

Trial Hearing
WITNESS: DRC-OTP-P-0892

(Open Session)

ICC-01/04-02/06

1 International Criminal Court
2 Trial Chamber VI - Courtroom 2
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 Trial Hearing
7 Wednesday, 20 April 2016
8 (The hearing starts in open session at 9.34 a.m.)
9 THE COURT USHER: All rise.
10 The International Criminal Court is now in session.
11 Please be seated.
12 PRESIDING JUDGE FREMR: Good morning, everybody.
13 Court officer, please call the case.
14 THE COURT OFFICER: Good morning. Yes, Mr President.
15 Situation in the Democratic Republic of the Congo, in the case of The Prosecutor
16 versus Bosco Ntaganda, case reference ICC-01/04-02/06.
17 And for the record, we are in open session.
18 PRESIDING JUDGE FREMR: Thank you.
19 Appearances, starting with Prosecution.
20 MS SIM: Good morning, Mr President. Good morning, your Honours.
21 Appearing for the Prosecution today are Dianne Luping, trial lawyer; James Pace,
22 assistant trial lawyer; Laura Morris, assistant trial lawyer; Selam Yirgou, case
23 manager; and myself, Kristy Sim, assistant trial lawyer.
24 PRESIDING JUDGE FREMR: Thank you, Ms Sim.
25 Defence, please.

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1 MR BOUTIN: Good morning, Mr President, your Honours. Appearing for the
2 Defence this morning, Mr Ntaganda is here with us, Ms Elisa Binon, who is an intern;
3 Ms Chloé Grandon, who is a legal assistant; and myself, Luc Boutin, co-counsel.

4 PRESIDING JUDGE FREMR: Thank you, Mr Boutin.
5 And Legal Representatives of Victims.

6 MS PELLET: (Interpretation) Thank you, Mr President. The former soldiers are
7 represented by Mohamed Abdou and myself, Sarah Pellet, counsel for the OPCV.

8 MR SUPRUN: (Interpretation) Good morning, Mr President, your Honours. The
9 victims of the attacks are represented by the OPCV, Anne Grabowski, associate legal
10 assistant, and myself, Dmytro Suprun, counsel.

11 PRESIDING JUDGE FREMR: Thank you, Ms Pellet. Thank you, Mr Suprun.
12 Madam Witness, good morning. Are you feeling okay today?

13 WITNESS: DRC-OTP-P-0892 (On former oath)
14 (The witness speaks Swahili)

15 THE WITNESS: (Interpretation) Yes, I feel all right.

16 PRESIDING JUDGE FREMR: That's good. Madam Witness, Madam Witness, we
17 will continue in your cross-examination by Defence and it's pretty sure that we will
18 conclude this testimony today.

19 Before I will hand over the floor to Mr Boutin, I would like to note to madam assistant,
20 madam assistant, we missed you yesterday. Everybody was here at 9 o'clock, but
21 not you. So yes, just to let you know that it was really a source of some
22 dissatisfaction of this Chamber.

23 Mr Boutin, you have the floor, please.

24 MR BOUTIN: Thank you, Mr President. I expect to be relatively short this
25 morning, much shorter than I anticipated, obviously. As we say in French, la nuit

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1 porte conseil. I reviewed the transcript thoroughly yesterday with my teams and I
2 will focus on some issues that we believe needs to be clarified.

3 PRESIDING JUDGE FREMR: Very well, Mr Boutin.

4 QUESTIONED BY MR BOUTIN: (Continuing)

5 Q. Good morning, Madam Witness. Can you hear me well?

6 A. (No interpretation)

7 Q. I would like to bring you to what you describe as your activities during the
8 second attack. You mention that for the first few days following the attack you
9 locked yourself with your family in the house.

10 PRESIDING JUDGE FREMR: Sorry, Mr Boutin, we are still in open session. Do
11 you think -- I guess we should move rather in private.

12 So, court officer --

13 MR BOUTIN: I believe so.

14 PRESIDING JUDGE FREMR: Court officer, let's move into private session.

15 (Private session at 9.39 a.m.)

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18 (Redacted)

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21 (Open session at 10.45 a.m.)

22 THE COURT OFFICER: We are in open session, Mr President.

23 PRESIDING JUDGE FREMR: Thank you.

24 Madam Witness, it means that it concludes your testimony. I would like to thank

25 you very much that you take such a long journey to The Hague and that you testified.

1 I firmly believe that your testimony will help us in our effort to find the truth and we
2 wish you a safe journey home. Thank you very much.

3 And now witness may be escorted out of the courtroom.

4 THE WITNESS: (Interpretation) I thank you.

5 (The witness is excused)

6 PRESIDING JUDGE FREMR: And I would like to address one last issue before we
7 adjourn because otherwise you all know that we will continue tomorrow with this
8 late afternoon session at 5.30. I'm just reminding you because our schedule this
9 week is very changeable, so 5.30 tomorrow afternoon.

10 But before doing that I would like to ask Mr Boutin, Mr Boutin, if I am not wrong,
11 because of reasons we all know, you are leaving us in fact today; am I right?

12 MR BOUTIN: Yes, Mr President, your Honours. Thank you for bringing this up.
13 This is the end of my journey before this Court. For personal reasons that you are
14 aware of, I'll have to return to my home country. It has been a great privilege to
15 appear before this Chamber. Thank you to my colleagues, all professionals that I
16 came to enjoy to some degrees. And thank you for the personnel obviously for your
17 kindness. Thank you, Mr President.

18 PRESIDING JUDGE FREMR: Thank you, Mr Boutin, for these kind words. And
19 also allow me on behalf of this Chamber to say good-bye because you spent quite a
20 long time with us and I can, I guess I can say on behalf of the whole Chamber that we
21 will remember your highly professional, dignified and noble performance before this
22 Court and we wish you all the best, both in your private and professional life.
23 So that's it for -- Ms Luping, you have the floor.

24 MS LUPING: Thank you, Mr President, your Honours. The Prosecution would
25 also just like to extend its thanks to Mr Boutin. We've certainly appreciated his

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- 1 professionalism as well and we certainly wish him all the best. Thank you.
- 2 PRESIDING JUDGE FREMR: We appreciate.
- 3 So it's the last issue for today so we now adjourn and we will continue tomorrow 5.30.
- 4 THE COURT USHER: All rise.
- 5 (The hearing ends in open session at 10.49 a.m.)