

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Open Session)

ICC-01/04-02/06

1 International Criminal Court
2 Trial Chamber VI - Courtroom 2
3 Situation: Democratic Republic of 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
8 Thursday, 14 April 2016
9 (The hearing starts in open session at 9.32 a.m.)
10 THE COURT USHER: All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE FREMR: Good morning.
14 Court officer, please call the case.
15 THE COURT OFFICER: Thank you, Mr President. The situation in the Democratic
16 Republic of the Congo in the case of the Prosecutor versus Bosco Ntaganda, case reference
17 ICC-01/04-02/06.
18 And for the record, we are in open session.
19 PRESIDING JUDGE FREMR: Thank you, Ms Court Officer.
20 Now appearances starting with Prosecution.
21 MS SOLANO: Good morning, your Honours. For the Prosecution this morning appear
22 Ms Nicole Samson, senior trial lawyer; Ms Marion Rabanit, associate trial lawyer; Ms Kristy
23 Sim, assistant trial lawyer; Ms Dianne Luping, trial lawyer; Ms Selam Yirgou, case manager;
24 and I am Julieta Solano, trial lawyer.
25 PRESIDING JUDGE FREMR: Thank you, Ms Solano.

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Open Session)

ICC-01/04-02/06

1 Defence, please.

2 MR BOURGON: (Interpretation) Good morning, your Honours. Good morning to
3 everyone in the courtroom. Representing Bosco Ntaganda, who is present today in the
4 courtroom, Ms Sandrine De Sena; Maître Dignité Bwiza; Maître Isabelle Martineau; myself,
5 Stéphane Bourgon. Thank you, your Honour.

6 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon.

7 I see that your client had some problems with headphones.

8 Mr Ntaganda, can you hear us? It's okay, everything fine?

9 Court officer, please be so kind and assist Mr Ntaganda.

10 In the meantime I think we can proceed with appearances.

11 Legal Representatives of Victims, please.

12 MS PELLET: (Interpretation) Good morning. The former child soldiers are represented
13 by myself, Sarah Pellet, Office of Public Counsel For Victims.

14 MR SUPRUN: (Interpretation) Good morning, your Honours. The victims of the attacks
15 are represented by the Office of Public Counsel for Victims, Ms Grabowski and myself,
16 Dmytro Suprun.

17 PRESIDING JUDGE FREMR: Thank you, Ms Pellet. Thank you, Mr Suprun.

18 And duty counsel, please.

19 MS CLÉMENT: (Interpretation) Good morning, your Honours. Hélène Clément, duty
20 counsel. I'm here to assist the witness.

21 PRESIDING JUDGE FREMR: Thank you, Ms Clément.

22 Just I would like to get some assurance from the court officer that Mr Ntaganda, his
23 headphones are working? Okay, fine.

24 So, Mr Witness, good morning.

25 WITNESS: DRC-OTP-P-0963 (On former oath)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 (The witness speaks French)

2 THE WITNESS: (Interpretation) Good morning.

3 PRESIDING JUDGE FREMR: I suppose that everything is okay today with you?

4 THE WITNESS: (Interpretation) Yes.

5 PRESIDING JUDGE FREMR: Good. So Defence will continue with your
6 cross-examination.

7 Mr Bourgon, we are in open session, so you may start. Do you want to start in open
8 session or is there a need to move into private one?

9 MR BOURGON: I would like to go in private session, Mr President.

10 PRESIDING JUDGE FREMR: All right.

11 Court officer, please let's move into private session now.

12 (Private session at 9.36 a.m.) *(Reclassified partially in public)

13 THE COURT OFFICER: We are in private session, Mr President.

14 PRESIDING JUDGE FREMR: Thank you.

15 Mr Bourgon, you may proceed.

16 MR BOURGON: Thank you, Mr President.

17 QUESTIONED BY MR BOURGON: (Continuing)

18 Q. (Interpretation) Good morning, Witness.

19 A. Good morning.

20 Q. Yesterday afternoon as we were ending the day, I wanted to touch upon the issue of the
21 three lists that were shown to you by the Prosecution. Now, these were lists of names, and
22 you answered some questions. Do you remember those three lists you were shown?

