

1 International Criminal Court  
2 Trial Chamber II - Courtroom 1  
3 Situation: Democratic Republic of the Congo - ICC-01/04-01/07  
4 Case against Germain Katanga and Mathieu Ngudjolo Chui  
5 Status conference hearing in Open Session presided by Judge Cotte  
6 Monday, 23 March 2009

7 (*The hearing starts at 14:05*)

8 COURT USHER: All rise. The International Criminal Court is now in  
9 session.

10 PRESIDING JUDGE COTTE (*Interpretation from French*): We are in  
11 session. You may be seated. Would the security please bring Mr. Germain Katanga  
12 in the courtroom? Court officer, I would like to check that there is Lingala  
13 interpretation. So Mr. Katanga can follow our proceedings without any trouble, can  
14 he? Very well. And now I would like to ask the participants to introduce  
15 themselves. Office of the Prosecutor, please.

16 MR. KAUFMAN: Good afternoon, Mr. President, your Honors. My  
17 name is Kaufman. To my left is trial lawyer Florence Darques-Lane. And assisting  
18 me also behind to my left is assistant trial lawyer Krisztina Varga.

19 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you.  
20 Legal Representatives of Victims, could you please introduce yourselves?

21 MR. KETA (*Interpretation from French*): Thank you very much,  
22 President. I am representing victim a/333/07 and 0110/08, with Mr. Gilissen, who is  
23 absent today.

24 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you.  
25 And legal representative?

1 MR. DIAKIESE (*Interpretation from French*): Your Honors, I am Hervé  
2 Diakiese, a lawyer. And I represent the victims that have already been identified  
3 before your Chamber.

4 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
5 very much.

6 MR. NSITA (*Interpretation from French*): Thank you very much. I am  
7 Maître Fidel Nsita. I represent victims a/0330/07 and a/0331/07, together with Maître.  
8 Vincent Lurquin and Maître Flora Ambuyu, who are absent. Thank you.

9 MS. BAPITA (*Interpretation from French*): Thank you very much. I am  
10 Madame Bapita. I am acting on behalf of the victims who've already been identified.  
11 And there are no changes.

12 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
13 very much. The Registry?

14 MR. VANAVERBEKE: The Registry this afternoon is Mr. Sant-Anna,  
15 Dahirou, associate legal officer within the Detention Center, and myself Pieter  
16 Vanaverbeke.

17 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
18 very much. And now the defence team of Mr. Germain Katanga, represented by you,  
19 Mr. David Hooper.

20 MR. HOOPER: Yes. And this afternoon, together with Sophie  
21 Menegon, Caroline Buisman and Andrea O'Shea. Thank you.

22 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
23 very much. Before we move on to the reasons why we are having this hearing today,  
24 the detention of Mr. Katanga, I would like to inform the Office of the Prosecutor that  
25 they seized us on the 20 March of a request to extend a deadline in filing of

1 applications for redactions. The deadline is currently fixed at the 23 March. The  
2 Chamber filed its answer authorising this extension at end of the morning. But at the  
3 end of the morning, you also made an additional request for an extension of a  
4 deadline for another application for redactions concerning another witness.

5 And the Chamber has been able to examine this additional request before the  
6 hearing and would like to respond orally just now by saying that the extension is  
7 granted under the same conditions of that that was the object of the written filing we  
8 filed at the beginning of the morning 6 April 14:00 hours. Did you understand? So  
9 the first application received on the 20 March has received an answer at the end of  
10 the morning; and as regards the additional requests made at the end of the morning,  
11 we are now answering orally favorably and give you the same deadline of the 6  
12 April 16:00 hours.

13 MR. KAUFMAN: Very well. Thank you.

14 PRESIDING JUDGE COTTE (*Interpretation from French*): Now, having  
15 made that point, I would like to move back to the public hearing concerning Mr.  
16 Germain Katanga's detention.

17 I would just like to very briefly recall the legal framework in which this  
18 hearing is being held. Pursuant to Article 61.11 of the Statute, the Pre-Trial Chamber,  
19 once it is constituted, fulfills all the Pre-Trial Chamber's functions necessary for the  
20 case. In accordance with Rule 118.2 of the Rules of Procedure and Evidence, the  
21 Pre-Trial Chamber must review its decision to maintain the accused in detention as  
22 under paragraph 3 of Article 60 of the Statute and must re-examine this detention at  
23 least every 120 days. And Rule 118.3 also states that it must hold a hearing at least  
24 once a year. And that is the object of today's hearing concerning Mr. Germain  
25 Katanga's detention.

