



KATANGA / NGUDJOLO CHUI

INFORMAL WEEKLY SUMMARY

16 - 20 MAY 2011

<p>Situation Case</p> <p>Hearing: Chamber:</p> <p>Parties:</p> <p>Participants</p> <p>Start of Trial:</p>	<p>Democratic Republic of Congo 01/04-01/07 The Prosecutor vs. Germain Katanga and Mathieu Ngudjolo Chui</p> <p>Trial Proceedings Judge Bruno Cotte (Presiding Judge), Judge Fatoumata Dembele Diarra, Judge Christine van den Wyngaert</p> <p>OTP: Mr Eric McDonald, Mr Garcia, Ms Dianne Luping, Mr Gilles Dutertre and team; Defence Mr Katanga: Mr. David Hooper, Mr. Andreas O'Shea and team; Defence Mr Ngudjolo: Mr. Jean-Pierre Kilenda Kakengi Basila, and team;</p> <p>365 victims represented by Legal Representatives for Victims: Mr. Fidel Nsita Luvengika and Mr. Jean-Louis Gilissen</p> <p>24 November 2009</p>	<p><u>Germain Katanga</u>: born 1978 in Mambassa, Ituri district, Eastern Province; National of the DRC; Alleged commander of the Force de résistance patriotique en Ituri (FRPI).</p> <p><u>Mathieu Ngudjolo Chui</u>: born 1970 in Bunia, Ituri district, Eastern Province; National of the DRC; Alleged former leader of the Front des nationalistes et intégrationnistes (FNI).</p> <p>Alleged crimes: <u>Germain Katanga and Mathieu Ngudjolo Chui</u> allegedly jointly committed, through other persons:</p> <ul style="list-style-type: none"> ○ Crimes against humanity: Murder, sexual slavery and rape; ○ War crimes: Using children under the age of 15 to take active part in hostilities; deliberately directing an attack on a civilian population as such or against individual civilians not taking direct part in hostilities; willful killing; destruction of property; pillaging; sexual slavery; rape.
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This week three witnesses gave their testimony.

Witness 501, Mr. Victor Rumballe (Pastor Vicki) (7th witness for the Defence of Germain Katanga), is a pastor and a musician in Grand Aveba.

Witness 147, Mr. Bachweki Backama Nathaniel (8th witness for the Defence of Germain Katanga), was living in Aveba during the relevant time period.

Witness 146, Mr. Obiya (9th witness for the Defence of Germain Katanga), was living in Aveba during the relevant time period, and knows several members of Mr. Katanga's family.

16 May, 2011

The Defence commenced its examination-in-chief of Witness 501. Several parts of the testimony were given in private session.

During the examination-in-chief by the Defence, the witness provided insight on:

- **The alleged Ugandan Attack on Aveba:** the witness testified that he arrived at Aveba with his family in 2001. Allegedly, when “the Ugandans” attacked, people fled and abandoned the town, houses were burned down and people were killed.

This is an informal and unofficial summary of the trial hearings. Whilst every effort has been made to ensure accuracy, the CICC is not responsible for any omissions or inaccuracies contained within the following summary, which is provided for informational purposes only.

- **Information Regarding "Jack"¹ (pseudonym):** the witness testified that during the time "Jack" was staying with him, he was not a member of any militia.

During the cross-examination of the witness by the Prosecution, the witness provided insight on:

- **The Witness' Contacts with Allan Metu (the previous witness):** the witness confirmed that he indeed knows Pastor Allan Metu. The witness indicated that when Pastor Metu arrived in Aveba, he stayed with the witness at the witness' house.
- **Katanga's Commanding Position:** the witness could not confirm whether Mr. Katanga became commander of the Ngiti combatants after the death of commander Kandro. However, he testified that Mr. Katanga became the leader of the Ngiti fighters, at a later stage. The witness could not confirm whether Mr. Katanga was the commander of the combatants in Aveba during the period of 2002-2003.

17 May, 2011

The Defence of Mr. Katanga began its examination-in-chief of witness 147. A large part of his testimony was given in private session.

During the examination-in-chief by the Defence, the witness provided insight on:

- **Attacks by UPC² Soldiers:** the witness testified that while he was living in Zumbe, UPC soldiers carried out several attacks in the region. The witness explained that during these attacks, he would go to seek refuge in the bush. He then indicated that he had stayed in Zumbe for a period of just over three months, and then went to Aveba with his family. Lastly, the witness testified that when he had been in Zumbe, he nor any of his children joined any militia.

18 May, 2011

The Defence of Mr. Ngudjolo presented its questions to the witness, and the Prosecution began its cross-examination. A large part of his testimony was given in private session.

During his examination by the Defence of Mr. Ngudjolo, the witness provided insight on:

- **Information Regarding "Mark" (pseudonym)³:** the witness testified that "Mark" was not abducted nor became a soldier.

At the beginning of its cross-examination, the Prosecution presented a series of confidential documents to the witness, and asked him several questions in relation to these documents.

¹ The identity of 'Jack' was not revealed in open session.

² The *Union des Patriotes Congolais*, (UPC). English: The Union of Congolese Patriots is an armed Hema rebel group active in Ituri, northeastern Democratic Republic of the Congo during the Ituri conflict.

³ The identity of 'Mark' was not revealed in open session.

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19 May, 2011

The Prosecution continued its cross examination of the witness. A large part of his testimony was given in private session.

During its cross-examination by the Prosecution, the witness provided insight on:

- **Mr. Katanga's Position:** the witness testified he did not know Mr. Katanga personally, but testified that he knew Mr. Katanga was the leader of the military in Aveba.
- **Child Soldiers:** the witness testified he had never seen any soldiers under the age of 15, and could not confirm whether a demobilisation center for child soldiers was indeed located in Aveba.
- **Mr. Ngudjolo's Position:** the witness testified he had heard the name of Mr. Ngudjolo, but was not aware of the position he held.

20 May, 2011

The Defence of Mr. Katanga began its examination-in-chief of witness 146. A large part of his testimony was given in private session.

The examination-in-chief of witness 146 will continue on Monday, 23 May 2011.

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