23 A. Yes.

24 Q. Just to make sure that we're talking about the same lists, I would like to ask that the first
25 list be put up on the screen in front of you. This is item DRC-OTP-2081-0072. This list will

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 be coming up on the computer screen in front of you, Witness.

2 THE COURT OFFICER: The document is displayed on the evidence 1 channel.

3 MR BOURGON: (Interpretation)

4 Q. Witness, can you see the list on the screen?

5 A. Yes.

6 Q. Do you remember that you were shown three lists? And you have hard copies, I think.

7 A. Yes.

8 Q. Now, my first question is this: Can you confirm what you said during your testimony?

9 And I'm making reference to transcript (Redacted)

10 Now, these lists, you had never seen them in the DRC at the time of the events; is that
11 correct?

12 A. Yes.

13 Q. When you were shown one of these lists, you recognized (Redacted)

14 (Redacted) is that not the case?

15 A. I beg your pardon? I haven't understood.

16 Q. I'll repeat my question. When you were shown the three lists, on one of the lists you
17 recognized (Redacted)

18 A. Yes, yes, (Redacted)

19 Q. And you made a few corrections to some *headings concerning the -- beside (Redacted)
20 (Redacted)

21 A. Well, I don't know if we would call it corrections. It was information *that was
22 there -- well, I explained that the information was (Redacted)

23 Q. Very well.

24 MR BOURGON: (Interpretation) We can take the list off the computer screen now.

25 Q. I would like to confirm with you --

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 PRESIDING JUDGE FREMR: I'm sorry, Mr Bourgon, I have to interrupt you.

2 Ms Solano.

3 MS SOLANO: Your Honour, I just want to note for the record that the list that Mr Bourgon
4 had displayed in front of the witness just now, the one ending in (Redacted) is not the list
5 concerning which the witness said that some of the details (Redacted). He had
6 when he made those comments, he had been shown a different list, and it's a list ending in
7 (Redacted).

8 PRESIDING JUDGE FREMR: All right. Well noted.

9 Mr Bourgon.

10 MR BOURGON: Thank you, Mr President. The aim of showing the list was just so that he
11 knows what type of document, he remembers the three documents.

12 PRESIDING JUDGE FREMR: No problem with us.

13 MR BOURGON: (Interpretation)

14 Q. Now, if I understand your testimony correctly, Mr Witness, when you did your training
15 in Mandro, according to your testimony, you were not asked for information, there was no list
16 compiled; is that correct?

17 A. Yes. *I never saw any list. When you come to the centre, write your name, all those
18 headings there. The list that -- I, I might recognize -- is the list for the day that you got your
19 weapon. And they wrote down your name, the name or of number of the weapon, the name
20 of the company, there was that list, sort of a recruitment centre list, something like that.

21 Q. I will repeat what I said to you yesterday. Please listen to my question carefully and
22 try to make your answer match the question, because I have several points to raise. This is
23 going to allow us to save some time. My question was just about the first part.

24 Now, information like that was not asked of you when you got to the Mandro
25 training centre; is that the case?

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 A. Yes.

2 Q. I would like to ask you to confirm as well, this may seem like a trivial thing to you, but
3 as best as you can recall, you when you began your training according to your testimony, you
4 were not summoned to some kind of office where you were asked for personal information.
5 Can you confirm that?

6 A. Yes.

7 Q. I take it for granted that you *remember meeting with the OTP representatives in (Redacted)

8 A. Yes.

9 Q. At that time you were interviewed by the OTP representatives; is that correct?

10 A. Yes.

11 Q. And you knew that the interview was being recorded?

12 A. Yes.

13 Q. You were told at the beginning of the interview that you were not required to answer
14 any of the questions if you didn't want to. Do you remember that?

15 A. Yes.

16 Q. Now, during that interview, your lawyer was with you, and the lawyer is actually
17 present in the courtroom, isn't that the case?

18 A. Yes.

19 Q. And do you remember at that point, at the time of the interview, you were asked several
20 questions about the three lists that we've been discussing?