1           We all know, but I would like to recall it during this hearing, we all know that  
2   the continued detention must be examined under the provisions of Article 58.1.a and  
3   1.b of the Statute. Very briefly, these deal with the reasonable grounds to believe that  
4   the accused has committed a crime within the jurisdiction of the Court. And we  
5   must also look into the guarantees that the accused will be represented and that  
6   releasing him won't obstruct the Court proceedings or jeopardize the proper conduct  
7   of the trial.

8           We should refer here to Article 60.3 of the Statute. The Chamber must  
9   examine whether there has been a change in circumstances which justifies an  
10   amendment to the decision. And for this, we should refer to Article 60.4. The  
11   Chamber must ensure that the detention or the proceedings aren't delayed for an  
12   unjustifiable period due to a delay appreciable to the Prosecutor. And this is under ...  
13   and we should also examine Rule 119 and Regulation 51 of the regulations of the  
14   Court.

15          And I quote, "to decide to release the detainee, the Chamber must request  
16   observations of the host State and the observations of the authorities of the State in  
17   which the defendant has asked to be released." So we have now recalled the context.

18          Now, as regards Mr. Germain Katanga's situation, and we all know that on  
19   the 2 July 2007 the arrest warrant against him was issued. And the 18 October 2007  
20   Mr. Katanga was transferred to The Hague. We also recalled on several occasions  
21   before the Pre-Trial Chamber and before other Chambers that Mr. Katanga had been  
22   detained in the Democratic Republic of the Congo since 2005, but under the ICC  
23   since July 2007.

24          On the 28 April 2008, the single judge decided to maintain Mr. Germain  
25   Katanga in detention. On the 18 August 2008, a similar decision for continued

1 detention was taken by the Pre-Trial Chamber. On the 12 December 2008, this  
2 Chamber decided to maintain Mr. Germain Katanga in detention.

3 So our hearing will be organised in the following way: First, the floor will be  
4 given to the Office of the Prosecutor for them to give us their opinion on maintaining  
5 Mr. Katanga in detention or not, or on the possibility of his release. And so I will  
6 ask the Office of the Prosecutor first to give us their grounds in a summarised form,  
7 the ones in the written submissions, with additional comments if the Prosecution so  
8 wishes, as this hearing is held for that purpose today.

9 And then after the Office of the Prosecutor, we will hear the Legal  
10 Representatives of Victims who will decide themselves on the order in which they  
11 will take the floor. And then we will hear Mr. Katanga's defence, and Mr. Katanga  
12 himself if he wishes to speak. If he wishes to speak, he will speak last.

13 The Registry is represented here today, too. It may also, therefore, intervene  
14 to give the Chamber, but also the parties and participants in the proceedings the  
15 additional details or clarifications they believe necessary on the modalities of  
16 detention. And more generally, on the whole issue of detention.

17 So first I would like to give the floor to the representatives of the Office of the  
18 Prosecutor. Prosecutor, the floor is yours.

19 MR. KAUFMAN: Thank you, Mr. President, your Honors. Good  
20 afternoon. We have, of course, taken notice of the fact that Mr. Katanga does not  
21 object at this stage to his continued detention. Nevertheless, the Prosecution realises  
22 that independently, at the expressed wishes of the parties, it is the Court that is duty  
23 bound to review the terms of the accused's detention.

24 To this end, therefore, we reiterate our submissions as detailed in our filing of  
25 the 12 March. That's document 952 in the case record. We furthermore respectfully

1 refer the Chamber to its own recent decision in the matter of the Pre-Trial detention  
2 of Mr. Mathieu Ngudjolo rendered on the 17 March. Document 965 in the case  
3 record.

4 This latter document, in particular, confirms the textual rationale ... contextual  
5 rationale for Mr. Katanga's continued detention; namely, the volatility of the  
6 situation in Ituri and the relative proximity of the evidential hearings.

7 This honourable Chamber noted that the Pre-Trial disclosure process had  
8 engendered a prodigious amount of filings and that there was no consequent  
9 inexcusable delay on the part of the Prosecutor. Before I conclude, however, I would  
10 nevertheless like to take the opportunity to respond to a few of the submissions  
11 made by Mr. Hooper in his filing of the 19 March. Document 970 in the case record.

