

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
6 Judge Chang-ho Chung
7 Trial Hearing
8 Tuesday, 19 April 2016
9 (The hearing starts in open session at 9.04 a.m.)
10 THE COURT OFFICER: All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 (The witness enters the courtroom)
14 PRESIDING JUDGE FREMR: Good morning, everybody.
15 Court officer, please call the case.
16 THE COURT OFFICER: Good morning. Yes, Mr President.
17 Situation in the Democratic Republic of the Congo, in the case of The Prosecutor versus
18 Bosco Ntaganda, case reference ICC-01/04-02/06.
19 And for the record, we are in open session.
20 PRESIDING JUDGE FREMR: Thank you, court officer.
21 Now appearances please starting with Prosecution.
22 MS SIM: Good morning, Mr President. Good morning, your Honours. Appearing for
23 the Prosecution today are Nicole Samson, senior trial lawyer; Dianne Luping, trial lawyer;
24 James Pace, assistant trial lawyer; Laura Morris, assistant trial lawyer; Selam Yirgou, case
25 manager; and myself, Kristy Sim, assistant trial lawyer.

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1 PRESIDING JUDGE FREMR: Thank you, Ms Sim.

2 Defence please.

3 MR BOUTIN: (Interpretation) Good morning, Mr President. Good morning,
4 your Honours. For the Defence this morning, Mr Ntaganda is present with us;

5 *Ms Binon Elisa, intern; Maître Chloé Grandon, legal assistant; and myself, Luc Boutin,
6 co-counsel. Thank you.

7 PRESIDING JUDGE FREMR: Thank you very much, Mr Boutin.

8 Legal Representatives of Victims, please.

9 MR ABDOU: Good morning, Mr President, your Honours. The former child soldiers
10 are today represented by myself, Mohamed Abdou, associate legal officer at the Office of
11 Public Counsel for Victims.

12 MR SUPRUN: (Interpretation) Good morning, Mr President. Good morning,
13 your Honours. The victims of the attacks are represented by the OPCV, Anne Grabowski,
14 associate lawyer, and Dmytro Suprun, myself, counsel at OPCV. Thank you.

15 PRESIDING JUDGE FREMR: Thank you, Mr Abdou. Thank you, Mr Suprun.
16 Madam Witness, good morning.

17 WITNESS: DRC-OTP-P-0892 (On former oath)

18 (The witness speaks Swahili)

19 THE WITNESS: (Interpretation) Good morning.

20 PRESIDING JUDGE FREMR: Madam Witness, are you feeling okay this morning?

21 THE WITNESS: (Interpretation) Yes, I feel better.

22 PRESIDING JUDGE FREMR: Very good.

23 Madam Witness, two points, first one, it is my duty to remind you because we will
24 continue with your testimony today, so it's my duty to remind you that you are still under
25 oath, which means that you have to speak the truth and nothing but the truth. Is it clear

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1 to you?

2 THE WITNESS: (Interpretation) Yes.

3 PRESIDING JUDGE FREMR: Very good.

4 And the second point, I can image that even the rest of the testimony will be very
5 demanding for you, so if you would feel unwell, do not hesitate to let us know and we can
6 make a short break just to allow you to recover. Is it clear to you?

7 THE WITNESS: (Interpretation) Yes.

8 PRESIDING JUDGE FREMR: Fine.

9 Now, Ms Sim, you will continue with examination of this witness. According our
10 measuring, you should still have at your disposal 1 hour 30-something minutes, but in the
11 Chamber's view we would like to strongly encourage you to finish this witness,
12 examination of this witness by the first break, which means that you should make it
13 in 1 hour 20 minutes, something like that. In our view, we had here witnesses, much
14 more serious witnesses, much more important witnesses who had been examined
15 for 8 hours, so in our view this total time 3 and half hour approximately should be enough
16 for this witness. So please we would like you to finish this examination by 10.30.
17 Please proceed.

18 MS SIM: Thank you, Mr President. I note that there is no support person in the
19 courtroom right now, and we're going to be going into some fairly sensitive areas, and I
20 don't know if we want to maybe wait for a support person or if there's an update.

21 PRESIDING JUDGE FREMR: Unfortunately, according my information, she is on her
22 way, so she is expected to be in a few minutes. So please, I know that it will be a
23 problem maybe, but we will try and hopefully I think we will make it; if not we will then
24 break and wait for madam assistant. But please try to start. And I guess you would
25 like to start in private session, am I right?

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1 MS SIM: I actually have one question that I can ask in public session and then we can
2 move to private.

3 PRESIDING JUDGE FREMR: All right.

4 QUESTIONED BY MS SIM: (Continuing)

5 Q. Good morning, Madam Witness.

6 A. Good morning.

7 Q. As I just told Mr President, I am going to ask you one question in public session and
8 then we'll move into private session to continue with the examination. So what I want to
9 know is do you remember how much time passed between the first attack by the UPC on
10 Mongbwalu and the second attack by the UPC on Mongbwalu?

11 A. The first attack took place and then one month after there was the second attack.

12 Q. Thank you.

13 MS SIM: And, Mr President, if we could now move into private session.

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

16 (Private session at 9.11 a.m.) *(Reclassified partially in public)

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

18 PRESIDING JUDGE FREMR: Thank you.

19 Ms Sim, please proceed.

20 MS SIM:

21 Q. Madam Witness, we've just moved into private session, so I just want to reassure
22 you that the only people that are going to hear what you are going to talk about now are
23 the people in this room. As Mr President already advised as well, if you need a break at
24 any time, please just let us know.

25 PRESIDING JUDGE FREMR: And for the record, sorry to -- Madam Witness, hold

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1 on -- for the record I would like to put that now Madam Witness is accompanied by
2 assistant, who was not here at the beginning of the session.

