

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 Monday, 14 November 2016
9 (The trial hearing starts in open session at 9.34 a.m.)
10 THE COURT USHER: [9:34:27] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE FREMR: [9:34:56] Good morning, everybody. Court officer,
14 please call the case.
15 THE COURT OFFICER: [9:35:00] Thank you, Mr President. The situation in the
16 Democratic Republic of the Congo, in the case of the Prosecutor versus Bosco
17 Ntaganda, case reference ICC-01/04-02/06. We are in open session.
18 PRESIDING JUDGE FREMR: [9:35:16] Thank you, court officer.
19 Now appearances, please, starting with Prosecution.
20 MR IVERSON: [9:35:24] Good morning, your Honours. Appearing today for the
21 Prosecution are Kristy Sim, Selam Yirgou, and myself, Eric Iverson.
22 PRESIDING JUDGE FREMR: [9:35:33] Thank you, Mr Iverson. Defence, please.
23 MR BOURGON: [9:35:39] (Interpretation) Good morning, your Honour. For the
24 Defence, Margaux Portier and myself, Stéphane Bourgon. Thank you, Your Honour.
25 PRESIDING JUDGE FREMR: [9:35:46] Thank you, Mr Bourgon.

1 Now Legal Representatives of Victims, please.

2 MR ABDOU: [9:36:01] Good morning, your Honours, Mohamed Abdou for the
3 former child soldiers.

4 MR SUPRUN: [9:36:09] Good morning, your Honour, your Honours. For the victims
5 of the attacks, Anne Grabowski, associate lawyer; and myself, Dmytro Suprun,
6 counsel with the Office of Public Counsel for Victims.

7 PRESIDING JUDGE FREMR: [9:36:17] Thank you, Mr Abdou.
8 Thank you, Mr Suprun.

9 And I also note for the record presence of the legal adviser appointed pursuant to
10 Rule 74 of the rules to assist the upcoming witness, so welcome and please state your
11 name for the record.

12 MR RAYMONDO: [9:36:37] Good morning, this is Fabián Raimondo, legal adviser
13 to the witness.

14 PRESIDING JUDGE FREMR: [9:36:41] Thank you, Mr Raimondo.

15 First of all, before the witness can be called, I would like to address a few procedural
16 matters, but I was also told that Mr Bourgon would like to address the Chamber.

17 If that is the case, then Mr Bourgon, you have the floor.

18 MR BOURGON: [9:37:03] Thank you, Mr President.

19 Mr President, the Defence has submitted earlier this morning an urgent request for
20 stay of proceedings. This request was communicated by way of a courtesy copy to
21 the Chamber, the parties and the participants.

22 Mr President, this request follows the Prosecution's communication of disclosure of
23 evidence obtained pursuant to Article 70, which was submitted on 7 November last.

24 In this request, Mr President, we seek an immediate suspension of the proceedings.

25 I will not go into the substance of the arguments raised in the motion. It is in

1 writing.

2 However, at this point in time, as an interim relief, we are asking -- we are requesting
3 respectfully not to proceed with the next witness, namely, Witness P-0911, until the
4 Chamber has adjudicated on the Defence request.

5 Mr President, the request is based on an earlier -- on an existing submission which we
6 refer therein as the notice.

7 The prejudice arising from the notice is very likely and real. Should the motion be
8 granted, no witnesses will be heard -- would be heard -- until the conditions set out in
9 the request, or, of course, any other conditions prescribed by the Chamber are
10 fulfilled. In these circumstances, Mr President, we request not to proceed with the
11 next witness.

12 I note in this regard that the request filed this morning was submitted at the earliest
13 opportunity. Justification for this is we had to, of course, consult with the client in
14 trying to get his point of view. We had to assess the situation and, of course, we
15 were expecting some of the disclosure mentioned in the notice, but we did not get any
16 as of Friday.

17 The notice mentions or refers to a link that will be set out, a TRIM, to use the
18 technological word, which to this day still has not been put in place, or at least we
19 don't have access to this TRIM link so far.

20 In these circumstances, Mr President, we suggest not to proceed with Witness 911, but
21 we are willing to proceed to finalise the testimony of Witness P-0918. The difference
22 between the two witnesses is that Witness P-981 has already begun testifying. In
23 addition, the cross-examination prepared for P-918 does not call into the Defence
24 looking or examining or relying on evidence obtained during its investigations that
25 could have a bearing on what is in the evidence to be disclosed by the Prosecution.