12 At paragraph 2 of his filing, Mr. Hooper claims that it is the Prosecution that  
13 bears the burden of proof in relation to the continuing existence of the conditions set  
14 forth in Article 58.1 of the Rome Statute. With respect, we beg to differ.

15 We agree that the Prosecution is obliged to establish the initial need for  
16 detention upon surrender of a suspect to the jurisdiction of the Court. Nevertheless,  
17 once the Prosecution has done so, Rule 118, subsection 2 of the Rules of Procedure  
18 and Evidence directs the Court alone to review its ruling on detention and to do so  
19 at least every 120 days.

20 This, in our view, would suggest that an initial finding that detention is  
21 necessary continues to be valid unless the accused identifies a change in  
22 circumstances requiring that the initial finding be reconsidered. Indeed, should the  
23 accused identify such a change in the circumstances by virtue of Rule 118, he has the  
24 power to petition the Court at any time.

25 I would further add that Mr. Hooper's submission does not accord with the

1 practice elsewhere. And in this respect, I am referring to the practice at the ICTY  
2 where it is the accused who has the burden of showing a material change in  
3 circumstances justifying his provisional release. In this matter, I refer the Chamber to  
4 the interlocutory Appeals decision of the 27 July 2007 on provisional release in the  
5 case of the Prosecutor versus Tarculovski, citing the burden of proof as formulated  
6 by the Trial Chamber.

7 At paragraphs 5 and 6 of his filing, Mr. Hooper records his regret that the  
8 Netherlands and the Court have been unable to conclude an agreement establishing  
9 a practicable alternative to custody for ICC detainees. The Prosecution acknowledges  
10 that such diplomatic and political considerations are a valid source of frustration for  
11 the defence. The Prosecution is furthermore cognisant of the fact that the Pre-Trial  
12 Chamber has previously requested observations on this matter.

13 Nevertheless, we respectfully note that the Court cannot act outside of its  
14 mandate and, thereby, order or assist in the initiation of negotiations for the  
15 facilitating the release of an accused into the community of the host State or any  
16 other State. Accordingly, we petition the Chamber to reject Mr. Katanga's request to  
17 order the Registrar to re-enter into negotiations with the Netherlands and  
18 neighbouring States for such a purpose.

19 As for paragraph 9 of Mr. Hooper's filing, the Prosecution does and did not,  
20 in fact, allege that Mr. Mr. Katanga is in any way responsible for the violent unrest  
21 which occurred in Ituri in September and October 2008. The Prosecution does,  
22 however, assert that the volatility of the region would be an additional factor  
23 relevant in assessing the objective risk caused by the repatriation of the accused to  
24 the Democratic Republic of the Congo.

25 Finally, in respect of paragraph 10, Mr. Hooper takes issue with the

1 Prosecution's reliance on redaction decisions of Judge Sylvia Steiner for the  
2 contention that Mr. Katanga has allegedly interfered with witnesses.

3 Of course, Mr. Hooper is right that it has not been established *stricto sensu*  
4 and beyond reasonable doubt that there exists a causal link between the accused and  
5 witness interference. That, however, is the very reason why the Prosecution qualified  
6 its submission at paragraph 25 of its observations by the use of the words "allegedly  
7 acting under the accused's instructions."

8 In our opinion, this is a valid submission based on the facts as accepted by  
9 Judge Steiner in her decision on the Pre-Trial detention of Mr. Katanga on the 21  
10 April 2008. That's document 426 in the case record.

11 At page 7 of this decision, the learned Judge stipulated that she had analysed  
12 the situation and had found that it appears that supporters of Germain Katanga have  
13 the capability to interfere with witnesses and that FNI/FRPI instigated interference  
14 has occurred. The Prosecution did not submit that interference had not taken place  
15 as a conclusive fact; it merely alleged that in its opinion such interference had taken  
16 place.

17 Mr. President, your Honors, in light of all the aforementioned, we would  
18 respectfully request that the Court maintain Pre-Trial detention of Mr. Germain  
19 Katanga. Thank you.

20 PRESIDING JUDGE COTTE (*Interpretation from French*): The Chamber  
21 would like to thank you. Is that the end or ... very well. Now, as regards the Legal  
22 Representatives of Victims, Mr. Keta, the floor is yours. Are you taking the floor  
23 first?

