

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No. ICC-01/04-02/06

Date: 21 November 2014

**TRIAL CHAMBER VI**

**Before:** Judge Robert Fremr, Presiding Judge  
Judge Kuniko Ozaki  
Judge Geoffrey Henderson

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

**IN THE CASE OF  
*THE PROSECUTOR v. BOSCO NTAGANDA***

**Public**

**With Annex Confidential ex parte available to the Registry only**

**Registry Report pursuant to oral order of 17 October 2014**

**Source: The Registrar**

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**

Mr Stéphane Bourgon  
Mr Luc Boutin

**Legal Representatives of the Victims**

Ms Sarah Pellet  
Mr Dmytro Suprun

**Legal Representatives of the 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**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Other**

**Victims Participation and Reparations  
Section**

**The Registrar of the International Criminal Court (the “Court”);**

**NOTING** the status conference held before Trial Chamber VI (the “Chamber”) on 17 October 2014;<sup>1</sup>

**NOTING** articles 3, 62, 64 of the Rome Statute, Rule 100 of the Rules of Procedure and Evidence and Regulation 23*bis* of the Regulations of the Court;

**CONSIDERING** that during the status conference above mentioned, the Chamber instructed the Registry to prepare a feasibility report on the possibility of ‘...*holding part of the trial, for example, the opening statements in situ...*’<sup>2</sup> by 21 November 2014;

**CONSIDERING** that the Registry therefore proceeded to undertake a preliminary feasibility assessment on the said matter;

**RESPECTFULLY SUBMITS AS FOLLOWS:**

1. The Registry’s feasibility assessment focuses on parameters known to the Registry. These parameters include the purpose of the *in situ* hearing, its duration, potential locations in the Democratic Republic of the Congo and Tanzania (Arusha), the time period, namely June 2015, presence of the accused, and other practical and technical issues such as live broadcasting.
2. As requested by the Chamber and in relation to the practical aspects of a feasibility study, the main areas of interest are for instance the conditions under which a hearing *in situ* can take place, the realistic possibilities of being able to hold a hearing *in situ* in the identified locations, what are the facilities and services available, or which can be made available to the ICC, what is the

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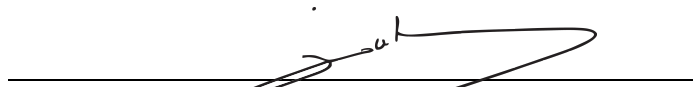
<sup>1</sup> ICC-01/04-02/06-T-15-ENG.

<sup>2</sup> *Ibid.*, p. 19, paras. 3-12.

overall security situation in the identified locations, what are the possibilities or limitations in terms of the physical/technical infrastructure, and what is the budgetary impact of such an event.

3. For the purposes of the current submission, the Registry has worked on the basis that this is a preliminary assessment. A complete resource and cost estimate can be concluded at a second stage, should the Chamber wish that the Registry explores additional and more concrete options.
4. The Registry respectfully submits in annex to this report the actual feasibility assessment as Confidential *ex parte* available only to the Registry, as it contains internal security information and sensitive matters related to Registry strategies that are normally not disclosed to parties and participants. Should the Chamber deem it necessary, the Registry could submit at a later stage a confidential redacted version of the annex, accessible to the parties and participants.

**RESPECTFULLY SUBMITTED,**



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Marc Dubuisson, Director of Court Services  
*per* delegation of  
Herman von Hebel, Registrar

Dated this 21 November 2014

At The Hague, Netherlands