1 So, for all these reasons, we request not to proceed with 911, and finalise the
2 testimony of 918, until the Chamber has adjudicated on the Defence request.

3 Respectfully submitted, Mr President. Thank you.

4 PRESIDING JUDGE FREMR: [9:41:39] Thank you, Mr Bourgon.

5 So now, before -- because it seems that this request requires immediate ruling, but
6 before doing that we would like also to listen to parties and participants and even to
7 Mr Raimondo because it also concerns his client.

8 So Prosecution first.

9 MR IVERSON: [9:42:04] Thank you, Mr President. I received the courtesy copy of
10 the motion that Defence counsel mentioned. I haven't had the opportunity to read it.
11 So I can't give a reasoned response right now. I think that we prefer to respond in
12 writing, because it is a written motion.

13 I understand the gist of it is that, exactly as Defence counsel laid out, the interim relief,
14 they're requesting to suspend the proceedings right now. For that particular part of
15 it, I can say that Prosecution would oppose. We have the witness here today, we can
16 start with the direct examination. I don't think that that even -- if that were the case,
17 I don't think that that would impact on any of the Defence points in their motion, as I
18 understand it. Again, I haven't read it in totality, I've skimmed it briefly. That's
19 really all I can --

20 PRESIDING JUDGE FREMR: [9:43:09] Just maybe, because I'm afraid maybe I was a
21 bit unclear. I'm not asking you to express Prosecution position to the courtesy copy
22 you received this morning, only currently to this interim relief, whether to start with
23 911 or not.

24 MR IVERSON: [9:43:27] Well, we're ready to begin with the direct examination.
25 We would ask that we start. And then just two things that Defence counsel

1 mentioned briefly. It's my understanding that the registry controls access to the
2 TRIM link that he mentioned. So I don't know what's going on with that. That
3 would have to be addressed to the registry. And the other thing is that we are,
4 Prosecution are preparing these summaries that we had mentioned for disclosure.
5 But I can't say exactly when they will be disclosed, I know that we're preparing them
6 though.

7 PRESIDING JUDGE FREMR: [9:44:02] Thank you, Mr Iverson. Mr Abdou.

8 MR ABDOU: [9:44:07] Yes, Mr President.

9 Just in response to Mr -- to the Defence submissions for the postponement of 911, the
10 former child soldiers would oppose the relief sought by the Defence, for the very
11 simple reason that we don't see how the investigations conducted by the Prosecution
12 or Article 70 related material would affect the cross-examination of that witness.
13 In any event, Mr President, it is in the interests of the victims to proceed forthwith
14 with the presentation of the evidence of this witness, and also other witnesses.
15 The Defence can always in future, if it finds that some of the materials collected
16 pursuant to Article 70 were material to their cross-examination of this witness, they
17 can resubmit at a later stage a new request for recalling this witness and, based on this
18 new information, conduct another or a further cross-examination.
19 So in our opinion, Mr President, the reasons laid out by the Defence are not sufficient
20 to stop or to delay hearing such evidence. This is our submission and we oppose the
21 Defence request.

22 PRESIDING JUDGE FREMR: [9:45:42] Thank you, Mr Abdou. Mr Suprun, please.

23 MR SUPRUN: (Interpretation) Thank you, your Honour.

24 At this stage I prefer not to take a position with regards to this application. I would
25 prefer to present written submissions. At this stage I'd just like to stress that sooner

1 or later in the proceedings, then if there's a suspension, that will go against the wishes
2 of the victims that I represent.

3 PRESIDING JUDGE FREMR: [9:46:11] Thank you, Mr Suprun. Mr Raimondo, as
4 concerns the interim relief concerning your client.

5 MR RAYMONDO: [9:46:20] Thank you very much, Mr President.

6 This legal adviser was unaware of the existence of this motion and, of course, I
7 haven't had the time to ponder this situation. What I can say at this stage is that the
8 witness is ready to give evidence and that the decision is up to the Trial Chamber.
9 Thank you.