24 MR. KETA (*Interpretation from French*): Your Honors, I will just  
25 comment on my writings without reading them and go to the main points.



1 In my writings, I quoted the legal bases for the detention of the accused. You  
2 have just recalled these provisions orally. In particular, Article 58.1.b, Article 60.3,  
3 Article 118.2 and Article 60.4. Of all the provisions contained therein, I will look  
4 more in particular at Article 58.1.b, which States that the detention will guarantee  
5 that the accused appears and also guarantee that the accused does not jeopardize  
6 proceedings before the Court.

7 Now, I will come back to the facts also and look at the context in the field. We  
8 can ask ourselves what it means not to jeopardize the proceedings, especially in light  
9 of the victims' situations. We could ask ourselves what would happen to victims if,  
10 following the release, your Chamber that is dealing with the case suddenly found  
11 out that some victims had died. So let's talk about the real risks that could occur if  
12 the accused was released and the possible interference and influence the accused  
13 may have in the field.

14 So concerning the second point, I raise the problems concerning the accused's  
15 situation and I recall the decision of 18 August 2008. In my writings, I also looked at  
16 the decision of the 12 December 2008, which had also looked into the previous  
17 decision and decided to maintain the accused in detention. And I also considered  
18 Rule 118.2 which requests us to respect the 120-day deadline, but in my writings ...  
19 and this is perhaps the most important point ... I look at the grounds your Chamber  
20 has chosen to base the continued detention on.

21 I don't need to go back to these; however, I would like to look at the  
22 circumstances you looked into on the 18 November, the extreme gravity of the  
23 crimes that had been supposedly committed by the accused, which must seriously  
24 be taken into account, because if we look at the possible sentence, prison sentence  
25 that might be handed out, there is a risk that the accused might not appear before the

1 Court, and a return to the Congolese territory would mean severe risk for the victims  
2 and witnesses and could obstruct ... could lead to an obstruction of the proceedings.

3 And thirdly, we also added a point about the recent application made by the  
4 accused and raising the inadmissibility issue under Article 19.2. And we believe that  
5 this is not very reassuring for the participants in the proceedings concerning his  
6 intentions, if he would or should he be released. We will have a discussion about this  
7 next month.

8 And in my fourth point, and this is where I come back to Mr. Hooper's  
9 observations, the fourth point concerns the need to maintain the accused in  
10 detention in view of the evolution of the situation in the field. We believe that it is  
11 important to bear in mind that victims regularly inform their legal representatives  
12 and intermediaries about their fears concerning the accused's supporters. And when  
13 we talk about "supporters," because Mr. Hooper mentioned it, we mean here the  
14 partisans within the accused ethnic group; because all the crimes that were  
15 committed, were committed in the context of an ethnic conflict.

16 So moreover, we must also recall that in their present proceedings, several  
17 legal representatives have stated that they were given threats, often disguised  
18 threats. And on this issue, they added that this also happened to some of the victims  
19 and intermediaries with whom they had been in touch with.

20 So the reason why some victims decide to remain anonymous, and the victims  
21 I represent have done so, the victims I represent told me that they do not for now  
22 wish to lift their anonymity because of the some of the threats they have been  
23 exposed to. So this is a real concern.

24 And as regards the victims I represent, which would like to remain  
25 anonymous because of the security situation in the field, these victims believe that

1 they will be able to lift anonymity, and this would mean their identity being  
 2 revealed to the accused. But if this anonymity is lifted, they could incur risks. So they  
 3 would not want this anonymity to be lifted if the accused is released, because they  
 4 could then be identified.

5 Now, the defence has had an opportunity to oppose my submission. And I  
 6 would like to now respond to their submission in paragraph 8. It's in English. My  
 7 English is rather limited, but I think I have understood the meaning of what they are  
 8 saying.

9 Under paragraph 8, the defence says ... (*Speaking in English*) the difference is  
 10 as to foundation of the allegation of one of the victim representatives that ...  
 11 (*Interpretation from French*) ... the accused still enjoys a big (*inaudible*) in the region  
 12 and has the capacity to rally crowds and supporters, fanatics as well as war lords.  
 13 And they consider a war lord like Germain Katanga as an icon.

