



Original: **English**

No.: **ICC-01/04-02/06**
Date: **23 February 2021**

THE PRESIDENCY

Before: **Judge Robert Fremr, First Vice-President**
 Judge Marc Perrin de Brichambaut, Second Vice-President
 Judge Olga Herrera Carbuca

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF
THE PROSECUTOR V. BOSCO NTAGANDA

Public

Notification concerning extension of mandate of judges in the Appeals Chamber

Decision to be notified in accordance with regulation 31 of the *Regulations of the Court* to:**The Office of the Prosecutor**

Ms Fatou Bensouda
Ms Helen Brady

Counsel for the Defence

Mr Stéphane Bourgon
Ms Kate Gibson

Legal Representatives of Victims

Ms Sarah Pellet
Mr Dmytro Suprun

REGISTRY

Registrar

Mr Peter Lewis

Other

Appeals Chamber

THE PRESIDENCY of the International Criminal Court (the ‘Court’), in its *ad hoc* composition consisting of First Vice-President Robert Fremr, Second Vice-President Marc Perrin de Brichambaut and Judge Olga Herrera Carbuccia, notes that the Appeals Chamber is currently seized of appeals against conviction and sentence in the case of *The Prosecutor v. Bosco Ntaganda* (the ‘appeals’ and the ‘case’, respectively);¹

The Presidency notes that on 20 and 21 January 2021, respectively, it was seized of administrative requests from the Presiding Judge in the case, Judge Howard Morrison, and Judge Chile Eboe-Osuji concerning the extension of their respective mandates for the purpose of the completion of appeals in the case (the ‘Requests’).

The Presidency notes that, pursuant to article 41(2)(a) of the Rome Statute and rule 33(1) of the Rules of Procedure and Evidence, Judge Eboe-Osuji was excused from the Presidency for the purpose of the latter’s consideration of the Requests due to the evident risk of a lack of impartiality were Judge Eboe-Osuji to be involved in decision-making connected to his own request.

The Presidency notes its responsibility, pursuant to article 38(3)(a) of the Rome Statute, for the proper administration of the Court, with the exception of the Office of the Prosecutor.²

The Presidency hereby provides notification that, by way of internal administrative decision of 28 January 2021, it granted an extension of mandate to the aforementioned judges until no later than 31 March 2021 for the purpose of completing the appeals.

¹ Defence of Mr Ntaganda, *The Prosecutor v. Bosco Ntaganda*, Notice of Appeal against Sentencing Judgment (ICC-01/04-02/06-2442), 9 September 2019, ICC-01/04-02/06-2448; Defence of Mr Ntaganda, *The Prosecutor v. Bosco Ntaganda*, Mr. Ntaganda’s Notice of Appeal against the Judgment pursuant to Article 74 of the Statute, ICC-01/04-02/06-2359, 9 September 2019, ICC-01/04-02/06-2396; Prosecution, *The Prosecutor v. Bosco Ntaganda*, Prosecution notice of appeal, 9 September 2019, ICC-01/04-02/06-2395.

² See also Rome Statute, article 36(10).

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



Judge Robert Fremr
First Vice-President

Dated this 23 February 2021

At The Hague, The Netherlands