3 Please proceed, Ms Sim.

4 MS SIM:

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 And I want to know do you know what group those soldiers belonged to? And how do
16 you know that?

17 A. They were UPC soldiers. When we learnt about it -- or, when she was taken, at that
18 time, Mongbwalu was occupied by the UPC troops.

19 Q. Were the soldiers wearing uniforms?

20 A. Yes. They were wearing military uniforms.

21 Q. Yesterday you said that the soldiers had weapons. What kind of weapons were
22 they?

23 A. Yes. They had weapons, they were carrying some weapons strapped and these
24 were individual weapons. They carried those weapons strapped across their shoulders.

25 Q. By "weapon" do you mean a gun or a knife? What type of weapon?

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1 A. They were guns.

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. What did you do when (Redacted) came back (Redacted)?

18 A. (Redacted) *We fell to the

19 ground and started crying. When we saw the state in which she was, we were all very

20 saddened. However, we -- I finally came to the idea that we should heat up some water

21 and try and give her some relief with that water.

22 Q. Did (Redacted) tell you what had happened to her?

23 A. When she returned, she could not speak, she could not talk, she could not tell us

24 what had happened. We spent some time together, but on that first day she did not say

25 anything, she was bleeding profusely, and that is why I used some hot water to try to

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1 relieve her. I tried to talk to her, but all she did was cry. And she said she was feeling a
2 lot of pain. And she only began to talk the next day. She was feeling a lot of pain in her
3 lower abdomen, and so the next day I heated up some more water and I used it to give her
4 some relief three times a day. That is how I was able to treat her because I didn't know
5 what else to do. This was a devastating experience for us.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 A. This is what she told me: When they took her to the house they -- she refused to lie
14 down when they asked her to lie down on the bed, so someone took one of her legs, and
15 another one held the other leg and then the third person penetrated her. She shouted
16 and in order to stop her from shouting they put a piece of cloth into her mouth to stop her
17 from shouting.

18 Now, the first person finished raping her, and then the second started to rape her as well.

19 When the second person finished what he was doing, they removed the piece of cloth
20 from her mouth (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted) And that is how

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1 (Redacted) escaped (Redacted)

2 (Redacted)

3 (Redacted). And we didn't quite know how to react.

4 We were all devastated, we were all crying.

5 (Redacted)

6 (Redacted) Did she tell you these things the next day or after

7 that?

8 A. It was the following day, in the evening.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 Q. Did you ever get any medicine (Redacted) to treat her injuries?

22 A. We weren't able to get hold of any medication, we just applied hot water.

23 Q. At any point later, were you able to get medical – medicine or medical treatment (Redacted)

24 (Redacted) ?

25 A. It wasn't truly efficient medication, it was just a collection of medication that could

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- 1 assist us in the situation. (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 Q. Yesterday you mentioned that "Other children were also raped." (Redacted)

4 (Redacted) Do you know the names of these other children who were also
5 raped?

6 A. Yes, I do know others, some of whom I am familiar with their names and others I do
7 not know their names.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. How old was (Redacted) at the time, if you know?

13 A. (Redacted), I believe she was about 14 years of age.

14 Q. And do you know what (Redacted) ethnicity is?

15 A. She was of Bira ethnic origin.

16 Q. You also mentioned (Redacted). How old is (Redacted), if you know?

17 A. Her age is difficult to ascertain, (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. Do you know what (Redacted) ethnicity is?

23 A. (Redacted) was of Nyali ethnic origin.

24 Q. Do you know what group the soldiers who took (Redacted) belonged

25 to?

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1 A. They belonged to the UPC armed group.

2 (Redacted)

3 (Redacted)

4 (Redacted) Do you know the name of this young girl?

5 A. I have forgotten her name, however, her mother is called (Redacted).

6 (Redacted)

7 (Redacted)

8 THE INTERPRETER: Correction from the Swahili booth.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. And do you know the ethnicity of (Redacted) and (Redacted) daughter?

19 A. She -- they are of Alur ethnic origin.

20 (Redacted)

21 (Redacted)

22 Q. You said that the soldiers (Redacted) were UPC soldiers, but can you
23 describe what they were wearing?

24 A. They were in camouflage military attire and they were also carrying weapons.

25 They were carrying individual weapons.

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1 Q. Madam Witness, are you aware of anybody who -- being killed in Mongbwalu in
2 the -- during this attack that we're speaking about?

3 A. I heard for some cases what happened, and for others I saw with my very own eyes.

4 Q. Can you tell us what you saw with your very own eyes?

5 A. As to what I saw with my very own eyes, (Redacted)

6 (Redacted) I saw people coming at a sustained

7 pace, and there was a man walking in front of everybody else. He was taken, or grabbed,

8 and when this man was walking there was a lady who was looking for wood, and this

9 man was hit with a machete and he died. (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted) He had been killed and the machete that he was killed

13 with had just been tossed on the ground. (Redacted) And he was

14 already dead at the time. (Redacted)

15 Q. Do you know the ethnicity of this man, (Redacted)?

16 A. Yes, I do know his ethnic group, he was a Lendu.

17 Q. Can you describe the people who grabbed the man, the Lendu (Redacted)?

18 A. In their midst there were soldiers and others who were civilian, but the civilians

19 were more numerous. And the man who killed him with the axe was a civilian.

20 Q. Do you remember what language the civilians were speaking?

21 A. He spoke Swahili and others were speaking Hema.

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. Do you know the ethnicity of the civilians and, in particular, the ethnicity of the

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1 civilian who hit the man with the axe?