21 A. Yes.

22 Q. I would also put it to you that at the end of the interview, you were given an
23 opportunity to make any corrections if you wanted to do so; is that not the case?

24 A. Yes.

25 Q. What I'd like to do right now is I'd like us to take the statement and ask you a number of

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 questions about a number of things that you said in the statement. I would like to ask that
2 the transcript of the interview (Redacted) be put on the screen. This is
3 (Redacted). And I'd like us to go directly to page, (Redacted)

4 PRESIDING JUDGE FREMR: I see no objections from the OTP so, court officer, please
5 proceed as Mr Bourgon suggested.

6 MR BOURGON: (Interpretation)

7 Q. I'd like to draw your attention to the very top of the page, (Redacted). Here we read your
8 answer.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Do you remember giving that answer?

14 A. Yes.

15 Q. I'd now like to draw your attention to something a little bit further down on the page,

16 (Redacted)

17 Just for the Court record I will read out this particular passage so that the record will
18 be quite complete for the Prosecution, I'll begin at (Redacted)

19 Do you see the statement in front of you? You're reading it?

20 A. Mm-mm.

21 Q. Could you please answer by saying "yes" or "no" for the Court record?

22 A. Yes.

23 Q. Here we see at (Redacted), interviewer number 1 says: (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 And then you replied, Interviewee: (Redacted)

2 And then there was some whispering and then you said (Redacted)

3 Then the person asking the question asked you, and I quote once again for the Court
4 record, "Okay, thank you. Now did -- it was a long time ago, of course, so perhaps
5 you no longer recall, but if you do remember, could you tell us how things occurred
6 for you that day, (Redacted) Do you -- if you remember, of course."

7 Then your reply, (Redacted)

8 (Redacted)

9 And that's the end of that particular reply.

10 Do you remember that particular reply?

11 A. Yes.

12 MR BOURGON: (Interpretation) Court officer, if we could move to another page now,
13 (Redacted) oh, my apologies, Mr court usher.

14 Q. We'll now begin at (Redacted) Now, for the transcript I will read out this particular
15 passage and ask you whether -- well, ask you to confirm that you indeed said this. (Redacted)
16 you said:

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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25 Q. Now, before your training in Mandro, was there another group before you?

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 A. Before the training in Mandro? I can't be specific.

2 Q. When you began your training in Mandro --

3 A. Yes.

4 Q. -- to your knowledge, were you the first group or you didn't know?

5 A. No, we weren't the first group in Mandro.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1 THE INTERPRETER: (Redacted)
- 2 MR BOURGON: (Redacted)
- 3 Q. (Redacted)
- 4 A. (Redacted)
- 5 PRESIDING JUDGE FREMR: (Redacted)
- 6 (Redacted)
- 7 MR BOURGON: (Redacted)
- 8 Q. (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 A. (Redacted)
- 13 (Redacted)
- 14 Q. (Redacted)
- 15 A. (Redacted)
- 16 Q. (Redacted)
- 17 A. (Redacted)
- 18 Q. (Redacted)
- 19 PRESIDING JUDGE FREMR: Mr Bourgon, it should be at least 3 seconds between the end of
- 20 the response and beginning of question.
- 21 The same with you, Mr Witness, please be patient. I understand that you would like to
- 22 express yourself as soon as possible, but please, because there is a translation to English, and
- 23 it's very hard for the interpreters and sometimes even they do not complete text because you
- 24 are so fast.
- 25 So I know that it's a little bit unnatural, but still please 3 seconds between the both of

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 you, please.

2 THE WITNESS: (Interpretation) Thank you, Mr President. I just want to narrate the story
3 all over to him again, but maybe one of us is in a hurry.

4 PRESIDING JUDGE FREMR: I fully understand both of --

5 MR BOURGON: (Interpretation) That's fine by me, Mr President. I'm sorry.

6 PRESIDING JUDGE FREMR: -- you, but you know what we really need is to have a perfect
7 transcript, perfect translation, and that is why I would like to guide you in this way.

