

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 Friday, 10 February 2017
9 (The hearing starts in open session at 9.30 a.m.)
10 THE COURT USHER: [9:30:48] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE FREMR: [9:31:10] Good morning, everyone.
14 Court officer, please call the case.
15 THE COURT OFFICER: [9:31:15] Thank you, Mr President.
16 The situation in the Democratic Republic of the Congo, in the case of The Prosecutor
17 versus Bosco Ntaganda, ICC-01/04-02/06.
18 We are in open session.
19 PRESIDING JUDGE FREMR: [9:31:29] Thank you, court officer.
20 Now appearances, if change compared to yesterday. Prosecution first.
21 MS SIM: [9:31:36] Good morning, Mr President, good morning, your Honours, there
22 are no changes on the Prosecution bench this morning.
23 PRESIDING JUDGE FREMR: [9:31:43] Thank you, Ms Sim.
24 Defence.
25 MR GOSNELL: [9:31:45] Good morning. No changes, Mr President.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

1 PRESIDING JUDGE FREMR: [9:31:49] Thank you.

2 Legal Representative of Victims, please.

3 MS PELLET: [9:31:54] (Interpretation) Thank you, your Honour. No change for the
4 team of former child soldiers, exceptionally today I represent the victims of the
5 attacks. Thank you.

6 PRESIDING JUDGE FREMR: [9:32:10] For the record, I just confirm the Chamber
7 had been informed about the absence of Mr Suprun for today. He will be
8 substituted or represented also by Ms Pellet and he was excused by the Chamber.

9 Mr Witness, good morning. Can you hear me?

10 WITNESS: DRC-OTP-P-0116 (On former oath)

11 (The witness speaks French)

12 (The witness gives evidence via video link)

13 THE WITNESS: [9:32:37] (Interpretation) Good morning, your Honour. I can hear
14 you very well. Thank you.

15 PRESIDING JUDGE FREMR: [9:32:41] Good.

16 Mr Witness, we will continue with your cross-examination by Defence. It's my duty
17 to remind you that you are still under oath, so you have to speak truth and nothing
18 but the truth. Do you understand that?

19 THE WITNESS: [9:33:05] (Interpretation) I understand you, your Honour.

20 PRESIDING JUDGE FREMR: [9:33:06] Fine.

21 So, Mr Gosnell, you may proceed and we are in open session. Do you want to
22 maintain this regime? No. All right.

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

24 (Private session at 9.33 a.m.)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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12 Page redacted – Private session.

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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12 Page redacted – Private session.

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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13 (Upon resuming in open session at 11.31 a.m.)
14 THE COURT USHER: [11:31:26] All rising.
15 PRESIDING JUDGE FREMR: [11:31:52] So we are going to continue with
16 cross-examination of our witness, but before that I see Ms Sim on her feet.
17 Ms Sim, you have the floor.
18 MS SIM: [11:32:02] Thank you, Mr President. Over the break we noticed that there
19 is a significant discrepancy in the translations of the English and the French. And
20 I was just wondering if I could have the witness confirm the spelling of a word
21 or -- a certain word that appears in the French translation that is remarkably different
22 than in the English translation?
23 PRESIDING JUDGE FREMR: [11:32:25] All right.
24 MS SIM: [11:32:26] In the French transcript it is at page 28, line 26 and, Mr Witness,
25 I am --

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

1 THE COURT OFFICER: [11:32:33] Ms Sim, we are in open session during
2 the (Overlapping speakers)
3 PRESIDING JUDGE FREMR: [11:32:37] For sure, for sure. We are -- we are dealing
4 with names. Let's move into private session now, please.

5 (Private session at 11.32 a.m.)

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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12 Page redacted – Private session.

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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12 Page redacted – Private session.

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session.

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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Trial Hearing
WITNESS: DRC-OTP-P-0116

(Private Session)

ICC-01/04-02/06

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22 (Open session at 12.13 p.m.)

23 THE COURT OFFICER: [12:13:54] We are in open session, Mr President.

24 PRESIDING JUDGE FREMR: [12:14:02] Thank you.

25 Mr Witness, it concludes your testimony. I would like on behalf of this Chamber to

Trial Hearing
WITNESS: DRC-OTP-P-0116

(Open Session)

ICC-01/04-02/06

- 1 thank you. You got a lot of questions, but you responded patiently and clearly, so
- 2 thank you very much for that. And I believe that your testimony will assist us in our
- 3 effort to find the truth. Thank you very much.
- 4 THE WITNESS: [12:14:34] (Interpretation) Thank you, your Honour.
- 5 PRESIDING JUDGE FREMR: [12:14:36] Now we can disconnect the line.
- 6 (The witness is excused)
- 7 PRESIDING JUDGE FREMR: [12:15:18] All right. And now I see there are no
- 8 further requests for the floor, so I can just conclude that we complete hearing for
- 9 today and we will reconvene on 16 February and we will conduct testimony of
- 10 Witness P-551.
- 11 Now the Court is adjourned.
- 12 THE COURT USHER: [12:15:46] All rise.
- 13 (The hearing ends in open session at 12.15 p.m.)