2 A. They were of Hema ethnic origin.

3 Q. And how do you know that they were of Hema ethnic origin?

4 A. I came to know that they were of Hema ethnic origin, because they were the ones
5 who reigned over Mongbwalu town at the time, (Redacted)
6 (Redacted)

7 Q. You said that there were soldiers and civilians. Do you know what group the
8 soldiers belonged to?

9 A. They were part of the UPC.

10 Q. And how do you know that the soldiers were part of the UPC?

11 A. Because it was the UPC that was in charge of the entire village and that reigned over
12 the entire village.

13 Q. And what were the soldiers doing while the civilian man had the machete?

14 A. The civilians were with the soldiers, they were all together. When they killed this
15 gentleman, the soldiers didn't even ask why he had been killed. They were speaking his
16 language. (Redacted)
17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. Did you ever hear about people being arrested or taken away by UPC soldiers
21 during the second attack?

22 A. Yes, I have already heard speak of this.

23 Q. Did you ever yourself see anybody being arrested or taken away by UPC soldiers
24 during this time?

25 A. Yes, I have already seen some.

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1 Q. Can you describe what you saw?

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Shortly thereafter some soldiers arrived and took away one of those men. They said to

7 him, "Come." (Redacted)

8 (Redacted) And he followed them, he abandoned whatever he was doing and followed

9 them, and so he went off with them.

10 (Redacted)

11 (Redacted)

12 (Redacted) Then we waited and waited and waited and this man never came back until

13 this day. It is later on that people started saying that when the soldiers take someone

14 away, they generally kill that person, and that when such a person is killed, their body

15 would be thrown into a latrine.

16 I have never personally seen soldiers throwing people into a latrine. However, people

17 generally said, and I heard it, that when soldiers take someone away, they would kill the

18 person and throw their body in the latrine. (Redacted)

19 (Redacted)

20 Q. What group did the soldiers who took the old man away belong to?

21 A. They were UPC soldiers.

22 (Redacted)

23 A.(Redacted) However,

24 it was being said that those soldiers took some other people with them and that those

25 people never came back. (Redacted).

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Q. And do you know the ethnicity of (Redacted)?

7 A. The old man was of the Lendu ethnic group.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 Q. Did you ever see any other dead bodies, (Redacted)?

4 A. I saw another dead body, the corpse of an old mother, which had been abandoned in
5 a house. Her attackers found her in the house and shot her. She was sitting on a chair
6 and they shot her while she was sitting, and she died in that position. (Redacted)

7 (Redacted) And she died of bleeding. But I never mentioned her case in
8 my statement.

9 Q. Do you happen to know the ethnicity of this old mother that you spoke of?

10 A. She was of the Nyali ethnic group.

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 Q. What was the range in age of UPC soldiers that you saw during the second attack on
16 Mongbwalu?

17 MR BOUTIN: Your Honour.

18 PRESIDING JUDGE FREMR: Mr Boutin.

19 MR BOUTIN: I think this question calls for pure speculation. Maybe she could
20 describe those that she may have seen, but to ask the average age of soldiers, I think it's
21 just improper.

22 PRESIDING JUDGE FREMR: Ms Sim.

23 MS SIM: I wasn't seeking to solicit the average age, I was seeking to solicit a range in age,
24 but I can rephrase my question --

25 PRESIDING JUDGE FREMR: Please.

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1 MS SIM: -- to --

2 Q. What was the youngest UPC soldier that you saw during this time?

3 A. I saw some very young children, 8 to 10 years old, and even up to 13. Yes, I saw, I
4 saw them.

5 Q. On what basis are you able to estimate that they were 8 to 10 years old?

6 A. I would compare them to my children, for example, and because of their size, I was
7 able to estimate their ages. It was difficult for them to strap those guns across their
8 shoulders and the guns were heavy. The uniforms that they wore were oversized, so
9 they would have to fold the sleeves until and so they also had to fold their trousers, which
10 indeed were quite oversized, and that is why I saw them and I felt that they must have
11 been 8 to 10 years old, based on the -- based on their sizes as I perceived them.

12 Q. What was the colour of the uniforms that the -- these young 8 to 10-year-old children
13 were wearing?

14 A. It was the UPC military uniform, the camouflage.

15 Q. Where did you see these younger soldiers, these 8 to 10-year-old soldiers?

16 A. In our neighbourhood we would see them go by our houses, and sometimes those
17 children will go up guava trees to harvest a few fruits and then go away. I saw them
18 passing in front of the door of my house.

19 Q. And when was this that you saw them?

20 A. It was after the war when the UPC had taken over the city, UPC was controlling the
21 town. It is at that time that I started to see those children.

22 Q. Other than climbing the guava trees to harvest the fruit, did you see these children
23 doing anything else, any other activities?

24 MR BOUTIN: Excuse me.

25 PRESIDING JUDGE FREMR: Mr Boutin.

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1 MR BOUTIN: Mr President, I notice that we are in private and we have been for quite
2 some time. Is there still a requirement for doing so?

3 PRESIDING JUDGE FREMR: Ms Sim, do you agree that we could move to open session?

4 MS SIM: Perhaps I can solicit a specific answer to the neighbourhood and then we can
5 move into public session.

6 PRESIDING JUDGE FREMR: All right then.

7 MS SIM:

8 Q. Madam Witness, before you answer that question, let me ask you a different
9 question and then we'll return to the question I have just asked you.

10 In a previous answer you said that you saw the children in your neighbourhood. Can
11 you describe what neighbourhood you're referring to?

12 (Redacted)

13 MS SIM: Mr President, we can go into open session for my next question, but I'm going
14 to have to return back to private session shortly afterwards, but I'm happy to go to public
15 session for a while.

