

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 Thursday, 4 February 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 PRESIDING JUDGE FREMR: Good morning, everybody.
13 Court officer, please call the case.
14 THE COURT OFFICER: Thank you, Mr President.
15 The situation in the Democratic Republic of the Congo, in the case of The Prosecutor
16 versus Bosco Ntaganda, case reference ICC-01/04-02/06.
17 We are in open session.
18 PRESIDING JUDGE FREMR: Thank you.
19 Now appearances as usually, starting with Prosecution.
20 MS LUPING: Good morning, Mr President, your Honours. Appearing today on behalf
21 of the Prosecution are Ms Nicole Samson, senior trial lawyer; Selam Yirgou, case manager;
22 James Pace and Rens van der Werf, assistant trial lawyers; and myself, Dianne Luping,
23 trial lawyer.
24 PRESIDING JUDGE FREMR: Thank you, Ms Luping.
25 Defence.

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Open Session)

ICC-01/04-02/06

- 1 MR BOURGON: (Interpretation) Good morning, your Honour. Representing
2 Bosco Ntaganda, who is present in the courtroom this morning, Mademoiselle Sandrine
3 De Sena, intern, Margaux Portier and Chloé Grandon and myself, Stéphane Bourgon.
4 Thank you, your Honour.
- 5 PRESIDING JUDGE FREMR: (Interpretation) Very much, Mr Bourgon.
6 (Speaks English) Now the Legal Representative of Victims.
- 7 MS PELLET: (Interpretation) Thank you very much, your Honour. The former child
8 soldiers are represented by Mohamed Abdou and myself, Sarah Pellet, counsel with
9 Office of the Public Counsel for Victims.
- 10 MS GRABOWSKI: Good morning, Mr President, your Honours. The victims of the
11 attacks are today represented by myself, Anne Grabowski, from the Office for Public
12 Counsel of Victims. Thank you.
- 13 PRESIDING JUDGE FREMR: Thank you, Ms Pellet. Thank you, Ms Grabowski.
14 Duty counsel is not here, he is excused, as we said yesterday. So we can continue with
15 testimony of our witness.
- 16 Mr Bourgon, just one clarification: We said that you have a whole session, but we can
17 even give you a bit more because we counted again and it should be maybe the decision
18 plus 10 or 15 minutes. So it's the time you have at your disposal.
- 19 My idea maybe then not to break, but to keep examination, if you want, use the whole
20 time, till quarter to -- sorry, quarter past 11, yes, and then break. It should be just time
21 allotted to you.
- 22 MR BOURGON: Thank you, Mr President. (Interpretation) May it please the Court.
- 23 WITNESS: DRC-OTP-P-0017 (On former oath)
24 (The witness speaks French)
- 25 QUESTIONED BY MR BOURGON: (Continuing)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 Q. Good morning, Witness.

2 A. Good morning.

3 Q. It's the last day today you'll be pleased to hear and just a few questions are left. I'm
4 going to start by asking certain questions concerning Bosco Ntaganda.

5 The first question, if I've understood the material available to me, you met
6 Bosco Ntaganda during the attack of the UPDF when the UPC was driven from Bunia.
7 Do you remember that?

8 A. On what occasion.

9 Q. I'm going to be clear. Do you remember on 6 March 2003 the UPDF drove the
10 UPC --

11 PRESIDING JUDGE FREMR: Ms Luping, I guess what you will be -- what you will say, I
12 guess you ask for a reference?

13 MS LUPING: No, I'm not actually. I'm sorry to interrupt my learned friend. It's just
14 that I've had information -- I had -- I didn't see it by myself, but Ms Pellet indicated that
15 the image of the witness was just shown on the screen. With no -- with no face distortion.
16 If that could be please -- I don't know how we stop that being transmitted. I didn't see
17 that myself, Mr President, but I understand from Ms Pellet that his face without distortion
18 was seen.

19 PRESIDING JUDGE FREMR: Thank you both, you and Ms Pellet. We have to be very
20 cautious about that. So now we will wait for a moment. And in this connection we
21 will -- anyway will have to move into private session, I guess.

