

- 1 International Criminal Court
- 2 Trial Chamber VI - Courtroom 1
- 3 Situation: Democratic Republic of the Congo
- 4 In the case of The Prosecutor v. Bosco Ntaganda - ICC-01/04-02/06
- 5 Presiding Judge Robert Fremr, Judge Kuniko Ozaki and Judge Chang-ho Chung
- 6 Status Conference
- 7 Friday, 3 July 2015
- 8 (The status conference starts in closed session at 3.50 p.m.)
- 9 (Redacted)
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2 (Open session at 3.57 p.m.)

3 THE COURT OFFICER: Mr President, we are in open session now.

4 PRESIDING JUDGE FREMR: Thank you.

5 So the Chamber now will render its decision on the Defence request for adjournment:

6 On 29 June 2015, the Defence filed a request for immediate adjournment of the

7 proceedings until the necessary conditions are in place to ensure a fair trial. The

8 Defence raised various issues that prevented it, in the Defence's view, from being

9 ready to start the trial proceedings in the current schedule. It highlighted that this

10 was similarly not in a position to deliver its opening statements next week.

11 The Prosecution responded to the request on 30 June 2015. In light of specific issues

12 faced by the Defence, the Prosecution did not oppose a reasonable adjournment to

13 allow the Defence additional time. The Prosecution submitted that it would be

14 preferable not to have a long break between the opening statements and the start of

15 the first evidentiary hearings.

16 On 2 July 2015, the Legal Representatives for Victims filed a joint response to the

17 Defence's request opposing an adjournment of the proceedings.

18 Today the Chamber heard further submissions from the parties and inquired with the

19 Registry about certain practical matters related to one of the issues the Defence faces.

20 The Chamber considers that these submissions have clarified the nature of the issues

21 the Defence faces in terms of trial readiness. The Chamber further notes that the

22 Defence's request was predicated to a substantial degree on a matter which has been

23 clarified separately in an order issued this morning as well as the fact that the

24 Prosecution does not oppose the Defence's request.

25 The Chamber is persuaded that the Defence's current situation affects its ability to

1 prepare for the start of trial. Consequently, the Chamber partially grants the
2 Defence's request. Having regard to the Chamber's obligations under Article 64(2) of
3 the Statute, in particular, to ensure the fairness of the trial and the rights of the
4 accused, the Chamber considers that the Defence should be provided a limited
5 amount of additional time to be able to address certain issues and that it is therefore
6 appropriate to order a limited postponement of the evidentiary phase of the
7 proceedings. And therefore the Chamber considers it also more appropriate to have
8 the opening statements take place shortly before the start of the first evidentiary
9 block.

10 The Chamber therefore postpones the opening statements scheduled for next week
11 and the first evidentiary block.

12 The trial schedule will be modified as follows: The opening statements are to take
13 place on 2 to 4 September 2015. The evidentiary stage, with the first three witnesses
14 scheduled for the first block will then commence on 15 September.

15 The Chamber does not consider it useful, at this stage, to make any further
16 modifications to the trial schedule.

17 The Chamber further instructs the parties to consult about the witnesses to be called
18 during the first block. The parties may prefer to keep the same three witnesses, but
19 the Chamber will allow modifications to the order where agreed upon.

20 It is the end of our ruling.

21 Now I would like to ask parties and participants whether there are any further issues,
22 requests or questions from the floor? I think it is not the case.

23 So thank you very much and it concludes this session.

24 THE COURT USHER: All rise.

25 (The status conference ends in open session at 4.02 p.m.)