



KATANGA / NGUDJOLO CHUI

INFORMAL WEEKLY SUMMARY

4 - 8 JULY 2011

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| <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 MacDonald, 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"> o Crimes against humanity: Murder, sexual slavery and rape; o 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 one witness gave testimony:
Jean Logo Dengachu, (Witness 258, 17th witness for the Defence of Germain Katanga): Jean Logo Dengachu is of the Hema ethnicity and has worked as a resource person for the Defence team of Mr. Katanga since February 2008.

4-5 July, 2011 - No hearings.

6 July, 2011 - The Defence started its examination-in-chief of witness 258

During his questioning by Maître Hooper of the Defence of Mr. Katanga, the witness provided insight on:

- **Experiences prior to working for the Defence:** The witness stated he left for Bunia, Ituri in 1999. From 2001 up to 2008, the witness testified, he worked for a Professor whom he knew from Lubumbashi University and joined an NGO called "Justice Pour Toute l'Humanité"¹. In February 2008 he started working for the

¹ A Congolese based NGO active in the field of Human Rights.

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- Defence team of Mr. Katanga; he was living in Kinshasa at that time.
- **Introduction to potential witnesses:** The witness stated he would always introduce himself to potential witnesses by saying his name and that he was a resource person for the Defence team of Mr. Katanga.
 - **Taking statements:** Statements of potential witnesses were taken after witnesses had filled in a questionnaire and were interviewed by the witness and the team. The witness stated he took notes and served as an interpreter for the team but he did not write any statement or deposition himself.
 - **Photos:** The witness was shown several photos of people and locations in the DRC. The witness told Maître Hooper that he recognised Mr. Katanga's wife², Dr. Raymond³ and Kavé⁴ in the photos. When shown a different set of photos, the witness stated the photos depicted Alexi Bkama⁵ and the houses and of Mr. Alain Metu and Pastor Vicky.
 - **Sketch:** Maître Hooper asked the witness to draw a sketch depicting Aveba in the period around 2003. The witness elaborated on his sketch and clarified the IPA⁶ was run by the CE39 church⁷ and that the airstrip was not in operation at the time. According to the witness there is nothing left of the BCA camp⁸ depicted in the sketch today.
 - **Video:** Maître Hooper showed a video from 6 July 2011 in court, it was taken from Waka hill and depicted the surroundings of Waka hill.

7 July, 2011

The Defence of Germain Katanga continued its examination-in-chief of the witness.

The video from 6 July 2011 was shown again in court and the witness provided insight on:

- **Date and location:** The witness stated he could see the surroundings of Bogoro as seen from Waka hill.
- **Second video:** The witness stated he recognized Mazikala farm and the Diguna mission on the video.
- **Photos:** The witness testified the photos shown to him (taken in December 2009) depicted: the CE39 church in Aveba, the Bogoro Institute, a trench dug by Ugandan forces close to the Bogoro Institute, eucalyptus trees in Kagaba, huts for IDPs⁹ at the BCA site in Aveba, the Aveba airstrip and market.
- **Demobilization:** The witness allegedly tried to access information about the demobilization process in the Walendu-Bindi collectivity but was denied access by Conader¹⁰ officers stating it was a "State secret".

²'Denise', Mr. Katanga's wife, lives in Aru near the Ugandan border.

³ The identity of Dr. Raymond remains unclear.

⁴ Kavé is Commander Yuda's wife.

⁵Alexi Bkama was a prominent man in the Bindi community, he is deceased.

⁶Institute Pédagogique d'Aveba.

⁷CE 39 church was led by Pastor Matatia.

⁸ BCA Camp: Bureau of the Aveba Combatants camp, where Germain Katanga allegedly lived in Aveba

⁹ Internally Displaced Persons

¹⁰Commission Nationale de la Démobilisation et Réinsertion, the DRC national demobilization organization.

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8 July, 2011

The Defence of Germain Katanga concluded its examination-in-chief of the witness; Mr. MacDonald commenced his cross-examination for the Prosecution.

During questioning by Maître Hooper for the Defence, the witness gave insight on:

- **Contact with witness 219:** The witness and witness 219 had met several times. The second time was in June 2009 in Bunia. When the witness requested to speak to witness 219 the latter allegedly refused because he could not believe the witness worked for the Defence. By calling Mr. Katanga and proving his legitimacy the witness convinced witness 219 to give a statement.

The Defence of Germain Katanga concluded its examination-in-chief. The Defence of Mathieu Ngudjolo then asked the witness if he could elaborate on an **antenna** placed on Lagura Hill and the distance between the Bogoro Institute and Lagura Hill.

The Prosecution then commenced its cross-examination of the witness:

- **Photo of 'Boulevard 30 June':** The witness stated he could indicate the MONUC base on the photo.
- **Meeting with Katanga and Recruitment:** Mr. Katanga and the witness had met before the witness joined his Defence team. The witness stated he was recruited by Miss Caroline Buisman but indicated he did not know how she got his name and contact information.
- **Evidence and offices:** The witness denied he had access to the Court's citrix system but admitted he did receive two statements of witness P 28, that had been disclosed to the Defence, by email.
- **Office in Bunia:** The witness denied having had his own office at the ICC building in Bunia. The witness stated he had to share his office with others who were working for the Defence in Bunia.
- **Meetings with witnesses:** The witness testified he had met four other witnesses called by Maître Hooper while he was in Kinshasa waiting to be flown to The Hague.
- **UPC¹¹ party:** The witness denied having fulfilled any political function within the UPC. The witness stated that he had been active in a committee preparing the launch of the UPC as a political party in Bunia but that he did not partake in any political actions.

¹¹Union des Patriotes Congolais: The Union of Congolese Patriots) is an armed group, allegedly associated with the Hema community in Ituri, northeastern Democratic Republic of the Congo.

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