16 PRESIDING JUDGE FREMR: At least for a while, it will be still desirable.

17 Court officer, let's move into open session now.

18 (Open session at 10.20 a.m.)

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

20 PRESIDING JUDGE FREMR: Thank you, court officer.

21 Ms Sim, please proceed.

22 MS SIM:

23 Q. Madam Witness, other than seeing these young soldiers that you estimated 8 to 10
24 years old climbing the guava trees to harvest the fruit, did you see them doing any other
25 activities in Mongbwalu?

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- 1 A. No, I did not witness any other activities on their part. I only saw them go up
2 guava trees and harvest some guavas and then leave. I didn't see them do anything else.
- 3 Q. You in the course of your testimony you've mentioned two times when the UPC
4 attacked Mongbwalu and you were forced to flee. Was there any other occasions when
5 the UPC attacked Mongbwalu?
- 6 A. UPC entered Mongbwalu a second time but was there only for 48 hours.
- 7 Q. Why were they only there for 48 hours?
- 8 MR BOUTIN: I object, your Honour.
- 9 PRESIDING JUDGE FREMR: Mr Boutin, on what ground?
- 10 MR BOUTIN: It calls for speculation. You cannot know why UPC would do operations
11 in one way or the other.
- 12 PRESIDING JUDGE FREMR: Ms Sim.
- 13 MS SIM: The witness was present then, so I'm simply attempting to solicit if she knew
14 the reason why they left. She might not have, but I don't think it's improper to ask if she
15 knew.
- 16 PRESIDING JUDGE FREMR: Okay. It's an attempt, but why not, yes.
- 17 MS SIM:
- 18 Q. Madam Witness, was there another group in Mongbwalu at the time that the UPC
19 were only there for 48 hours?
- 20 A. There was another group of Lendus.
- 21 Q. And did you leave Mongbwalu at this time?
- 22 A. Yes, there came a time when I left Mongbwalu, and it is when the town had come
23 under UPC control. Later on, I returned to Mongbwalu after the Ugandans drove out the
24 UPC. It is at that time that I returned to Mongbwalu. The Ugandans drove out the UPC
25 while I was in Bunia, then I returned to Mongbwalu, but I got there when the Ugandans

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1 were leaving the town.

2 PRESIDING JUDGE FREMR: Ms Sim, if I said that I'm strongly encouraging you to
3 finish by the break, it doesn't mean that you even couldn't finish earlier because it seems
4 to me that the two last questions are really very, very vague and almost irrelevant.

5 MS SIM: Once again, your Honour, it's for timing purposes that we're attempting to
6 establish what this -- what was involved with this attack.

7 PRESIDING JUDGE FREMR: All right.

8 MS SIM:

9 Q. Madam Witness, this attack that you mentioned when the UPC were only there for
10 48 hours, in Mongbwalu for 48 hours, was this before or after the Ugandans arrived?

11 A. It was after the arrival of the Ugandans. It is at that time that the UPC came in
12 for -- and was there for 48 hours. The Ugandans came, they occupied Mongbwalu and
13 left and then, later on, the UPC came in but remained there only for 48 hours.

14 MS SIM: And, Mr President, I have one more brief set of questions or one topic to ask,
15 but we're going to need to go into private session to do that.

16 PRESIDING JUDGE FREMR: All right, let's move into private session now.

17 (Private session at 10.27 a.m.) *(Reclassified partially in public)

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

19 PRESIDING JUDGE FREMR: Thank you.

20 MS SIM:

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

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13 (Redacted)

14 MS SIM: Thank you, that's the -- my final question.

15 PRESIDING JUDGE FREMR: Thank you very much, Ms Sim, for following my
16 guidance.

17 We will break now, but since we have to decide about the LRV request for questioning
18 this witness, we can first take the witness out of the courtroom.

19 And now, Mr Suprun, we noted your written request, so do you want to update this
20 request in light of the examination made by Ms Sim?

21 (The witness stands down)

22 MR SUPRUN: (Interpretation) I thank you, Mr President. Indeed, I will maintain the
23 substance of my request with regard to the topics that I have indicated, with the exception
24 of point D.

25 It is true to say that some of the aspects that I wanted to broach with the witness have

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1 been covered by the Office of the Prosecutor, however, I do have some questions that I
2 would like to put to the witness with a view to seeking clarification on certain aspects of
3 her testimony. If you would like, I can go into each of the topics in more detail.

4 PRESIDING JUDGE FREMR: So generally you are insisting on A, B, C, E and F; am I
5 right?

6 MR SUPRUN: (Interpretation) A, B, C, E and F, with the exception of the topic D.

7 PRESIDING JUDGE FREMR: All right. I will also ask parties for their position on that.

8 Ms Sim, in light of your examination, do you want to comment this request made by
9 Mr Suprun?

10 MS SIM: I have no observations, your Honour. Thank you.

11 PRESIDING JUDGE FREMR: No observation.
12 Defence?

13 MR BOUTIN: With your leave, Mr President, my colleague, Ms Grandon, will address
14 this issue. Thank you.

15 PRESIDING JUDGE FREMR: All right.

16 MS GRANDON: (Interpretation) Mr President, your Honours, the Defence had the
17 intention of opposing the request of the LRV on points B, C and D. I will not extend a
18 point -- point D in view of the fact that my colleague has decided to withdraw this
19 request.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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10 MR SUPRUN: (Interpretation) Mr President, I just have a few observations with regard
11 to the matters raised by my colleague from the Defence.

12 Let me take, for example, topic under paragraph A. It is true that the Office of the
13 Prosecutor did put questions with regard to the situation of the witness and her family,
14 however they talked more about the current situation.