22 So, court officer, please check it with our technicians.

23 (Private session at 9.37 a.m.) *(Reclassified partially in public)

24 THE COURT OFFICER: We are in private session and our technicians are currently
25 investigating that issue.

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1 (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 Q. Now, if we speak about Bosco Ntaganda, we have information which was produced
16 before this Court from a (Redacted) officer, I'm not going to give the name of the (Redacted)
17 officer, but I would like to share with you what that person said and I would like to know
18 if you agree with his opinion. This is a quote for the Prosecution, it's T-32, in French,
19 page 34, 1 to 13, lines 1 to 13, but I'm just going to quote three lines therefrom:
20 "Within the FPLC nobody was more respected than Afande Bosco and that's something I
21 repeated to the investigators that I met. Afande Bosco was the most respected. And the
22 orders that he gave were respected and applied by everybody."
23 Do you agree with the remarks that were made by another person who came before this
24 Court?

25 A. What I know we were part of this UPC unit and it's true that we spoke about the fact

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 that Commander Bosco was in charge, yes.

2 Q. Would you agree that Commander Bosco had no tolerance for any disciplinary
3 breaches; would you agree with that?

4 A. I didn't hear when he reprimanded anyone or when he corrected the troops, but I
5 know that he arrested people. I know that he was strict, as I said. In the UPC we knew
6 that he was strict.

7 Q. And the words went around in the unit, namely that Bosco Ntaganda did not
8 respect -- I'm sorry, did not tolerate any breaches of discipline or misconduct by the
9 soldiers?

10 A. As I said, where I went in the UPC we knew that Commander Bosco was strict, yes.

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)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. I'm going to clarify my question. I was referring to measures taken against one of
12 the two officers who are involved in the dispute. And I put it to you that you know that
13 Salumu was put in a cell by Bosco Ntaganda on 15 December 2002. Do you agree with
14 that?

15 A. Well, I never heard that Salumu had been arrested, no.

16 Q. I put it to you that you know that Bosco Ntaganda had taken measures against
17 higher ranking officers on several occasions. Do you know that?

18 A. Well, I did learn that he had arrested officers, yes.

19 Q. Well, you know, for example, and this is something we've discussed, that he
20 arrested Abelanga?

21 A. I know that Abelanga, after Mongbwalu was taken, he was arrested, but I don't
22 remember exactly by whom or where the order came from. I know that the highest level
23 officer was Mr Bosco Ntaganda. That's what I know.

24 Q. I put it to you that you also know that measures were taken against Rwandais
25 Romeo Whiskey; you know that?

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 A. Well, at that -- what are we talking about now?

2 Q. To tell you the truth you weren't there, so I'm going to withdraw my question, if you
3 weren't there at the time. We're talking about a time, it's rather a time when you were in
4 the (Redacted)

5 My next question is as follows: Would you agree with me that Bosco Ntaganda,
6 according to the information that you have, or that you have heard, did not hesitate to put
7 anybody in prison, whether it was a simple soldier or whether it was a high-ranking
8 officer?

9 A. I know he arrested high-ranking persons, yes.

10 Q. I'm now going on to another subject. Yes, well, we're now starting, we're going
11 into the subject of Kobu, Bambu, Lipri. Now, you testified on several occasions that you
12 (Redacted) which involved Kisembo; is that right?

13 A. Yes.

14 Q. And you're certain that it was Kisembo?

15 A. Yes, chief of general staff Kisembo, yes.

16 Q. And you know that between the chief of general staff Kisembo and Bosco Ntaganda
17 the chief was Kisembo?

18 A. Yes, that's correct.

19 Q. And I would ask you if you know the difference between a general staff officer and
20 a command officer, or an officer with a command role?

21 A. In what situation? In what situation are you referring to?

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1 (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 A. Yes, that is correct.

15 Q. When you were informed by Salumu that an operation would take place in Kobu,
16 Salumu told you about a failed operation in Lipri; is that correct?

17 A. Yes.

18 Q. The failed operation in Lipri, well, you have talked about it, but you were not able to
19 tell us which officer or officers were killed there?

20 A. I do not even know the people who took part in that operation, so I could not tell
21 you the names.

22 Q. If I tell you that the person who carried out that operation was Bosco, was called
23 Bosco but not Bosco Ntaganda, and that his call sign was Zero One, would you
24 remember?

25 A. No.

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 Q. Did you learn during that time that the operation was a personal initiative of a
2 drunken officer?