14 Your Honors, I would like to shed light on this point, because at the end the  
 15 defence feels that ... (*Speaking in English*) no more design (*inaudible*) on the part of the  
 16 author. (*Interpretation from French*) I find that this is an exaggeration.

17 I don't think there is an exaggeration here, your Honor, if we look at the  
 18 current context on the ground. When we talk about fanatics, this means that the  
 19 accused still has supporters on the ground and those supporters can harm certain  
 20 persons, especially victims, witnesses and their legal representatives.

21 Your Honors, distinguished members of the bench, in paragraph 11, the  
 22 defence also talks about, if I understood them well ... (*Speaking in English*) allegations  
 23 have been made by victim representative to the effect that they reserve (*inaudible*).

24 (*Interpretation from French*) Indeed, your Honors, some legal representatives,  
 25 as we have always said, have received threats. But these are not direct threats. And

1 on this point, I would like to make a certain distinction here, to make it  
 2 understandable to the defence that when we are talking about threats here, we are  
 3 talking about threats that are made through the personal contacts we have with  
 4 people on the ground.

5 Now, if the defence wants us to ... wants us to establish that there have been  
 6 direct threats, then we are afraid that they can only receive that proof only when one  
 7 of us is dead. You will remember here our colleague from the Central African  
 8 Republic who died recently. And we feel that it is because he was representing  
 9 victims that he has lost his life. So I would like to say that we have received threats,  
 10 and these threats are valid threats and we should not treat them lightly.

11 The defence in point 12, your Honors, talked about unsubstantiated ...  
 12 *(Speaking in English)* allegation without submitting material in support. *(Interpretation*  
 13 *from French)* Unsubstantiated threats. If we understood them well, the defence is  
 14 attacking us saying that our allegations are inconsistent because we do not have  
 15 much evidence. As I said a short while ago, we cannot produce material evidence as  
 16 such. We have proof on the basis of hearsay that we cannot neglect.

17 For all these reasons, your Honors, distinguished members of the bench, we  
 18 feel that considering the situation on the ground, considering the legal provisions  
 19 which are mentioned, we would like to request that Mr. Germain Katanga be  
 20 maintained in detention. Thank you, your Honor.

21 PRESIDING JUDGE COTTE *(Interpretation from French)*: Thank you,  
 22 Mr. Keta. Mr. Diakiese, are you taking the floor now? The floor is yours.

23 MR. DIAKIESE *(Interpretation from French)*: Your Honors, distinguished  
 24 members of the bench, I am going to be very brief.

25 While supporting the ideas presented by the previous speaker and the facts of

1 the law as exposed by the Prosecution team, we would like to remind the Chamber  
2 of a certain amount of information which leads us to inform you that there is need to  
3 maintain Mr. Germain Katanga in detention.

4 The first point, your Honors, relates to the fact that the victims I represent ...  
5 in fact, all of them ... are victims who are unanonymus (*sic*). In other words, their  
6 identities are not hidden from the defence of Mr. Katanga. It follows, therefore, that  
7 any measure in releasing Mr. Katanga will have as a consequence the immediate  
8 endangerment of all the victims I represent if no special protection measures are  
9 taken henceforth for them.

10 The second point, your Honors, relates to a fact of law, which is to know  
11 whether hitherto the detention of Mr. Katanga is due to excessive delay caused by  
12 the Prosecution team. In that regard, your Honors, nothing in the submission of the  
13 defence attests to this.

14 On the contrary, all the parties and participants in these proceedings are in  
15 agreement that all measures were taken to ensure that the hearing is held within a  
16 timeframe which makes it possible for Mr. Katanga to be tried without any undue  
17 delay. And if up to today we have not yet had a trial ... or rather, a hearing, some of  
18 the factors related to that delay also stem from certain initiatives characterized by the  
19 defence team.

20 My last piece of information, your Honors, relates to the fact that the charges  
21 against Mr. Katanga were confirmed and that we are going to be holding a trial very  
22 soon, a trial at which he will have to answer for the charges alleged against him. And  
23 so we think that it would be inappropriate for him now to be granted a release just at  
24 the time when the trial is close at hand and especially given the fact that the serious  
25 charges against him may ... the seriousness of the charges against him may let him or

1 let him abscond from a trial, before the Court.