15 *I would like to shed light with the witness on the witness's financial situation, her
16 occupations and the occupation of her husband before the events of 2002, 2003, after
17 which I would like to show how the situation has changed after the events. And I would
18 also like to clarify the situation with regard to the witness' children, notably what their
19 situation was, whether they went to school or not, whether they were able to continue
20 their studies after the events.

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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7 So, with regard to the other aspects, if I understand correctly, the Defence has no further
8 observations to raise, so I shall not develop this any further. Thank you.

9 PRESIDING JUDGE FREMR: Thank you.

10 Give us a moment, we will silently deliberate with my colleagues.

11 (Trial Chamber confers)

12 PRESIDING JUDGE FREMR: So our oral ruling on this request is the following:

13 We have heard the submissions of Mr Suprun and the Defence and we now make a
14 decision on the permissible scope and time limit of the questioning which now will be
15 going -- made by Mr Suprun.

16 So to be consistent with our previous rulings, we will allow Mr Suprun to question the
17 witness on topics A, B, C and F. I will repeat that: A, B, C and F.

18 And as usual, please, Mr Suprun, take care not to repeat anything what have already been
19 covered by the Prosecution because especially areas B and C have been a bit, or to some
20 extent, covered by Prosecution.

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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- 1 And we also set up a time limit, 20 minutes, Mr Suprun - 20 minutes - for this questioning.
- 2 Since we are slightly behind our schedule, we will now break and we will continue 11.10.
- 3 THE COURT USHER: All rise.
- 4 (Recess taken at 10.40 a.m.)
- 5 (Upon resuming in open session at 11.12 a.m.)
- 6 THE COURT USHER: All rise.
- 7 Please be seated.
- 8 THE COURT OFFICER: Mr President, we are in open session.
- 9 PRESIDING JUDGE FREMR: Thank you.
- 10 We will continue with the further part of examination of our witness, which will be
- 11 conducted by Legal Representative of Victims, Mr Suprun.
- 12 Mr Suprun, you have the floor.
- 13 MR SUPRUN: (Interpretation) I thank you, Mr President.
- 14 QUESTIONED BY MR SUPRUN:
- 15 Q. Good morning, Madam Witness.
- 16 A. Good morning.
- 17 Q. We already know each other, but I'm going to provide my name for the record. My
- 18 name is Dmytro Suprun, and I am legal representative for 1859 victims of the attacks who
- 19 were admitted to participate in the proceedings against Bosco Ntaganda. I'm going to be
- 20 putting a number of questions to you with a view to seeking clarification with regard to
- 21 your testimony and also ascertain your experience during the war and the experiences of
- 22 your family.
- 23 MR SUPRUN: (Interpretation) Mr President, could we please move into private
- 24 session.
- 25 PRESIDING JUDGE FREMR: For sure.

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

2 (Private session at 11.14 a.m.) *(Reclassified partially in public)

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

4 PRESIDING JUDGE FREMR: Thank you, court officer.

5 Mr Suprun, please proceed.

6 MR SUPRUN: (Interpretation)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

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1 (Redacted)

2 Q. Now did some of your children go to school before the war?

3 A. At that time they were going to school, yes. Yes, they did go to school at that time.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 Q. My question is as follows: What were the reactions of your children when they had
16 to flee your home on a number of occasions? And how in general terms did your
17 children experience all these movements and the events of the war?

18 A. The children were not happy. As we had to flee every now and then, the children
19 were tired. And they were not at all happy. They were always angry. We were
20 fleeing, we were moving around, hither and thither, and the children were not in the least
21 bit happy.

22 Q. My second question to you: When you left, when you fled to various locations,
23 what were the living conditions in said locations? Did you have any problems? Did
24 you encounter any difficulties?

25 A. As to the locations that we went to we did have problems finding food for ourselves.

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1 *Sometimes we would eat -- we would eat "taros", cocoyam. We were starving. Sometimes we
2 wouldn't even have any pots and pans and we found it difficult to prepare. We would eat
3 cocoyams and we would sometimes cook them. We had many difficulties in feeding ourselves.
4 Q. You said that when you went home, all of your possessions at home had been looted.
5 And with regard to your house, which I understood was in (Redacted), did it suffer any
6 damage, the house itself that is?

7 A. The house remained intact. It was not destroyed or it did not collapse, but
8 everything inside had been taken away, had been looted.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 A. She did not give me the names of her attackers, she did give me a name that I have
17 forgotten because a lot of time has elapsed. However, she did tell me how many people
18 had raped her; there were two of them. There were three individuals present, two of
19 whom raped her, and one individual helped her to flee. That's all.

20 Q. And are you aware as to what position within the UPC or what rank or occupation
21 these individuals had within the UPC, notably the individuals who raped (Redacted)?

22 MR BOUTIN: Objection, Mr President.

23 PRESIDING JUDGE FREMR: Mr Boutin.

24 MR BOUTIN: I don't think this line of questioning is proper in the context of Mr Suprun
25 representing LRV. (Redacted)

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1 (Redacted)

2 PRESIDING JUDGE FREMR: Mr Suprun.

3 MR SUPRUN: (Interpretation) (Redacted)

4 (Redacted)

5 (Redacted) So I think it is within the scope of the search for justice and it is important for
6 the witness to be able to establish the names of those individuals and their occupation or
7 functions within the army because they were soldiers after all.

8 PRESIDING JUDGE FREMR: I think it's for the Prosecution. It's beyond your role, so
9 objection is sustained.

10 Please proceed, Mr Suprun.

11 MR SUPRUN: (Interpretation)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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14 (Redacted)

15 (Redacted)

16 Q. And when you went home, did you -- and you noted that your possessions had
17 been looted, what did you do? How do you live after that? What happened to you and
18 your family?