3 A. Yes.

4 Q. And that is when he lost his life?

5 A. Yes.

6 Q. And it was at that time that the weapons were captured by the Lendu combatants
7 and the APC?

8 A. Yes.

9 Q. And the fact that the APC and the Lendu combatants captured the heavy weapons
10 was a very important fact (Redacted)

11 A. In my opinion, I know that everybody was concerned by that. There was a typical
12 case, that of the Americain commander.

13 Q. Can you tell us about the Americain commander?

14 A. After having learnt that news, I believe that in the same week (Redacted)
15 (Redacted) him at Kilo at that time. And when we received that
16 information Salumu talked about the operation on Kobu. And since he, just like us, was
17 aware that the enemy had captured our heavy weapons, he knew that capturing those
18 heavy weapons had totally changed the situation, so he refused to carry out the operation
19 on Kobu.

20 Q. And you know that because of that refusal he was arrested and jailed?

21 A. Yes.

22 Q. Do you know about another operation which took place just before the failed
23 operation in Lipri?

24 A. Which location?

25 Q. At the same location but before the failed operation that we have just talked about.

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 A. No.

2 Q. I put it to you that shortly before the failed operation that we have just talked about
3 there was an officer called *Linganga (phon) who carried out a reconnaissance mission in
4 the vicinity of Lipri and that led to a skirmish with Lendu combatants just shortly before
5 the operation that we have talked about. Did you hear about that?

6 A. I instead learned that *Linganga, who was in control of that road from Mudzipela,
7 was arrested by Commander Bosco, but for another reason. I did not hear anything
8 about that skirmish or fighting or the patrol that you have mentioned, no.

9 Q. I put it to you, Mr Witness, that *Linganga was indeed arrested by
10 Mr Bosco Ntaganda but on the orders of Thomas Lubanga because of that confrontation
11 or fighting with the Lendu combatants?

12 A. I know that he was arrested by Commander Bosco for a different reason.

13 Q. And what is that reason?

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted). And that is how the

21 information reached Bosco. To the effect that *Linganga was involved in smuggling and
22 Bosco had *Linganga arrested. That is the information we received.

23 Q. Mr Witness, you know that at that time there were pacification meetings in Bunia; is
24 that correct?

25 A. Yes. I know that at one point the UPC tried to negotiate, yes.

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 Q. And I put it to you that *Linganga's arrest -- well, the primary cause was that this
2 undermined the pacification. Are you aware of that?

3 A. I have just told you the reason that I was given for his arrest and jailing in Mandro.
4 That is what I told you.

5 Q. Now, let us move on to Kobu itself. (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Now, there was this triangle, Kobu-Bambu-Lipri. Do you agree that simultaneous
13 operations were going to be launched against Lipri and Bambu?

14 A. Yes.

15 Q. And between those three localities there was communication between the forces
16 positioned in those three locations?

17 A. Yes.

18 Q. The UPC did not have access to those three localities?

19 A. Yes.

20 Q. When Salumu told you that it was necessary to destroy the targets he was talking
21 about the enemy forces in those areas?

22 A. Yes.

23 Q. You gave a description during your testimony about who was going to attack where.
24 I would like to have one clarification, and it is transcript 59, page 65, line 26. In that
25 answer you mentioned that there was the attack on Bambu which would be launched

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 from Nizi; do you agree with that?

2 A. Yes.

3 Q. The people in Nizi were under the command of Tchaligonza for that attack?

4 A. Yes.

5 Q. But there were reserve troops in Mwanga (phon); is that correct?

6 A. Mabanga.

7 Q. In Mabanga. Now, which troops were in Mabanga?

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. I'll move on to something else because I can't find the reference.

12 Do you agree with me that because of the events that took place in Bambu, and you are
13 aware of that, another group had to intervene?

14 A. I mentioned the fact that another commander went from Kobu to Bambu, yes.

15 Q. I don't find the reference, but do you agree with me that Aigle Vipère intervened in
16 Bambu?

17 A. That was the -- he was the commander there.

18 Q. Commander Aigle Vipère was the one who intervened, right?

19 PRESIDING JUDGE FREMR: Ms Luping.

20 MS LUPING: Mr President, if this is the witness's prior testimony then we would be
21 asking for the reference so we can check it and before the witness responds, if it is his
22 prior testimony being put to him as opposed to a suggestion.