10 PRESIDING JUDGE FREMR: [9:46:55] All right.

11 So Mr Bourgon, yes, please.

12 MR BOURGON: [9:46:59] Mr President, if I can reply very briefly. The object of
13 this morning's arguments is not to address the merits of our motion, it is to address
14 whether an interim relief should be granted in the form of not proceeding with 911
15 until the Chamber has adjudicated on the motion.

16 There are criterias to address when an interim relief should be granted and I've heard
17 nothing in the arguments raised by the parties and participants concerning these
18 criteria. Is the request based on fanciful arguments or is it based on an existing
19 submission? It is based on an existing notice which was filed on 7 November.

20 The second question: Is the prejudice argued therein fanciful, or prima facie very
21 likely and real? It is obvious from what we request and the reasons why we do not
22 want to proceed with 911 that the reasons are stated in that motion and that the
23 resulting prejudice is indeed prima facie very likely and real. More importantly, if
24 the motion is granted, what would happen if 911 was to testify? Like other
25 witnesses, his testimony would be postponed by granting the stay that is requested in

1 the motion. So when we put these three conditions together, they fulfil what is
2 required in order to obtain an interim relief, which is what we ask this morning.
3 It could be, Mr President, that you will rule in our motion on the merits today. It
4 could be that you will rule tomorrow, but we should not proceed until that motion
5 has been adjudicated. This is what is in the interest of justice.

6 Thank you, Mr President.

7 PRESIDING JUDGE FREMR: [9:48:53] Thank you. I think such a submission
8 requires a thorough deliberation.

9 Mr Iverson.

10 MR IVERSON: [9:49:01] And I'm sorry, I may have missed it, but I didn't hear
11 Defence counsel state what the actual prejudice is, what is the alleged prejudice? He
12 says it's real, but I don't understand what the alleged prejudice is, and that would be
13 helpful for a potential response.

14 PRESIDING JUDGE FREMR: [9:49:17] I think I understood what could be the
15 prejudice, so I think I don't need any further submission, thank you.

16 So it requires deliberation in the deliberation room, so we will leave you for a while
17 and I believe that we will return back in a short time.

18 THE COURT USHER: [9:49:36] All rise.

19 (Recess taken at 9.49 a.m.)

20 (Upon resuming in open session at 10.12 a.m.)

21 THE COURT USHER: [10:12:04] All rise. Please be seated.

22 PRESIDING JUDGE FREMR: [10:12:29] The Chamber considered oral submissions
23 we heard this morning and we are issuing the following oral ruling.

24 The Chamber decides that the examination-in-chief of Witness P-911 should proceed.

25 In that regard the Chamber has taken account of factors including the fact that the

1 next witness is here and is ready to testify, as well as the Chamber's understanding
2 that prejudice to the Defence would mainly arise in respect of potential
3 cross-examination of this witness. So we will proceed.

4 And as concerns the main submission, any responses to the Defence request for a stay
5 of proceedings are to be provided by 4 p.m. tomorrow. And it concludes our ruling.

6 Now, before the witness will be brought into the courtroom, I still would like to
7 address a few procedural matters.

8 First, the Chamber recalls its oral decision in transcript number 155 granting in-court
9 protective measures for Witness P-911 in the form of face and voice distortion and the
10 use of pseudonym.

11 Next, Mr Raimondo is present to assist the witness in respect of any self-incrimination
12 issues which may arise. Last Friday Mr Raimondo informed the Chamber by way of
13 filing number 1628 that he has met with the witness and explained Rule 74 of the
14 rules to him. Mr Raimondo further requested assurances under Rule 74(3) on behalf
15 of the witness.

16 The Prosecution subsequently provided observations on this issue by way of e-mail
17 and indicated that it considers the granting of such assurances appropriate.

18 Mr Raimondo, is there anything you wish to add in relation to this request, bearing in
19 mind that we are in public session?

20 MR RAYMONDO: [10:15:31] I don't have anything to add, Your Honour. Thank
21 you very much.

22 PRESIDING JUDGE FREMR: [10:15:37] All right. Defence, are there any
23 submissions you wish to make on this issue?

24 MR BOURGON: [10:15:44] None, Mr President.

25 PRESIDING JUDGE FREMR: [10:15:47] Thank you, Mr Bourgon.

1 The Chamber has considered the request and shall provide assurances under Rule
2 74(3) of the Rules in the presence of the witness before he commences testifying. The
3 Chamber therefore requests the parties to be vigilant about going into private sessions
4 for areas of evidence that are likely to elicit responses that might self-incriminate the
5 witness.