2 The last point, your Honors, is that hitherto the Democratic Republic of the  
3 Congo, which is one of the natural places Mr. Katanga may go to in terms of release  
4 as modified, it has a perception of collaboration with international criminal justice by  
5 raising certain security considerations with respect to their cooperation with the  
6 International Criminal Court.

7 The proof of this is that Bosco Ntaganda, who is the subject of an arrest  
8 warrant issued by the International Criminal Court, was appointed assistant  
9 commander of operations in the eastern part of the Democratic Republic of the  
10 Congo. And so if today the persons who are wanted are collaborating publically  
11 with the Democratic Republic of the Congo, then what would become of persons  
12 who have been arrested already and who may be released by the Court if we ask the  
13 Democratic Republic of the Congo to make them appear before the Court ?

14 It is in consideration of such points and other points which we have  
15 developed in our written submissions, your Honors, that we very respectfully  
16 request the Chamber to maintain Mr. Katanga in detention.

17 PRESIDING JUDGE COTTE (*Interpretation from French*): The Chamber  
18 thanks you, Mr. Diakiese. Who will take the floor? Ms. Carine Bapita, the floor is  
19 yours.

20 MS. BAPITA (*Interpretation from French*): Thank you, your Honor, for  
21 giving me the floor. I completely agree with the points raised by Mr. Diakiese,  
22 especially as we belong to the same group and that we drafted most of these points  
23 together.

24 But I would like to come back to two points which I think are really relevant  
25 and I think I should throw light on with respect to the defence of Mr. Katanga, and

1 that is the second point relating to the observations filed by his counsel, particularly  
2 with respect to the duration of the detention of Mr. Katanga in the Democratic  
3 Republic of the Congo since February 2005 and in The Hague since 2007.

4 But I think that it's important for me to underscore one point here which may  
5 clarify things for your August bench, and that to make you understand that the  
6 status of Mr. Katanga prior to his detention in The Hague was not clearly defined.  
7 On the 12 May 2006, a decision was issued by the Supreme Military Court  
8 demonstrating that it was particularly difficult, if not impossible to rule on the  
9 detention of Mr. Katanga.

10 And that to hear the trial before the Supreme Military Court for the simple  
11 reason that in its composition, there was one general, a jurist who was not present.  
12 Because of this shortcoming, a judgment was issued suspending the procedure until  
13 that bench was completed. And that was not done. And this is an order issued on 12  
14 May 2006.

15 In the month of July 2007, Mr. Katanga was transferred to The Hague to  
16 answer charges against him. I do not think that we can take into consideration his  
17 detention in the Democratic Republic of the Congo to claim that he spent a lot of  
18 time in detention, especially as we do not know as of today what ... we do not know  
19 the situation or what was obtained prior to his transfer to The Hague.

20 We do not know if the charges which have been retained against him here  
21 were the same charges that were recognized by the Court in the Democratic  
22 Republic of the Congo. The Democratic Republic of the Congo has never examined  
23 these offenses in detail. He was merely detained.

24 And as of today, the appointment of that general, who was supposed to sit on  
25 the bench, was a situation which was never looked into.

1 THE INTERPRETER: The interpreters would like to say that the  
2 speaker is extremely fast. And if she could slow down, it's going to help things.

3 MS. BAPITA (*Interpretation from French*): And so we cannot, therefore,  
4 consider his detention today as a reason. Can we, therefore, say that from 2007 to  
5 2009 he has been detained for an unduly long time? I do not think so. In record time,  
6 we held the confirmation hearing. The charges were confirmed. He was sent before  
7 your Chamber for trial. Enough exonerating and incriminating evidence was  
8 disclosed to the defence. And so personally, I don't think that the Prosecution can be  
9 accused of inexcusable delay which has led to undue detention.

10 Now, with respect to arguments 9 and 10 of the defence, the defence counsel  
11 of Mr. Katanga states that there is no direct link between what happened on the  
12 ground ... that happens on the ground, that the security situation in Ituri and any  
13 pressure that their client may have exerted on witnesses and victims on the ground.

14 And I would like on this point to support the arguments which have been  
15 raised by Mr. Keta stating that when you look at this aspect of threats against  
16 witnesses and victims, we should not limit ourselves to direct threats which come  
17 from the accused who is detained here or any instructions may have been given to  
18 his supporters on the ground. We should rather look at the power he wields within  
19 his community, the influence he wields.