23 PRESIDING JUDGE FREMR: Mr Bourgon.

24 MR BOURGON: (Interpretation) Well, that was his testimony. This is something he
25 said. I'm simply trying to confirm with him. He is confirming. I am not disputing

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 that, I'm just simply asking him to confirm that Aigle Vipère intervened in Bambu.

2 PRESIDING JUDGE FREMR: Mr Bourgon, I think we, even the Chamber, emphasised
3 that if it concerns something specific, you should mention a reference. If it is a rather
4 general issue, then there is no such need. But I guess in this case it would be really is the
5 first alternative so I think you should mention a reference. If not, please move to the
6 other issue.

7 MR BOURGON: (Interpretation) The reference that I gave was transcript 59, page 65,
8 but it is a general subject.

9 Q. I would like now to discuss the conduct of the attack with you, Mr Witness. And
10 I'm referring to transcript 59, page 66, lines 21 to 25, which talks about the briefing. I
11 don't have the reference.

12 I will quote what you say. I just -- I don't want to contradict you, but just to -- for you to
13 confirm. Page 66 of transcript 59, and on lines 26 you say as follows:

14 (Redacted)

15 (Redacted)

16 (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-0017

(Private Session)

ICC-01/04-02/06

1 (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 Q. Can you confirm that in Kobu there were no -- there was no loss of life during the
24 attack?

25 A. I simply remember that there was a single person injured by friendly fire. One of

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 our soldiers was injured. No one was killed.

2 Q. Now, after that easy attack, Salumu's brigade positioned itself in the Kobu market; is
3 that correct?

4 A. Yes.

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 Q. Obviously there were trenches that were dug around the market; is that correct?

9 A. Yes.

10 Q. I put it to you that the subunits, the battalions and the companies positioned
11 themselves also in other locations in Kobu; is that correct?

12 A. If I remember correctly, the bulk of the members of the unit occupied the same camp
13 as Salumu, but there were certain elements positioned on the road towards Kilo while
14 others were at an advanced position on the road to Bambu in the event of a possible attack
15 on that road, so they would be able to repulse that attack before it reached our camp.

16 Q. You testified about a counteroffensive which took place a few days later; is that
17 correct?

18 A. Yes.

19 Q. And you can confirm how many days afterwards. How many days after that did
20 the counteroffensive take place?

21 A. If I remember correctly, it would have been on the second day.

22 Q. And when the counteroffensive was launched you realized that the enemy was well
23 organised, that is what I am putting to you?

24 A. I said that (Redacted). They were on the

25 other side of the mountain, about 300 metres away. I saw them, they were armed and

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 advancing like soldiers. And in fact, they were well structured or organised. So they
2 were, as I say, they were well organised.

3 Q. And the counteroffensive was launched by the APC and the Lendu combatants
4 together?

5 A. Yes.

6 Q. Can you confirm that you were able to see two groups at one point?

7 A. I remember that those who were attacking with the weapons not so far from the
8 camp, and there were others who were shouting and beating on pots.

9 Q. Now, those who you said were there with weapons, if I've understood well, they
10 were quite close to you, were they not, two or 300 metres away?

11 A. They even had the unit which was there, they put it in difficulty apart from the fact
12 that they were the other side, in order to get to our camp they had to get the road -- get to
13 the road in order to get to the market. But from where I was you could observe them.

14 Q. So there was fighting between Salumu's brigade and that group?

15 A. Exactly.

16 Q. Now, there was a second group quite a lot further away, 800 metres away that you
17 saw.

18 A. As the bird flies? Yes. As the crow flies? Yes.

19 Q. And this group was making a noise, an intense noise hitting pretty much anything?

20 A. Yes.

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 So you agree those were your words, they were prepared and they wanted to dislodge
2 you?

3 A. They were structured, that's what I said.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 Q. Do you remember this group shouting, they were making a lot of noise to scare you
16 and scare your unit?

17 A. Well, it wasn't the first time that I'd carried out operations in Ituri region. I knew it
18 was a strategy that they had.

19 Q. Yes. Yes, but that's my point, it's a strategy?

20 A. Yes.

21 Q. Which can work or maybe it doesn't work, but it's a strategy, a military strategy to
22 try and impress the enemy. In most cases it works.