8 MR BOURGON: (Interpretation)

9 Q. (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 A. (Redacted)

21 Q. (Redacted)

22 (Redacted)

23 A. (Redacted)

24 MR BOURGON: (Interpretation) (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 (Redacted)

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8 PRESIDING JUDGE FREMR: Defence.

9 MR BOURGON: I guess my colleague put the right reference, but I believe I had corrected it
10 before, but I think now the transcript is clear.

11 MS SOLANO: Excuse me.

12 PRESIDING JUDGE FREMR: Ms Solano.

13 MS SOLANO: I'm not sure the right document was being displayed while the portion was
14 being read to the witness, so I would request that --

15 PRESIDING JUDGE FREMR: The main issue it seems to me that we didn't have the right
16 document on our screen. Now is it okay? I think so.

17 MR BOURGON: The page we need (Interpretation) Court usher, page is 4981 and 4982.
18 We start with page 4981.

19 PRESIDING JUDGE FREMR: So, court officer, please, you need to find the right page.

20 THE COURT OFFICER: It seems that those pages belong to the next document, Mr Bourgon.

21 MS SOLANO: I can -- I think I can help. I think the document that you are looking for is
22 DRC-OTP-2054-4939.

23 PRESIDING JUDGE FREMR: I think we will break now and we will just solve this issue
24 during the break.

25 Sorry for interrupting you, Mr Bourgon. Are we clear that we really have the right page at

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Open Session)

ICC-01/04-02/06

1 the moment? Yes? Okay.

2 I think we do have it. So please proceed.

3 MR BOURGON: I guess we stop for the break, Mr President, or --

4 PRESIDING JUDGE FREMR: No, no. Please proceed. We found it so please proceed and
5 then we will shift the break a bit accordingly.

6 MR BOURGON: Mr President, I guess it's preferred to break because I would have to ask
7 my question over again.

8 PRESIDING JUDGE FREMR: Okay. You are right.

9 MR BOURGON: It would take too much time.

10 PRESIDING JUDGE FREMR: You are right, okay.

11 So let's move into open session just for this announcement.

12 (Open session at 11.05 a.m.)

13 THE COURT OFFICER: We're in open session, Mr President.

14 PRESIDING JUDGE FREMR: Thank you.

15 So we will break now for 30 minutes, which means that we will resume at 11.35.

16 THE COURT USHER: All rise.

17 (Recess taken at 11.05 a.m.)

18 (Upon resuming in open session at 11.41 a.m.)

19 THE COURT USHER: All rise.

20 Please be seated.

21 PRESIDING JUDGE FREMR: So we should continue with the cross-examination of Witness
22 963, but I see now Ms Solano on her feet. Ms Solano.

23 MS SOLANO: Your Honour, I just want to note for the record that Ms Luping and Ms Sim
24 have left during the break.

25 PRESIDING JUDGE FREMR: Thank you.

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 Before we continue, Mr Bourgon, I guess you will have a need to continue in private
2 session?

3 MR BOURGON: Indeed, Mr President.

4 PRESIDING JUDGE FREMR: So in that connection I would like to inform the public that this
5 witness is a protected witness, which means that he got a guarantee that his identity wouldn't
6 be revealed through his testimony, and that is why the vast majority of his testimony
7 probably will be conducted in private session.

8 Mr Bourgon, you may proceed.

9 Sorry. And for that reason, we have to move into private session.

10 (Private session at 11.43 a.m.) *(Reclassified partially in public)

11 THE COURT OFFICER: We're in private session, Mr President.

12 PRESIDING JUDGE FREMR: Thank you.

13 Mr Bourgon, please.

14 MR BOURGON: Thank you, Mr President.

15 Q. (Interpretation) Mr Witness, just before the break, I asked you a question, and now I
16 realise after cross-checking the transcript that the question has been asked and answered, so
17 I'll move on to something else now, a different issue.

