



Original: **English**

No.: **ICC-01/04-02/06**
Date: **19 February 2021**

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

Public Redacted Version of “Notice on behalf of Mr Ntaganda informing the Chamber of the steps taken following the Chamber’s order dated 23 June 2015”, 25 June 2015, ICC-01/04-02/06-673-Conf-Exp

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

Legal Representatives of Victims

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 Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

**Notice on behalf of Mr Ntaganda informing the Chamber of the steps taken
following the Chamber's order dated 23 June 2015**

("Defence Notice")

NOTICE

1. Further to the "*Order taking interim measures in relation to a Defence investigator and related matters*" issued by Trial Chamber VI ("Chamber") on 23 June 2015 ("Interim Order") and as directed by the Chamber, Counsel representing Mr Ntaganda ("Defence") hereby provide notice to the Chamber that:
 - i. In consultation with the Registry, steps have been taken to recover the confidential material provided by the Defence to Mr Jean Logo Dhengachu ("Mr Logo") in the course of his activities as investigator/resource person for Mr Ntaganda;
 - ii. The said material is on its way to the seat of the Court *via* the Registry;
 - iii. Mr Logo has been informed of the Interim Order as well as of the fact that he is presently suspended and no longer authorised to take any action on behalf of the Defence; and
 - iv. Accordingly, Mr Logo's upcoming mission to Bunia, starting on 26 June 2015, has been cancelled.
2. The Defence takes this opportunity to inform the Chamber that due to, *inter alia*: (i) the existing relationship between Mr Logo and [REDACTED] whereas [REDACTED] was *de facto* acting as assistant to Mr Logo; and (ii) the seriousness of the allegations raised against [REDACTED] and the Chamber's consideration of the same, it was decided to also suspend [REDACTED], at least temporarily. [REDACTED] has been informed that he is also suspended and no longer authorised to take any action on behalf of the Defence until the allegations of misconduct raised by the Prosecution against Mr Logo and

[REDACTED] have been assessed and evaluated by the Chamber, after having heard the Defence.

3. The Defence is eagerly awaiting the Prosecution's submission of a copy of its request, with minimal redactions, with a view to evaluating the situation and responding to the serious allegations raised by the Prosecution.
4. The Defence notes in this regard that with a view to allowing the Defence to effectively respond to the serious allegations raised in the Prosecution's request, it will be paramount for the Prosecution to fully disclose all the material in its possession related to its allegations.

CONFIDENTIALITY

5. Pursuant to Regulation 23*bis* (1) of the Regulations of the Court, this Defence Notice is submitted on an *ex parte basis* – only available to the Chamber, VWU, Prosecution and Defence – as it complies with the Interim Order, which bears the same classification.

RESPECTFULLY SUBMITTED ON THIS 19TH DAY OF FEBRUARY 2021

A handwritten signature in dark ink, appearing to read 'StB' with a flourish at the end.

Me Stéphane Bourgon, Counsel for Bosco Ntaganda

The Hague, The Netherlands