20 And we have developed enough arguments on this, especially during the  
21 confirmation hearing, to tell you that he was the youngest, youngest of the war  
22 lords. But he was given enough authority by the traditional rulers to lead the group.  
23 So this is to tell you that he has a lot of influence within his community.

24 And even if he does not give any signals or any instruction to that effect, his  
25 supporters can on their own team up to intimidate witnesses, to intimidate victims



1 or any other person who stands in the way of the release of Mr. Katanga. The proof  
2 of this is the events which happened in Bogoro in 2008.

3 A few months or a few weeks after the confirmation of charges, he did not  
4 have to issue any instructions. But there was a reaction, there was an event that took  
5 place. And this was sending a message to say that they were ... their way of saying  
6 we can strike and we can strike hard. And they were giving a message to say we are  
7 able to organise ourselves and destabilise the region, if possible.

8 And now the question is, can the Court or the Democratic Republic of the  
9 Congo guarantee us that if Mr. Katanga is released he will be able to appear before  
10 the Court again? Your Honor, I support all the arguments presented by my  
11 colleague, Mr. Diakiese, but I think I would like to talk about the purported  
12 responsibility of the Prosecution team with respect to the duration of Mr. Katanga's  
13 detention.

14 And in fact, the Supreme Military Court of the Congo has not yet established the  
15 violations, the violations against Mr. Katanga. Thank you.

16 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you,  
17 Ms. Bapita. Mr. Nsita, you have the floor.

18 MR. NSITA (*Interpretation from French*): Thank you, your Honor. Thank  
19 you, your Honor, for giving me the floor. I will not repeat all of what has been  
20 clearly and brilliantly said by previous speakers from the OTP and my colleagues  
21 the Legal Representatives of Victims. I don't want to repeat the same arguments. I  
22 fully support all of what has been said by previous speakers, therefore, but I would  
23 like to dwell on one point to what was said by Mr. Diakiese.

24 I am trying to talk about the political situation in the Great Lakes region as of  
25 now. The political choices made in the Democratic Republic of the Congo, as we all

1 know, especially as concerns the conflict in the Oriental Province, there have been  
 2 certain negotiations between the DRC and Uganda. And the President of Uganda is  
 3 ready to grant amnesty to Joseph Kony if he were to lay down his weapons.

4 We know that joint actions were carried out by the two Armies in order to  
 5 defeat the rebel movement. Also, in the DRC there is a current bill of amnesty which  
 6 is before the Parliament, and the purpose is to increase the number of people who  
 7 could benefit from amnesty through that bill of amnesty which is currently being  
 8 prepared.

9 And when we look at this context, we feel that if the accused is released, it  
 10 will end up being difficult for the Court to ensure that he appears before the Court in  
 11 the future. And so we would like to reiterate ... or rather, request and to refer you to  
 12 the submissions which we filed on the 12 March to request the Court that you  
 13 should maintain the accused in detention until he is tried. Thank you.

14 PRESIDING JUDGE COTTE (*Interpretation from French*): The Chamber  
 15 thanks you. I would like to apologize to the OPCV that I did not recognize them  
 16 earlier, but would like to give them the floor. You have the floor, if you wish to take  
 17 it.

18 MS. YAZJI: Good afternoon, your Honors, Mr. President. My name is  
 19 Maria Victoria Yazji. I am counsel for the Office of Public Counsel For Victims. I am  
 20 here assisted by Mr. Orchlon Narantsetseg. Your Honors, at this point, we would  
 21 like to concur with the submissions of the Prosecution, as well as the legal  
 22 representatives. And we have nothing further to add. Thank you.

23 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you.  
 24 Now the defence team of Germain Katanga now has the floor. Mr. Hooper, you have  
 25 the floor, sir.

1 MR. HOOPER: Thank you, Mr. President. The Chamber will be, of  
2 course, aware of what the submissions have been, that have been made on behalf of  
3 Germain Katanga because they are contained in our observations of the 19 March  
4 2009 which themselves to some extent repetition of previous observations that have  
5 been made from time to time.

6 As you pointed out at the beginning of this afternoon's session, we are here  
7 today because of the statutory imperative that causes this Court to review the  
8 continued detention of Germain Katanga. We are not here today because there has  
9 been an application by the defence for his release. However, to say, as Mr. Kaufman  
10 says, that Mr. Katanga does not object to his continued detention, perhaps it isn't  
11 quite the (*inaudible*). He doesn't like being detained. He does not like being detained  
12 in close confinement.

