their role.
23 I note, however, that we've had two status conferences and on two occasions they
24 managed to receive their input the day before. Simply as a constructive
25 recommendation or suggestions maybe these could be put in writing so we have a

1 chance to at least know what is going to be said before a status conference. Thank
2 you, Mr President.

3 PRESIDING JUDGE FREMR: I would support your proposal.

4 Now maybe just a question to the Registry. I guess you could just support that this
5 concern has been scrutinised and still is being scrutinised by Registry; am I right?

6 MR VANAVERBEKE: You're right, your Honour.

7 PRESIDING JUDGE FREMR: Thank you very much.

8 So if there are no further issues, no further questions, it means we have exhausted the
9 agenda of our status conference. So at the end I would like to thank all of you for
10 your active participation and for your input and wish you a good rest of the week.
11 Thank you.

12 THE COURT USHER: All rise.

13 (The status conference ends in open session at 4.19 p.m.)