6 Next, according to its e-mail of 11 November 2016, the Defence objects to certain
7 documents the Prosecution may seek to use with or to tender through this witness.
8 These objections are or will be as usually addressed if and when they arise
9 throughout the course of the examination-in-chief.

10 Finally, the Chamber recalls that by way of e-mail of 17 October 2016 it indicated that
11 each of the parties would be encouraged to complete their respective examinations
12 within five hours. So now I guess we can turn to the scheduled testimony.

13 So, court officer, please, have the witness brought into the courtroom.

14 Ms Samson.

15 MS SAMSON: [10:17:16] Good morning, Mr President.

16 I just wanted to know note for the record that I did arrive into the courtroom and I'm
17 going to move now to the back area. Thank you.

18 PRESIDING JUDGE FREMR: [10:17:26] It's my fault that I haven't noted. Sorry.

19 (The witness enters the courtroom)

20 PRESIDING JUDGE FREMR: [10:18:30] Mr Witness, good morning. Can you hear
21 me?

22 WITNESS: DRC-OTP-P-0911

23 (The witness speaks French)

24 THE WITNESS: [10:18:36] (Interpretation) Yes.

25 PRESIDING JUDGE FREMR: [10:18:38] Well, Mr Witness, on behalf of this Chamber,

1 I would like to welcome you to the courtroom. You are called to testify in the case
2 against Mr Bosco Ntaganda. You will be asked questions both by the Judges and
3 lawyers in the courtroom, and in this connection I would like to guide you as follows:
4 Please listen carefully to those questions. If you do not understand, feel free to ask
5 for the question to be repeated. We want you to tell the truth and tell us what you
6 saw, heard and sensed yourself. If you did not see or hear it yourself but you found
7 out some other way, then you should explain how.

8 Please testify just on that which you remember. Don't guess, don't make things up.
9 There is nothing wrong with saying, "I don't know" or "I don't remember."

10 Do you understand all this, Mr Witness?

11 THE WITNESS: [10:19:50] (Interpretation) Yes.

12 PRESIDING JUDGE FREMR: [10:19:52] Good. Mr Witness, protective measures
13 are put in place to ensure that your identity is not revealed to the public. In practice,
14 it means that the public cannot see your face today and that your voice is being
15 disguised so that the public cannot recognize it. We will refer to you as
16 "Mr Witness" only and ensure that your name and any other information that risks
17 revealing who you are is not broadcast to the public. Therefore, whenever you need
18 to describe anything that might reveal your identity, we will do so in private session
19 so that no one outside the courtroom can hear your answer.

20 Do you understand, Mr Witness?

21 THE WITNESS: [10:20:43] (Interpretation) Yes.

22 PRESIDING JUDGE FREMR: [10:20:53] Another important issue, Mr Witness, you
23 have been assigned a lawyer to provide you with legal advice about possible
24 self-incrimination. Mr Raimondo, who is sitting over there. And Mr Raimondo has
25 requested on your behalf that you be given certain assurances by the Chamber.

1 There may be questions asked to you for which you fear that answering them
2 truthfully may incriminate you because these questions relate to your own conduct.
3 In such cases, we will require you to answer the question, but we assure you that
4 your answer will be kept confidential and will not be disclosed to the public or to the
5 government of any country.

6 The Prosecution has further assured that they will not themselves use this
7 information to prosecute you before the ICC, provided that you tell the truth. Do
8 you understand all this, Mr Witness?

9 THE WITNESS: [10:22:13] (Interpretation) Yes, I do understand.

10 PRESIDING JUDGE FREMR: [10:22:15] Fine. Mr Witness, now you will be
11 provided with a piece of paper with the text of solemn undertaking. Please now
12 make your solemn undertaking to tell the truth by reading out the declaration you
13 have in your hands.

14 THE WITNESS: [10:22:41] (Interpretation) I solemnly declare to tell the truth, all
15 the truth and nothing but the truth.

16 PRESIDING JUDGE FREMR: [10:22:49] Thank you, Mr Witness. It means you are
17 now under oath. You need to be aware that it is an offence within the jurisdiction of
18 this Court to give false testimony. Do you understand that?