18 (Redacted)

19 (Redacted)

20 A. (Redacted)

21 (Redacted)

22 PRESIDING JUDGE FREMR: (Redacted)

23 THE WITNESS: (Interpretation) (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

14

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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- 2
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- 23
- 24
- 25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
- 2
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- 23
- 24
- 25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(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-0963

(Private Session)

ICC-01/04-02/06

- 1
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- 4
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- 23
- 24
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(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-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
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- 23
- 24
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(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-0963

(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-0963

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
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- 23
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

14

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

14

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1

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13 Page redacted – Private session

14

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
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- 24
- 25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1 Q. (Redacted)
- 2 (Redacted)
- 3 A. (Redacted)
- 4 Q. (Redacted)
- 5 (Redacted)
- 6 A. (Redacted)
- 7 Q. (Redacted)
- 8 (Redacted)
- 9 A. (Redacted)
- 10 (Redacted)
- 11 Q. (Redacted)
- 12 (Redacted)
- 13 A. (Redacted)
- 14 (Redacted)
- 15 MR BOURGON: Mr President, I have no more questions until after lunch.
- 16 PRESIDING JUDGE FREMR: Thank you, Mr Witness. We will continue after the lunch
- 17 break, so you can take some rest and lunch.
- 18 Court officer, please now escort Mr Witness out of the courtroom.
- 19 (The witness stands down)
- 20 PRESIDING JUDGE FREMR: And now for the very end of the session let's move into open
- 21 session just to deal with some timing issues.
- 22 (Open session at 1.09 p.m.)
- 23 THE COURT OFFICER: We're in open session, Mr President.
- 24 PRESIDING JUDGE FREMR: Thank you, court officer.
- 25 Mr Bourgon, according to my information, Ms Solano used 9 hours 50 minutes. So

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Open Session)

ICC-01/04-02/06

1 in effect you are very slightly behind half of your time because normally, you know,
2 as a principle you should use equal time to time used by Prosecution.

3 I would like just to check how far you are in your plan? Are you also in half of your
4 plan of questions? Just to make what progress you have made so far.

5 MR BOURGON: I believe I am halfway through, Mr President.

6 PRESIDING JUDGE FREMR: Very well. And because we get a bit behind our plan, so we
7 will not start at 2.30 but quarter to 3.

8 Now court is adjourned.

9 THE COURT USHER: All rise.

10 (Recess taken at 1.10 p.m.)

11 (Upon resuming in open session at 2.47 p.m.)

12 THE COURT USHER: All rise.

13 Please be seated.

14 PRESIDING JUDGE FREMR: Good afternoon, everybody. We are in open session, and we
15 will start by oral ruling. And since this oral ruling concerns our witness, we didn't want to
16 influence him in any way by this decision, so we preferred to deliver this decision in his
17 absence and then we will invite him into the courtroom immediately.

18 So it's oral ruling on Defence request to admit document DRC-D18-0001-0508 into
19 evidence.

20 Before the break the Defence requested the admission into evidence of two
21 documents.

22 The first one, DRC-OTP-0018-0220, has been admitted.

23 With regard to the second one, DRC-D18-0001-0508, the Chamber notes that it
24 appears to be (Redacted) that the

25 witness recognizes him names and date of birth in one of the columns, was

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Open Session)

ICC-01/04-02/06

1 questioned and provided answers about some of the information included therein.
2 The Chamber has taken note of the Prosecution objections, especially those
3 concerning the authenticity of the document, however, considers that there is prima
4 facie reliability noting in particular that the witness recognized the form of the card.
5 In the circumstances the Chamber will admit the document into evidence recalling always
6 that the weight to be attached to the document and to the witness's evidence in relation to it
7 will be determined only at a later time and in light of the evidentiary record as a whole.
8 This concludes the Chamber's ruling.

9 And now, court officer, please bring Mr Witness into the courtroom.

10 (The witness enters the courtroom)

11 PRESIDING JUDGE FREMR: Good afternoon, Mr Witness. We will continue with your
12 cross-examination conducted by the Defence.

13 Mr Bourgon, common question, do you suppose that the further questions will
14 require to move into private session or we can remain in open session?

15 MR BOURGON: I guess we have to go into private session as the subjects, the evidence was
16 elicited in private session, so I'm not taking any chances.