19 A. First of all, we found it difficult to return home because we didn't have anything, (Redacted)
20 (Redacted) gave us some pots and pans (Redacted)- *(Redacted)gave us two pans. We
21 would use these, we would use the cups given to us (Redacted). We really were in a
22 difficult situation. We lived in some difficulty. And even when we went to sleep at night
23 we didn't have any covers. On occasion, we would use banana leaves in order to go to
24 sleep at night. Life became very difficult.

25 MR SUPRUN: (Interpretation) Mr President, I know that my time is nearly up, but I

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1 have four further questions to put to the witness and I only need a further five minutes,
2 with your leave.

3 PRESIDING JUDGE FREMR: You know, according my measuring you still have five.
4 So how much time you think you would need?

5 MR SUPRUN: (Interpretation) I only need five minutes, no more.

6 PRESIDING JUDGE FREMR: But it's fine according to my measuring. You still have
7 five minutes.

8 MR SUPRUN: (Interpretation)

9 Q. Madam Witness, for my last question --

10 MR SUPRUN: (Interpretation) Mr President, for my last question I would like to move
11 into open session, please.

12 PRESIDING JUDGE FREMR: All right.

13 Court officer, please, let's move into open session.

14 (Open session at 11.32 a.m.)

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

16 PRESIDING JUDGE FREMR: Thank you.

17 Mr Suprun, please proceed.

18 MR SUPRUN: (Interpretation)

19 Q. Madam Witness, after the events of 2002 and 2003 that you survived, did you and
20 the members of your family -- well, were you able to rebuild your life to the level that it
21 was at before the events?

22 A. We lived a life of suffering for a long time. And it was only later that the situation
23 improved and we went to work in the fields again and started some activities in order to
24 grow crops and go to the market. That's when things or life started to improve a little
25 bit.

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1 Q. *Did you receive any assistance or help, that is in terms of equipment, psychological,
2 medical from the Congolese authorities, NGOs or anybody else after the 2002-2003 events?

3 A. No. We didn't receive anything. It was neighbours who helped us. And they
4 consoled us saying that these were the consequences of the war. But the government
5 didn't assist us in any way.

6 Q. And Madam Witness, as a victim of the war, what are you expecting subsequent to
7 this case against Mr Bosco Ntaganda? What are you expecting to receive from the
8 International Criminal Court?

9 A. What I would like to request is that we be provided with assistance in finding peace
10 once again. And if we have peace our situation will change. I would like children, our
11 children to be able to go to school. I would like us to have access to medical treatment.
12 If we fall ill and we do not have any medication, this is a serious matter. We need to
13 have access to a health system and to education for our children. This is my request.

14 Q. I thank you very much for your answers, Madam Witness.

15 MR SUPRUN: (Interpretation) I have no further questions for the witness,
16 Mr President.

17 PRESIDING JUDGE FREMR: Thank you, Mr Suprun, for relevant questions and concise
18 time of questioning.

19 Now, Defence, who will be conducting cross-examination? You, Mr Boutin?

20 MR BOUTIN: I will be, Mr President. Thank you. If you allow me to set up and I'll be
21 ready to proceed.

22 (Pause in proceedings)

23 MR BOUTIN: Thank you.

24 PRESIDING JUDGE FREMR: Mr Boutin, before you start, just regular information about
25 timing.

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1 According my information, Prosecution exhausted 3 hours and 44 minutes for
2 examination-in-chief of this witness. So according our general principles you are entitled
3 to the same time. I know that it's a little bit early question, do you envisage that you will
4 need the same time or?

5 MR BOUTIN: I do not expect that I will need the full three hours, Mr President.
6 Obviously, it's always difficult to determine beforehand.

7 PRESIDING JUDGE FREMR: Just a rough estimation. For the sake of planning, it's
8 fine.

9 MR BOUTIN: But I expect to be quite shorter than -- than three hours. I only have a
10 few questions pertaining to timings.

11 PRESIDING JUDGE FREMR: All right. Please, the floor is yours.

12 MR BOUTIN: Thank you, Mr President.

13 QUESTIONED BY MR BOUTIN:

14 Q. Madam Witness, I'm Luc Boutin, I'm a lawyer defending Mr Bosco Ntaganda. I
15 know that you have met some people of my team last week. Unfortunately, I was not
16 able to make myself available to meet with you. I apologise for this, but I ask you to
17 answer the question as precisely as you can. And I'm ready to proceed.
18 Can you hear me well?

19 A. Yes, I can hear you.

20 Q. Madam Witness, you -- I would like to take you first to your stay in Bunia with your
21 first husband?

22 PRESIDING JUDGE FREMR: Mr Boutin, I guess we will have to move into private
23 session.

24 MR BOUTIN: Yeah, I apologise. Yes, your Honour.

25 PRESIDING JUDGE FREMR: No, there's still time. No problem.

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

2 (Private session at 11.40 a.m.) *(Reclassified partially in public)

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

4 PRESIDING JUDGE FREMR: Thank you.

5 Mr Boutin, please proceed.

6 MR BOUTIN: Thank you, Mr President. And I expect that most of my questioning will
7 have to be in private session as well.

8 PRESIDING JUDGE FREMR: It's understandable.

9 MR BOUTIN:

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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10 Q. Thank you for this clarification.

11 My point, Madam Witness, in asking those very specific question is to try to juggle your
12 memory as to when exactly (Redacted) for Mongbwalu with your first husband. Can
13 you remember the date or the time that (Redacted) with your husband in order to
14 move to Mongbwalu in search for work?