23 A. Yes.

24 Q. But even you, you were trying -- or people from the FPLC you were trying to shout
25 or sing to make people afraid? You've seen that in other operations, have you not?

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 A. Sing, no. But you can use heavy weapons to announce that you're there. We also
2 whistled, things like that, to show we were motivated, yes.

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)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Open Session)

ICC-01/04-02/06

1 (The witness stands down)

2 (Open session at 11.17 a.m.)

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

4 PRESIDING JUDGE FREMR: Thank you.

5 Before we break, Ms Luping, you indicated some need for re-examination. Could you be
6 more specific?

7 MS LUPING: I think at this stage it's looking at -- I'm estimating approximately 30
8 minutes or 35 minutes.

9 PRESIDING JUDGE FREMR: Because as I said, we have to finish, or we would like to
10 finish this testimony during the next session so we can't give you more than 30 minutes,
11 so please 30 minutes.

12 And Mr Bourgon?

13 MR BOURGON: Is it possible to know from my colleague which area she intends to go
14 into so we avoid having any discussion in front of the witness later on if these issues are
15 not subject to re-examination.

16 PRESIDING JUDGE FREMR: Ms Luping, do you want to? I can't force you.

17 MS LUPING: Well, I can say that there are a number of issues I will be covering, and it is
18 really, you know, difficult for me to start going through topic by topic, Mr President.

19 PRESIDING JUDGE FREMR: Okay. It's up to you, but anyway please try to really to
20 choose the most relevant for you for your case because we will have to then interrupt you
21 after 30 minutes. So please be ready for that.

22 So now we will adjourn and we will reconvene at quarter to 12.

23 THE COURT OFFICER: All rise.

24 (Recess taken at 11.19 a.m.)

25 (Upon resuming in open session at 11.47 a.m.)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 THE COURT USHER: All rise.

2 Please be seated.

3 PRESIDING JUDGE FREMR: So let's start with re-examination by Prosecution.

4 And, Ms Luping, as I said you have 25 minutes at your disposal.

5 MS LUPING: Sorry, Mr President, just to clarify you had indicated before the break 30
6 minutes. Has there been a change.

7 PRESIDING JUDGE FREMR: Really?

8 MS LUPING: Indeed, if I'm not mistaken.

9 PRESIDING JUDGE FREMR: Okay, 30 minutes. 30 minutes. Fine with us.

10 MS LUPING: Thank you, Mr President. And if I can finish earlier I will.

11 QUESTIONED BY MS LUPING:

12 Q. Good afternoon, Mr Witness. Now, Mr Witness, I'm going to refer to
13 transcript -- it's T-60, in the English, at page 76, lines 25 to page 77, line 2.

14 MS LUPING: If we could move into private session, Mr President.

15 PRESIDING JUDGE FREMR: It was just my thought.

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

17 (Private session at 11.48 a.m.) *(Reclassified partially in public)

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

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1
2
3
4
5
6
7
8
9
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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1 (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 Q. Now, moving to a different topic and I'm referring here again to today's transcript,

21 T-63, page 6, line 24 to page 7, line 4:

22 Question: "Would you agree that Commander Bosco had no tolerance for any
23 disciplinary breaches; would you agree with that?"

24 Response: "I did not hear when he reprimanded anyone or when he corrected the troops,
25 but I know that he arrested people. I know that he was strict, as I said. In the UPC we

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 knew that he was strict."

2 My question is this, Mr Witness: Are you aware of any instances where Bosco Ntaganda
3 arrested or had arrested anybody within the UPC for any crimes or infractions committed
4 against Lendu persons?

5 A. No.

6 Q. Moving again to a different topic. Again today's transcript, page 19, lines 4 to 7.

7 Question: "Mr Witness, you know at that time there were pacification meetings in Bunia;
8 is that correct?"

9 Answer: "Yes. I know that at one point the UPC tried to negotiate, yes."

10 My question is this, Mr Witness: In terms of the negotiations in Kobu, or in other places
11 such as Bunia, did you learn what the purpose of the negotiations were, in particular what
12 the UPC hoped to achieve?