17 PRESIDING JUDGE FREMR: So for the information of public, since this witness is a
18 protected witness and was given guarantee that his identity will not be revealed to the public
19 and that the questions, prospective questions could make it, we have to move into private
20 session. I frankly think there is a great likelihood that we will remain in private session for
21 the vast majority of this session.

22 Mr Bourgon, you may proceed, but before that, we have to move - yes, thank you
23 for correcting me - we have to move first into private session.

24 (Private session at 2.52 p.m.) *(Reclassified partially in public)

25 THE COURT OFFICER: We're in private session, Mr President.

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 PRESIDING JUDGE FREMR: Thank you, court officer.

2 And now, Mr Bourgon, you may proceed.

3 MR BOURGON: Thank you, Mr President.

4 Q. (Interpretation) Good afternoon, Witness.

5 A. Thank you, and same to you.

6 Q. (Redacted)

7 (Redacted)

8 A. (Redacted)

9 Q. (Redacted)

10 (Redacted)

11 A. (Redacted)

12 Q. (Redacted)

13 (Redacted)

14 (Redacted)

15 A. (Redacted)

16 Q. (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 A. (Redacted)

21 Q. (Redacted)

22 A. (Redacted)

23 Q. (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
- 2
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- 4
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- 22
- 23
- 24
- 25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

14

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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13 Page redacted – Private session

14

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1

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13 Page redacted – Private session

14

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 Q. Mr Witness, I put it to you also that everything that you have said about your
22 involvement with the FPLC and Chief Kahwa is pure fabrication based on information
23 received from third parties; do you agree with me?

24 A. No. A few days for you might be one week or two weeks, but a few days for me is
25 months, when I joined the FPLC in the month of (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 that is three months and that is the period I am talking about.

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(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-0963

(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-0963

(Private Session)

ICC-01/04-02/06

- 1
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- 4
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- 23
- 24
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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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12 Page redacted – Private session

13

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1

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12 Page redacted – Private session

13

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(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-0963

(Private Session)

ICC-01/04-02/06

1

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12 Page redacted – Private session

13

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Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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25 Q. Now, (Redacted), that also includes classes on military custom, does it not?

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 A. Yes.

2 Q. (Redacted), you are in a circle, you discuss military matters?

3 A. We sang.

4 Q. But beyond singing you also speak about discipline, the importance of discipline in the
5 army?

6 A. No. (Redacted), that was from 1900 hours, you were singing, it was creating an
7 atmosphere. *We weren't having discussions about -- in the -- If you are talking about that
8 stage, because the term -- Do you understand what I am saying? And then that's not
9 (Redacted) when we have discussions about military matters. You have these type of
10 discussions, you have some military rules that you have and these were taught to us, but that
11 was after the training. It wasn't in (Redacted). That was to sing and create an atmosphere.

12 Q. In (Redacted), I put it to you you talk about what a soldier should and should not do?

13 A. For us it wasn't that.

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. You had courses on this military discipline?

18 A. Yes.

19 Q. And you were taught that without discipline, an army did not function?

20 A. Yes.

21 (Redacted)

22 (Redacted)

23 A. Yes. Not only Kisembo.

24 Q. Who was he with?

25 A. Kisembo, (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 (Redacted)

2 (Redacted)

3 Q. But the two that you are talking about --

4 A. There were (Redacted).

5 Q. There were (Redacted).

6 A. The other was a civilian, not a soldier, but I've forgotten their name. Perhaps I'll
7 remember afterwards.

8 Q. Would you agree with me that you spoke about revolutionary war?

9 A. Yes.

10 Q. Do you remember that?

11 A. Yes.

12 Q. And you were surely told how important it was in that war to get the hearts and minds
13 of the civilian population?

14 A. Yes.

15 Q. In English they say hearts and minds. Do you know that expression?

16 A. No, because it was, (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1

2

3

4

5

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9

10

11

12

13 Page redacted – Private session

14

15

16

17

18

19

20

21

22

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24

25

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1

2

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4

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12

13 Page redacted – Private session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
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- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1
2
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4
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16
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22
23
24
25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
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- 10
- 11
- 12
- 13
- 14
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- 16
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- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1

2

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4

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11

12

13 Page redacted – Private session

14

15

16

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19

20

21

22

23

24

25

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
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(Private Session)

ICC-01/04-02/06

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18 A. The Foren was for all soldiers. There were other soldiers in Mabanga already, some
19 who had been brought there by Salumu when he had been driven out the first time.