15 A. Very well. We left (Redacted) with a view to going to Mongbwalu on a date and a
16 year that I no longer recall.

17 Q. To be fair with you, Madam Witness, to similar questions asked by my colleague
18 from the Prosecution you say that you could not remember precisely, "however, I know
19 that we lived there for quite some time," and I'm reading from page 14 at line 17 of the
20 unofficial transcript of yesterday.

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

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15 (Redacted)

16 (Redacted)

17 Q. You -- you provided -- on another topic, you provided very specific date during
18 your testimony, more specifically you referred the first attack of the UPC as occurring on
19 9 November. Do you recall stating this?

20 A. Yes.

21 Q. And to a question from the Chamber you also mentioned that you could not
22 remember the year, but your point of reference was (Redacted)
23 (Redacted), you were attending at the time; do you recall this?

24 A. Yes.

25 (Redacted)

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5 (Redacted)

6 Q. You stated that the first attack, according to you, occurred precisely on 9 November
7 of a year that you don't remember; am I correct?

8 A. Yes.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. At this moment in time (Redacted), do you recall
18 how long you had been living in Mongbwalu?

19 A. I had just spent much time there.

20 Q. To rephrase my question: When you refer to the first attack by the UPC, at that
21 point, how many years had you been living in Mongbwalu when this occurred?

22 A. I don't remember the date on which I arrived in Mongbwalu, but when the UPC
23 came to Mongbwalu we had already been living there for a long time. I do not exactly
24 remember whether I had just started living there and for how long. I don't remember.
25 However, I had been living in Mongbwalu.

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1 Q. Do you remember other groups of fighters being in Mongbwalu before the UPC, or
2 those you stated are the UPC?

3 A. Well, the other groups there were Lendu groups.

4 Q. Could you provide more details about those Lendu groups that you just mentioned?

5 A. What type of information do you want?

6 Q. You mention Lendu groups. Can you give us more details about those Lendu
7 groups? Were they in uniform? Were they based in the city? Elsewhere? And so on.

8 A. I still do not understand that question.

9 Q. Madam Witness, have you ever heard about the APC?

10 A. Yes, I have already heard about the APC.

11 Q. May I ask you what do you know or what did you learn about the APC at that time?

12 A. I learnt that the APC was an army of the Lendu ethnic group. Yes, I heard people
13 talk about that.

14 Q. Will you agree with me that the APC was one of the military group which had
15 military camp within Mongbwalu while you were living in that city?

16 MS SIM: Mr President.

17 PRESIDING JUDGE FREMR: Sorry, hold on, Madam Witness.

18 Ms Sim, please.

19 MS SIM: I'm sorry to interrupt my friend but the last question, I think, was a bit vague in
20 terms of when the APC was actually living there. The witness has said she lived in
21 Mongbwalu for a very long time, or for a long time, and so to ask when these camps were
22 there is too vague in my submission.

23 PRESIDING JUDGE FREMR: Mr Boutin.

24 MR BOUTIN: Mr President, you will have understood that the purpose of my question
25 is to establish of timing of --

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1 PRESIDING JUDGE FREMR: It's okay. You can just proceed from the general to the
2 more specific. So it's, I think, it's fine. Please proceed.

3 MR BOUTIN:

4 Q. So my question, Madam Witness: What did you learn or what did you know about
5 the military group APC in Mongbwalu at the time?

6 A. When it comes to the APC, I do not know which ethnic group that the APC
7 belonged to. All I can say is that I heard mention of the APC.

8 Q. Madam Witness, I suggest to you that the APC, a military group, had military
9 camps in Mongbwalu in 2001 and 2002. Will you agree with me?

10 A. The group that was in Mongbwalu before the UPC, that is before the UPC, I don't
11 know who that group belonged to, all I know is that that group was known as the APC.

12 Q. And you also know that at some point this group, APC, had camps within
13 Mongbwalu, do you?

14 A. Well, the APC camp where was it in Mongbwalu?

15 Q. My question is whether you know whether the APC had camps within Mongbwalu
16 before the UPC came about?

17 A. Yes, I heard that the APC group was, indeed, in Mongbwalu, but I wasn't the type of
18 individual to follow this kind of information. To my mind, a soldier in town was quite
19 simply a soldier. I couldn't distinguish between them.

20 Q. Do you remember before the UPC came in Mongbwalu whether there were
21 Ugandan troops in town?

22 A. Are you talking about the town of Mongbwalu, or which town are you talking
23 about?

24 Q. I'll -- we'll stay focused on Mongbwalu for now. So in Mongbwalu, where you had
25 been living for some time, will you agree with me that there were Ugandan troops in

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1 Mongbwalu before the UPC came along?

2 A. I saw the soldiers from Uganda. Well, I was told about the soldiers from Uganda
3 when the UPC came. People said that the UPC had driven out the Ugandan soldiers
4 from Mongbwalu. And when peace was restored, I left Bunia in order to go to
5 Mongbwalu. And it was then that I saw the Ugandan soldiers. I came across them on
6 the road whilst they were leaving the town of Mongbwalu. Whilst they were in
7 Mongbwalu, I was not living with the Ugandans. That's all I know. Upon my arrival,
8 the Ugandan soldiers were leaving.

9 MR BOUTIN: If you allow me a few seconds. I just want to make sure that I
10 understood the question, so I'll need to read the transcript.

11 PRESIDING JUDGE FREMR: No problem.

12 MS SIM: Mr President.

13 PRESIDING JUDGE FREMR: Ms Sim, please.

14 MS SIM: Perhaps my friend is going to get to this, but my read of the two transcripts is
15 that they're different on that answer I believe. A little clarification is necessary from the
16 witness.

