



Original: English

**No. ICC-01/04-02/06 A A2 A3
Date: 13 February 2020**

THE APPEALS CHAMBER

Before:
Judge Howard Morrison, Presiding
Judge Chile Eboe-Osuji
Judge Piotr Hofmański
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR V. BOSCO NTAGANDA

Public

Decision on the request for leave to withdraw as counsel

Decision to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor
Ms Helen Brady

Counsel for the Defence

Mr Stéphane Bourgon
Mr Christopher Gosnell

Legal Representatives of Victims

Ms Sarah Pellet
Mr Dmytro Suprun

REGISTRY

Registrar

Mr Peter Lewis

The Appeals Chamber of the International Criminal Court,

In the appeals of Mr Bosco Ntaganda and the Prosecutor against the ‘Judgment’ of Trial Chamber VI of 8 July 2019 (ICC-01/04-02/06-2359),

In the appeal of Mr Bosco Ntaganda against the ‘Sentencing judgment’ of Trial Chamber VI of 7 November 2019 (ICC-01/04-02/06-2442),

Having before it the ‘Submission of Request Pursuant to Regulation 78 of the Regulations of the Court’ of 10 February 2020 (ICC-01/04-02/06-2469),

Pursuant to regulation 78(1) of the Regulations of Court,

Renders the following

DECISION

Mr Christopher Gosnell’s request for leave to withdraw as Associate Counsel in the above-mentioned appeals is granted.

REASONS

1. On 10 February 2020, Lead Counsel for Mr Bosco Ntaganda filed the ‘Submission of Request Pursuant to Regulation 78 of the Regulations of the Court’ (the ‘Request’),¹ in which Mr Christopher Gosnell requests leave to withdraw as Associate Counsel.² Mr Gosnell provides a reason for his withdrawal and submits that, given the stage of the proceedings and the composition of the defence team, his withdrawal will cause no prejudice to the representation of Mr Ntaganda or to the expeditious conduct of proceedings.³ Mr Gosnell undertakes to adhere to the Code of Professional Conduct for counsel, including in respect of confidentiality and record-

¹ ICC-01/04-02/06-2359, with Annex 1.

² Request, para. 1.


³ Annex 1 to Request, para. 2.

keeping.⁴ Lead Counsel for Mr Ntaganda submits that he fully supports Mr Gosnell's request and that Mr Ntaganda has been consulted.⁵

2. The Appeals Chamber notes the reasons advanced by Associate Counsel for his withdrawal from representation. It observes that Mr Ntaganda has been consulted and that he continues to be represented by Lead Counsel and other members of the defence team. The Appeals Chamber further notes the Associate Counsel's undertaking to comply fully with all ongoing obligations under the Code of Professional Conduct for counsel.

3. In view of the foregoing, the Request is granted.

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



Judge Howard Morrison
Presiding

Dated this 13th day of February 2020

At The Hague, The Netherlands

⁴ Annex 1 to Request, para. 3.

⁵ Request, para. 2.