

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/04-02/06**
Date: **6 November 2019**

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
with three public annexes**

**Order placing on the record the parties' submissions and email decision of 17
September 2019 on the request by the Prosecution for disclosure of a statement of
Witness D-0305**

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 Christopher Gosnell

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

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

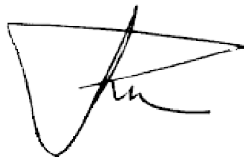
**Victims Participation and Reparations
Section**

Others

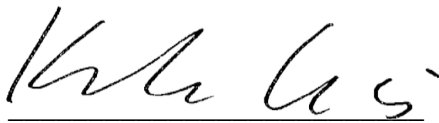
Trial Chamber VI of the International Criminal Court ('Chamber'), in the case of *The Prosecutor v. Bosco Ntaganda*, having regard to Article 64(10) of the Rome Statute, issues the following 'Order placing on the record the parties' submissions and email decision of 17 September 2019 on the request by the Prosecution for disclosure of a statement of Witness D-0305'.

1. On 16 September 2019, the Office of the Prosecutor ('Prosecution') requested, by email, for the disclosure of a statement of Witness D-0305, taken by the defence team for Mr Ntaganda ('Defence') in May 2019 ('Request').¹ The next day, the Defence responded, also by email.²
2. On 17 September 2019, the Chamber communicated to the parties and participants by email that it rejected the Request.³ The Chamber placed this decision on the record during the public hearing held later that day.⁴
3. To ensure completeness of the case record, and in the interest of the publicity of the proceedings, the Chamber hereby places the relevant submissions and its decision, attached as confidential annexes to the present order, on the record of the case.

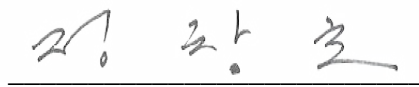
Done in both English and French, the English version being authoritative.



Judge Robert Fremr, Presiding Judge



Judge Kuniko Ozaki



Judge Chang-ho Chung

Dated 6 November 2019

At The Hague, The Netherlands

¹ Email from the Prosecution to the Chamber and participants on 16 September 2019, at 19:48.

² Email from the Defence to the Chamber and participants on 17 September 2019, at 10:01.

³ Email from the Chamber to the parties and participants on 17 September 2019, at 11:27.

⁴ Transcript of hearing on 17 September 2019, ICC-01/04-02/06-T-266-ENG ET, pages 5-6.