13 A. When I heard about the negotiations for the first time and the UPC added RP to
14 mean peace reconciliation, then there was talk about negotiations in different areas in a
15 bid to collaborate or facilitate relations between the UPC and the parties that were
16 opposed to the UPC.

17 Q. And in Kobu, do you know what the purpose of the negotiations were?

18 PRESIDING JUDGE FREMR: Mr Witness, hold on.

19 Mr Bourgon.

20 MR BOURGON: Thank you, Mr President. The topic of the object of any peace
21 negotiations in Kobu was not raised during cross-examination, Mr President.

22 PRESIDING JUDGE FREMR: Ms Luping.

23 MS LUPING: Mr President, the question of peace negotiations in Bunia was indeed put
24 in cross-examination and in my submission the issue of the purpose of negotiations,
25 especially when a question of prior negotiations is put to the witness in cross, is indeed

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 relevant and an appropriate question in re-examination.

2 PRESIDING JUDGE FREMR: Objection overruled.

3 MS LUPING:

4 Q. So, Witness, if you could explain -- if you could respond to my question: To your
5 knowledge what was the aim of the negotiations at Kobu, or the purpose, what the UPC
6 sought to achieve?

7 A. First of all it was not the UPC that called for the negotiations. It is the Lendu who
8 asked for negotiations.

9 Q. And when the UPC agreed to meet for such negotiations, from what you heard or
10 what you saw, what did you understand the purpose of the -- what the UPC hoped to
11 achieve?

12 A. Those who called for the negotiations, if I remember properly, stated that they
13 wanted civilian authorities of the UPC from Bunia to come for the negotiations and not
14 the army; therefore, that was their, how can we put it, their major request. But those who
15 went to Kobu from Bunia to facilitate the negotiations...

16 Q. We don't seem to have the end of your response. Okay, now it is coming.

17 THE INTERPRETER: Rather, the witness said: Nobody, nobody went from Kobu to
18 Bunia to facilitate the negotiations. Interpreter's correction. Thank you.

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1
2
3
4
5
6
7
8
9
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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1
2
3
4
5
6
7
8
9
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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Answer: "The commander Seyi wasn't brigade commander in Aru."

7 Question: "What was he?"

8 Answer: "He was -- well, he had soldiers there. He must have been the battalion
9 commander, but was called company commander at that time."

10 Question: "So when you mentioned him in your testimony ... he's not the person that
11 commanded troops that were at the factory?"

12 Answer: "I said today as well ... that troops that were there were part of their unit. They
13 weren't in our brigade. Their unit was Jérôme's and the higher commander present,
14 Commander Seyi."

15 Mr Witness you also referred to other commanders from the Aru brigade, including
16 Commander Manu.

17 PRESIDING JUDGE FREMR: Mr Bourgon.

18 MR BOURGON: Mr President, this is a topic that was exhausted at length by my
19 colleague during her examination-in-chief as to the arrival of certain officers in the area.
20 And I don't think we need to repeat that over again, Mr President.

21 PRESIDING JUDGE FREMR: Objection overruled.

22 Ms Luping.

23 MS LUPING: Thank you.

24 Q. My question was: Do you know what Commander Manu's role was at the time?

25 A. When -- when he arrived, or when he appointed the sector commander, Salongo, we

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

1 learnt that Manu also was a commander -- had become a sector commander of their unit,
2 Jérôme's unit, but I didn't know what role or functions he had.

3 MS LUPING: Mr President, I have finished my questions. I just wanted to just make
4 one note for the court record actually.

5 PRESIDING JUDGE FREMR: Go ahead, please.

6 MS LUPING: That it's just simply a reference to the -- it was a Defence map

7 DRC-D18-0001-0464. I just wanted it clarified on the record that when I raised my
8 objection on the basis that the satellite map appeared to be upside down this is on the
9 basis of the version as disclosed by the Defence to the Prosecution, the other participants
10 and to your Honours as well. That was the basis of the objection, I had explained that to
11 Mr Bourgon. It appears, just to clarify, that the eCourt version that was uploaded is
12 correct. And I just wanted this clarified for the record, Mr President. It was -- the basis
13 for the objection was that on the version that was provided to us.