19 THE WITNESS: [10:23:09] (Interpretation) Yes, I do understand that.

20 PRESIDING JUDGE FREMR: [10:23:19] And a few practical matters you should
21 have in mind when giving your testimony. It's important to speak into the
22 microphone, and I believe it would be better if you could speak up a bit because
23 sometimes it's not easy to hear you. So please speak up a bit. Otherwise, you are
24 expected to speak clearly and to speak at a slow pace. And what is also important,
25 you should only start speaking when the person asking you the question has finished.

1 And please do not respond immediately. When a question is asked, please count in
2 your head to three and only then give your answer because this pause is essential for
3 us to properly hear and record what you are saying. So, please, have it in mind.

4 And if you have any questions during your testimony or if you feel that you need a
5 break, do not hesitate to let us know by raising your hand. We will then give you
6 the opportunity to speak.

7 Have you understood all that, Mr Witness?

8 THE WITNESS: [10:24:42] (Interpretation) Yes.

9 PRESIDING JUDGE FREMR: [10:24:48] Very well. So now, Mr Witness, we can
10 start with your testimony.

11 Who will be examining the witness, Prosecution? I see it will be Mr Iverson. So
12 take your time to prepare the things that are necessary.

13 MR IVERSON: [10:25:13] Thank you very much, Mr President.

14 PRESIDING JUDGE FREMR: [10:25:15] And do you want to start in open or in
15 private session?

16 MR IVERSON: [10:25:19] I would like to start in private session, please,
17 Mr President.

18 PRESIDING JUDGE FREMR: [10:25:24] For the information of public, this witness is
19 a protected one, so he was guaranteed that his identity will not be revealed to public,
20 which means that as soon as there is a risk that questions that will come could reveal
21 his identity, then it is necessary to move into private session, which is the case right
22 now.

23 So, court officer, let's move into private session.

24 (Private session at 10.25 a.m.)

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- 16 (Upon resuming in open session at 11.47 a.m.)
- 17 THE COURT USHER: [11:47:41] All rise.
- 18 Please be seated.
- 19 PRESIDING JUDGE FREMR: [11:48:20] Let's continue with examination-in-chief of
- 20 our witness and I assume, Mr Iverson, that you would like to proceed in private
- 21 session?
- 22 MR IVERSON: [11:48:33] Yes, please, Mr President.
- 23 PRESIDING JUDGE FREMR: [11:48:35] All right, court officer, let's move into
- 24 private session.
- 25 (Private session at 11.48 a.m.)

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22 (Open session at 1.14 p.m.)

23 THE COURT OFFICER: [13:14:41] We're in open session, Mr President.

24 PRESIDING JUDGE FREMR: [13:15:00] Thank you, court officer.

25 Mr Witness, I would like to thank you. It concludes your testimony but just for

1 today. And since we have to examine another witness in the afternoon, we will
2 continue with your examination tomorrow, 9.30. And have in mind that in the
3 meantime, till tomorrow, you must not discuss your testimony with anybody else,
4 understandably except with your legal adviser, you can discuss and consult him.
5 So now, please, court officer, lead Mr Witness outside of the courtroom.

6 (The witness stands down)

7 PRESIDING JUDGE FREMR: [13:16:06] And for the sake of planning, Mr Iverson, so
8 far, according to our measuring, you exhausted two hours sharp so you still have
9 three hours at your disposal. But it is my subjective view you covered a lot, in my
10 view. Do you think that you will need all the three remaining hours?

11 MR IVERSON: [13:16:28] No, Mr President. I estimate, and knowing that you
12 won't hold me to this, but probably around one hour in addition.

13 PRESIDING JUDGE FREMR: [13:16:35] Just even to give some idea to Prosecution,
14 all right.

15 Anyway, we will continue this afternoon with another witness, yes, it is Witness 918.
16 And for that we -- our session will take from four to six.

17 Mr Bourgon.

18 MR BOURGON: [13:16:56] Thank you, Mr President. Earlier on, the Trial Chamber
19 rendered a decision on our request for interim relief related to our request.
20 The Chamber ruled to continue with the witness but did mention that this was based
21 on that any prejudice to the Defence would arise from cross-examination. I would
22 just like to confirm, is it the intention of the Chamber to have us continue with
23 cross-examination of this witness tomorrow morning? Thank you.