20 Q. When you say all the soldiers, how many soldiers are we talking about?

21 A. *I didn't say all the -- I said "all" of Salumu's brigades, part of Salumu's brigades, that
22 were there, in Mabanga.

23 Q. Can you provide the Court with an idea of the number of soldiers who may have been
24 present?

25 A. I am not able to provide an exact estimate. *Brigades -- These are estimations, figures,

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

1 sometimes, here, it becomes complicated. So it's difficult for me to give a number. What I
2 know is that the brigade commander was there, and there was a significant number of soldiers.
3 But I'm not able to provide an exact figure or an estimate *so as not to get muddled afterwards.

4 Q. Would it be more like 200 or more like 1,000?

5 A. More than 200, *I can say -- I can't say.

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Trial Hearing
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ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
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ICC-01/04-02/06

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

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ICC-01/04-02/06

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Page redacted – Private session

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WITNESS: DRC-OTP-P-0963

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24 Q. So you were never explained what this term meant?

25 A. We never spoke about kupiga na kuchaji in the centre, training centre. Kupiga na

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

- 1 kuchaji, that was when you prepare for war. And it's about your morale. The chief could
- 2 say "kupiga na kuchaji". That was a type of movement.
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WITNESS: DRC-OTP-P-0963

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Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

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Page redacted – Private session

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Page redacted – Private session

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- 25

Page redacted – Private session

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Private Session)

ICC-01/04-02/06

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3 Q. Thank you, Witness. And we will that up -- that takes us to the question Foren.

4 PRESIDING JUDGE FREMR: Mr Witness, thank you very much. So we now may conclude
5 another day of your testimony. And we will continue tomorrow. So, as usually, it's my
6 duty to remind you that in the meantime until tomorrow you must not discuss content of
7 your testimony with anybody else. Do you understand?

8 THE WITNESS: (Interpretation) Yes, your Honour.

9 PRESIDING JUDGE FREMR: So thank you very much.

10 And now, court officer, please escort Mr Witness out of the courtroom.

11 (The witness stands down)

12 PRESIDING JUDGE FREMR: And then we will move just for a while into open session
13 again.

14 (Open session at 4.35 p.m.)

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

16 PRESIDING JUDGE FREMR: Thank you, court officer.

17 For the sake of planning, I would like to get some update on timing.

18 So according to my information, Mr Bourgon, you are still entitled to 3 hours and 15
19 minutes of examination. Do you envisage that you really will need all that time,
20 3.15.

21 MR BOURGON: 3.15 or 3.50? I'm sorry.

22 PRESIDING JUDGE FREMR: Three-one-five.

23 MR BOURGON: Indeed, Mr President, I will require the 3 hours 15 minutes, thank you.

24 PRESIDING JUDGE FREMR: All right. It's your right. And maybe I'm again a bit
25 premature, but Ms Solano do you at this moment envisage any need for re-examination?

Trial Hearing
WITNESS: DRC-OTP-P-0963

(Open Session)

ICC-01/04-02/06

- 1 MS SOLANO: Your Honour, I will need to assess it tonight, but if there is any
- 2 re-examination on the basis of what we have heard so far it would be very brief.
- 3 PRESIDING JUDGE FREMR: Thank you.
- 4 So thank you and we will continue tomorrow in the same time regime like today,
- 5 which means that we are to start at 9.30.
- 6 Now court is adjourned.
- 7 THE COURT USHER: All rise.
- 8 (The hearing ends in open session at 4.36 p.m.)
- 9 RECLASSIFICATION REPORT
- 10 Pursuant to the Trial Chamber VI's Order, ICC-01/04-02/06-1887, dated 4 May 2017,
- 11 the public reclassified and lesser redacted version of this transcript is filed in the case.