14 PRESIDING JUDGE FREMR: Yes, all right. Well noted.

15 Mr Bourgon, do you feel any need for re-cross?

16 MR BOURGON: Yes, Mr President.

17 PRESIDING JUDGE FREMR: But please remain and just focus on issues touched by
18 Ms Luping now.

19 MR BOURGON: I will do my best, Mr President.

20 QUESTIONED BY MR BOURGON:

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1
2
3
4
5
6
7
8
9
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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 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-0017

(Private Session)

ICC-01/04-02/06

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Open session at 12.56 p.m.)

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

13 PRESIDING JUDGE FREMR: Thank you.

14 So Mr Witness, at this moment we reached the end of your testimony. You spent with us
15 a long time, in fact a week. I can imagine it was very tiring, very demanding, but I would
16 like to thank you because I believe that your testimony will help us in our effort to find
17 the truth. So thank you very much. And now we wish you a safe journey home.

18 So please, court officer, you may escort the witness out of the courtroom.

19 (The witness is excused)

20 PRESIDING JUDGE FREMR: And before we adjourn, I was ready to ask whether is
21 there any request for the floor, I see Mr Bourgon. Mr Bourgon, please.

22 MR BOURGON: Thank you, Mr President. Very briefly.

23 There is an exhibit that I requested to be admitted in evidence and I'm informed that it
24 was not admitted formally. I'm talking about DRC-D18-0001-0491. It is a series of
25 10 photos, satellite, that were shown -- seven satellite photos that were shown to the

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Open Session)

ICC-01/04-02/06

1 witness.

2 PRESIDING JUDGE FREMR: I remember.

3 MR BOURGON: Just they weren't admitted formally, Mr President. My only comment.

4 PRESIDING JUDGE FREMR: Ms Luping, any objection to that?

5 MS LUPING: I had said no objection.

6 PRESIDING JUDGE FREMR: So this, those seven satellite photos are admitted into
7 evidence as a further Defence exhibit. The number has been mentioned by Mr Bourgon.
8 If there are no further requests for the floor, then I have just to remind you that we will
9 continue on Monday morning.

10 Mr Bourgon.

11 MR BOURGON: I apologise, Mr President. I didn't know you were going to close the
12 hearing.

13 The issue of when we resume proceedings is important to us. I'm not sure if the
14 Chamber considers its previous decision that the calendar set therein that we would begin
15 Monday is part of that decision, but we finish a day later with this witness and which
16 means that the preparation time I have for the next witness, which is P-290, who is a
17 significant witness to prepare, I would, with your leave, Mr President, request that we can
18 begin this witness on Tuesday rather than Monday to give me sufficient time to prepare.
19 Thank you, Mr President.

20 PRESIDING JUDGE FREMR: Mr Bourgon, what will you say because you are saying
21 that we deprived you about -- of the day, but I think we deprived you half of the day, so
22 my proposal would be to start Monday afternoon, 2 o'clock, which again will give you
23 two days. Would it be fine with the Defence to start and to have just one two-hour
24 session on Monday afternoon?

25 MR BOURGON: I believe it will make a big difference if I'm allowed to start Tuesday

Trial Hearing
WITNESS: DRC-OTP-P-0017

(Open Session)

ICC-01/04-02/06

1 morning, but if the Chamber is minded to give us two sessions, some free time on
2 Monday, then I will take whatever the Chamber is -- wishes to grant the Defence. Thank
3 you, Mr President.

4 PRESIDING JUDGE FREMR: Prosecution.

5 MS LUPING: Mr President, the Prosecution would oppose any additional time being
6 given other than starting Monday afternoon. We would oppose any request to postpone
7 further to Tuesday morning, Mr President.

8 PRESIDING JUDGE FREMR: Give me a second. I have to deliberate, because it is not
9 only up to me, with my colleagues.

10 (Trial Chamber confers)

11 PRESIDING JUDGE FREMR: So the unified opinion of the Chamber is that we will start
12 Monday at 2 o'clock.

13 So now -- and be ready to sit for 2 hours from 2 to 4.

14 Now Court is adjourned.

15 THE COURT USHER: All rise.

16 (The hearing ends in open session at 1.01 p.m.)

17 RECLASSIFICATION REPORT

18 Pursuant to the Trial Chamber VI's Order, ICC-01/04-02/06-1887, dated 4 May 2017,
19 the public reclassified and lesser redacted version of this transcript is filed in the case.