

Trial Hearing
Witness: DRC-OTP-P-0127

(Open Session)

ICC-01/04-02/06

1 International Criminal Court
2 Trial Chamber VI
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
6 Judge Chang-ho Chung
7 Trial Hearing - Courtroom 3
8 Tuesday, 27 September 2016
9 (The hearing starts in open session at 9.01 a.m.)
10 THE COURT USHER: [9:01:09] All rise.
11 The International Criminal Court is now in session.
12 PRESIDING JUDGE FREMR: [9:01:18] Good morning everybody.
13 Court officer, please call the case.
14 THE COURT OFFICER: [9:01:22] Thank you, Mr President.
15 The 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 We are in open session.
18 PRESIDING JUDGE FREMR: [9:01:37] Thank you, court officer.
19 Now appearances please as usually.
20 MS SAMSON: [9:01:41] Good morning, Mr President, and your Honours. For the
21 Prosecution today are Ms Kristy Sim, assistant trial lawyer; Ms Selam Yirgou, case
22 manager; and myself, Nicole Samson, senior trial lawyer.
23 PRESIDING JUDGE FREMR: [9:01:54] Thank you, Ms Samson.
24 Defence, please.
25 MR GOSNELL: [9:01:58] Good morning, Mr President, Christopher Gosnell for

Trial Hearing
Witness: DRC-OTP-P-0127

(Open Session)

ICC-01/04-02/06

- 1 Mr Ntaganda, who is not present, accompanied by Isabelle Martineau and
2 Maria-Kim Vasconi. Thank you, Mr President.
- 3 PRESIDING JUDGE FREMR: [9:02:09] Thank you, Mr Gosnell.
4 Now Legal Representatives of Victims, please.
- 5 MS PELLET: [9:02:16] (Interpretation) Thank you, your Honour. The former child
6 soldiers --
- 7 PRESIDING JUDGE FREMR: [9:02:26] Any problem with translation?
- 8 MS PELLET: [9:02:28] (Interpretation) No, I am waiting for the interpreter to finish.
9 The former child soldiers are represented by Mohamed Abdou and by myself,
10 Sarah Pellet, counsel with Office of Public Counsel for Victims.
- 11 MR SUPRUN: [9:02:45] (Interpretation) Good morning, your Honour, your Honours.
12 The victims of the attacks are represented by the Office of Public Counsel for Victims,
13 Anne Grabowski, associate lawyer, and myself, Dmytro Suprun, counsel.
- 14 PRESIDING JUDGE FREMR: [9:02:58] Thank you, Ms Pellet. Thank you, Mr Suprun.
15 Before we start with the rest of cross-examination just as concerns timing, this session,
16 because of some organisational matters, will continue till 10.55, and Mr Gosnell still has
17 2 hours 26, if I'm not wrong, so it is likely that this session or cross-examination will spill
18 over to the next session. If not, it will be better, but we will see.
- 19 Mr Gosnell, you have the floor.
- 20 And last point: Mr Witness, are you okay today?
- 21 WITNESS: DRC-OTP-P-0127 (On former oath)
22 (The witness speaks French)
- 23 THE WITNESS: [9:03:58] (Interpretation) Very well, thank you.
- 24 PRESIDING JUDGE FREMR: [9:03:59] I'm glad to hear that. And usual reminder, you
25 are still under oath which means you have to speak the truth and nothing but the truth.

Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

1 Now, Mr Gosnell, you have the floor. And do you want to proceed in open or in private
2 session?

3 MR GOSNELL: [9:04:13] Private session will be necessary for the moment,
4 Mr President.

5 PRESIDING JUDGE FREMR: [9:04:16] Understandable.

6 Court officer, let's move into private session

7 (Private session at 9.04 a.m.)

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
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ICC-01/04-02/06

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Witness: DRC-OTP-P-0127

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ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

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ICC-01/04-02/06

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13 Page redacted – Private session

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Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

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ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

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Trial Hearing
Witness: DRC-OTP-P-0127

(Private Session)

ICC-01/04-02/06

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- 19 (Open session at 10.52 a.m.)
- 20 THE COURT OFFICER: [10:52:41] We are in open session, Mr President.
- 21 PRESIDING JUDGE FREMR: [10:52:48] So before we break, Mr Gosnell, you still have
- 22 38 minutes. Just to have an idea of our perspective, do you think you will need all that
- 23 time?
- 24 MR GOSNELL: [10:53:01] I wish I could say it could be less, and it could have been less,
- 25 but it hasn't worked out that way, Mr President.

Trial Hearing
Witness: DRC-OTP-P-0127

(Open Session)

ICC-01/04-02/06

- 1 PRESIDING JUDGE FREMR: [10:53:09] All right. And even if rather premature,
- 2 Ms Samson, do you envisage any need for re-direct?
- 3 MS SAMSON: [10:53:19] Not at this time.
- 4 PRESIDING JUDGE FREMR: [10:53:20] Very well.
- 5 So now we adjourn and we will reconvene because we have to vacate this courtroom at
- 6 half past 1.
- 7 THE COURT USHER: [10:53:35] All rise.
- 8 (The hearing ends in open session at 10.53 a.m.)