24 PRESIDING JUDGE FREMR: [13:17:29] I think I can't give you any assurance at this
25 moment. Because, in fact, we -- we will have first to evaluate the response from

1 Prosecution and participants to your submission and very likely also to -- but then
2 probably only orally to hear your reply to the response. So I guess that before,
3 before that, we can't start with cross-examination. But one of the options is that it
4 would mean that there is still some possibility we would start cross-examination not
5 tomorrow, but on Wednesday. Am I clear enough?

6 MR BOURGON: [13:18:23] Indeed, Mr President. Thank you very much.

7 PRESIDING JUDGE FREMR: [13:18:26] We adjourn and we will resume at 4 o'clock.

8 THE COURT USHER: [13:18:33] All rise.

9 (Recess taken at 1.18 p.m.)

10 (Upon resuming in open session at 4.02 p.m.)

11 THE COURT USHER: [16:02:56] All rise.

12 Please be seated.

13 PRESIDING JUDGE FREMR: [16:03:13] Good afternoon, everybody.

14 Since I see some changes in appearances, I would like to ask for update.

15 Prosecution first.

16 MS SOLANO: [16:03:40] Good afternoon, your Honours. The Prosecution is
17 represented by Ms Kristy Sim, assistant trial lawyer; Miss Selam Yirgou, case
18 manager; and I am Julieta Solano, trial lawyer.

19 PRESIDING JUDGE FREMR: [16:03:53] Thank you, Ms Solano.

20 Defence, please.

21 MR BOURGON: [16:03:57] (Interpretation) Good afternoon, your Honour.

22 Mademoiselle Han Catherine Morin joins us for the Defence. I also would like to say,
23 I should have made this change at the end of the last session because Mademoiselle
24 Morin is present here. Thank you.

25 PRESIDING JUDGE FREMR: [16:04:16] Thank you, Mr Bourgon. And I see the

1 only change which concerns one of the team of the Legal Representatives.

2 Mr Suprun, please.

3 MR SUPRUN: [16:04:22] (Interpretation) Indeed, your Honour, Anne Grabowski
4 is no longer with us this afternoon. Thank you.

5 PRESIDING JUDGE FREMR: [16:04:29] Thank you, Mr Suprun. And Mr Abdou
6 is present as during the morning session.

7 Before we start with the next part of the testimony of our witness, we were told,
8 Mr Bourgon, that you would like to approach the Chamber. So, please, you have the
9 floor.

10 MR BOURGON: [16:04:47] Thank you, Mr President. Before I begin the
11 cross-examination of the next witness, P-0918, I have an oral application I would like
12 to make. I can either make it after my colleague ends her cross-examination or I can
13 make it immediately, as the Chamber wishes, Mr President.

14 PRESIDING JUDGE FREMR: [16:05:08] Probably better to make it now, but we are
15 in open session so do you think it is possible to make it in open session?

16 MR BOURGON: [16:05:14] I believe it is possible, Mr President. And, please, if
17 my colleague can immediately make a sign to me if I say anything that should not be
18 revealed, but I guess it is not a problem.

19 Mr President, the application is pursuant to the decision on the conduct of
20 proceedings which says that before I can use or refer to the statement or the testimony
21 of another witness in cross-examination, I need to make an application before the
22 Chamber. So this is the aim of my application at this time.

23 Mr President, the Prosecution's case is that Witness P-0898 would have been a child
24 soldier and he would have been at some point in time within UPC, and then after that
25 he would have been, I believe, taken out of UPC. That's the Prosecution's case.

1 In support of its case, the Prosecution is calling three witnesses, namely the witness
2 himself, Witness P0898, P-0918 and P-0911. Mr President, in order to fully
3 cross-examine and get to the bottom of this allegation put forward by the Prosecution,
4 it is necessary to compare the evidence provided by these three witnesses. It is
5 necessary to engage each of them on the testimony of the others. And in order to do
6 this of course first I need to apply to the Chamber.

7 Now, in the past this has been some -- there has been some difficulty with this, or at
8 least it has not been easy, because of the issue of protective measures.

9 At this point in time, Mr President, I think we can move into private session for the
10 end of my submissions.

11 PRESIDING JUDGE FREMR: [16:07:24] Certainly.

12 Court officer, let's move into private session.

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