17 MR BOUTIN: I fully agree.

18 Q. Madam Witness, when you're referring to seeing the Ugandans, soldiers in
19 Mongbwalu, are you referring to a period of time before the APC came on or after?

20 A. At that moment in time the UPC had already arrived in Mongbwalu, that is when
21 the Ugandan soldiers came to drive out the UPC soldiers from Mongbwalu.

22 Q. So I -- and this will be my last question on this topic, and I want to make sure that I
23 understand your answer: Is your testimony to the effect that the only time, in accordance
24 to you, that the only time that the Ugandan were in Mongbwalu was after the UPC and
25 not before?

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1 A. All that I know is that this was the time when the Ugandans came to drive the UPC
2 out of Mongbwalu. That is all I know.

3 Q. Thank you.

4 MR BOUTIN: I'd now like to --

5 MS SIM: Mr President. Sorry. I --

6 PRESIDING JUDGE FREMR: Ms Sim.

7 MS SIM: I hate to be chasing my friend on this but, once again, in the transcript, in the
8 English, at line 19, on page 53, it says "APC." And before the French goes off the screen,
9 on the French transcript I believe it says "UPC." And since we're talking about both right
10 *now, it's -- I don't know if it's -- if you're able to clarify, but it would be worth it, perhaps.
11 It's line 6, page 52 in the French.

12 MR BOUTIN: Yeah, I can clarify with the witness.

13 PRESIDING JUDGE FREMR: I'm sorry, but unlike you I have just English transcript at
14 my disposal, so I fully rely on you.

15 MR BOUTIN: Well, my question was pertaining to the UPC and not the APC, if that --

16 MS SIM: I agree.

17 MR BOUTIN:

18 Q. Madam Witness, on a different topic, the people, the population of Mongbwalu, you
19 testified that it was all the communities, all the ethnic groups were living in Mongbwalu
20 together before the UPC came; am I correct?

21 A. Yes. People of all ethnic origins lived there.

22 Q. Before the UPC, or those you identify as the UPC came in, there were obviously
23 tensions between the different ethnic groups; am I correct?

24 A. Yes, there was conflict between two ethnic groups.

25 Q. And correct me if I'm wrong, but in your statement provided to the investigators

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1 you refer to disputes between the Hema and the Lendu, which have intensified in 2002;

2 am I correct?

3 A. Yes.

4 Q. And you also mention a specific incident where the -- a corridor would have been
5 set up between Mongbwalu towards Pluto and Berunda in order to allow the Hema
6 community to leave Mongbwalu; do you recall this?

7 A. They left them an open corridor for them to leave. They left the way open for them
8 to leave so that there would not be a bloodbath in Mongbwalu.

9 Q. And correct me if I'm wrong, but you also mention in your statement that many
10 Lendus came to Mongbwalu as soon as the Hema had left, so the Lendu could settle there;
11 am I correct?

12 A. Yes.

13 Q. So those -- this information that you provided to the investigators about the corridor
14 and the Hema being pushed out of Mongbwalu towards Pluto, what is your source of
15 information for this, Madam Witness?

16 A. They didn't drive them out, they left them a free way so that the Lendu would not
17 kill them, an open passage so that the Lendu would not kill them.

18 PRESIDING JUDGE FREMR: Mr Boutin, our time for today is over, so please try to wrap
19 up.

20 MR BOUTIN: Just maybe one question on this specific topic and then --

21 PRESIDING JUDGE FREMR: One question is fine.

22 MR BOUTIN:

23 Q. My question more specifically was with regards to your source of information.

24 Where did you learn all this about the corridor being set up in order to allow the Hema
25 ethnic group to leave their hometown?

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1 A. I observed how the war was unfolding in that town. The war started in the town
2 where they were fighting, in their town, where they were fighting for their land. They
3 continued to fight in their town, and the war then spread to Mongbwalu.
4 What I noted in Mongbwalu was that the Hema were killing the Lendu. And when the
5 Hema had killed the Lendu it was then that the Lendu thought to themselves no, and they
6 fled, they went to their towns, to their native towns. And then, finally, they returned to
7 Mongbwalu.

8 And upon their return, the Nyali said that they did not wish for there to be a bloodbath in
9 Mongbwalu, and this is how they requested an open passage to the Hema so that people
10 would not die in the town. And that is the time at which they left an open passage to the
11 Hema and the Hema made their way towards Pluto. They went towards Pluto because
12 they said that their hill was Berunda -- or, I don't know whether it was Berunda or not,
13 but that was the direction they were going in. That is what I am aware of.
14 I saw young people from the Nyali community who made an effort to let the Hema
15 through so that they would not die in the town of Mongbwalu. I saw this with my very
16 own eyes.

17 Q. Thank you, Madam Witness.

18 MR BOUTIN: At this point, Mr President, your Honours, I believe it is a proper time to
19 break off and I will resume tomorrow.

20 PRESIDING JUDGE FREMR: All right.

21 So, Madam Witness, we will now take a break. We will not continue today in the
22 afternoon because there is some special, special arrangements for the afternoon, so you at
23 least can take some rest, and we will conclude your testimony tomorrow.
24 And I have to add that it's my duty to remind you that in the meantime you must not
25 discuss your testimony with anybody else. Have you understood that?

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1 THE WITNESS: (Interpretation) Yes.

2 PRESIDING JUDGE FREMR: And at the end, a small correction concerning transcript:

3 Page 54, line 16, I didn't say I am sorry, I am like you, which would sound rather strange, I

4 said unlike, which means that I am in different position than counsels as concerns French

5 transcript, so please correct it. Not I am like, but unlike.

6 Otherwise we will break now and we will resume tomorrow 9.30.

7 THE COURT USHER: All rise.

8 (The hearing ends in private session at 12.36 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.