13 But this afternoon, as on previous occasions, Germain Katanga has taken a  
14 wholly realistic and pragmatic view of his position. And I am not here this afternoon  
15 to indicate a change of circumstances in his case; not that, as we have submitted, and  
16 contrary to Mr. Kaufman's submission, do we feel that it's for the person for the  
17 defence to have to do that. And we feel it's the continued obligation for those, in fact,  
18 who requested his detention to substantiate it at moments of important review, such  
19 as this. Nor is the defence in a position this afternoon to demonstrate, or suggest  
20 even, nor do we, that there has been an inexcusable delay in the Prosecution of this  
21 case. And so we are in this position of what I would submit is pragmatic reality.

22 The pragmatic approach, which I hope is reflected in the defence  
23 submissions, indicates that there might be a possible alternative, but this ... we are  
24 not in a position this afternoon to present it to the Chamber. And by that what we  
25 mean is, as has been raised and discussed, and indeed pursued by, for example, the

1 Pre-Trial Chamber, there is no, in fact, system or facility in place which would  
 2 permit a possible alternative basis of interim release outside the close confinement of  
 3 the Detention Center where he presently finds himself, for Mr. Katanga to be  
 4 housed, for example, within a facility, either within the host State here of the  
 5 Netherlands or perhaps in a close neighbour, that would be a facility that would be  
 6 in a position, to some extent, to monitor his position, while allowing himself a  
 7 degree of freedom and perhaps even family life which is currently denied him.

8 We, therefore, raise that again in our submissions, inviting, you know, this  
 9 Chamber to consider, and we do so with all due respect, to consider the possibility of  
 10 inviting the Registry here to renew ... and its an issue of renewal, to renew its  
 11 discussions with the host State, the Netherlands, and neighbouring States, to see  
 12 whether some facility can be put in place in order to meet the pragmatic difficulties  
 13 that attend Mr. Katanga in such an application as this afternoon or indeed others  
 14 who come before the Court where perhaps the only other alternative is to return  
 15 them to the crime scene state.

16 The Court was doubtless aware that on a previous occasion a report was  
 17 made to this Court ... and it's found in Annex 1, it's document 251 in this case record,  
 18 relating to ... it's a confidential document, as is plainly written on the front of it, but  
 19 relates there to the position of the Netherlands in respect to interim release.

20 We submit that, particularly in respect of the host State ... being, of course,  
 21 where this Court is placed ... has a particular, particular obligation in our submission  
 22 to assist, if it can ... and we see no reason why it cannot ... to provide a facility that  
 23 would permit someone in Mr. Katanga's position to be able to come before this  
 24 Chamber and say, look, these are the circumstances, this is the situation, there is an  
 25 alternative. And we can then be in a position to make a reasonable and practical

1 suggestion to the Court.

2 At the moment, we don't have that facility, which is the reason why we have,  
3 as I have said, requested this Chamber to invite the Registry to pursue it further.  
4 We hope that that is both a proper and reasonable request to make of this Chamber.  
5 And indeed, again, one disagrees with the submissions by Mr. Kaufman in this  
6 respect; and we would say that you have a sufficient authority to do that, not only  
7 because of the position of the ICC in respect to the host State, but also in respect of  
8 Articles 86 and 87 of the Statute and of the general facility for liaising and seeking  
9 cooperation from any State.

10 In respect of other matters that that are contained within the motion, some of  
11 which have been touched upon this afternoon, I am not going to say anymore. The  
12 defence has raised not just in respect of today's hearing, but on previous hearings, its  
13 concern of the making of unsupported allegations.

14 It's very easy to make an allegation. All the defence asks is, if there is any  
15 substance to them, they should be supported by some indicia of value. And time and  
16 again, what we find are generalised allegations made which serve only to prejudice  
17 the accused and which we suspect on this side of the Court are, in fact, without any  
18 basis.

19 We do not accept that Germain Katanga is and remains a force, as it were,  
20 within the Province of Ituri. The Court will know his history. They will know that he  
21 has been in custody now for four years. And perhaps one should reflect on this, that  
22 prior to his being taken into custody, it was Germain Katanga, and the particular  
23 group that he then represented, who were one of the first groups in Ituri to lend  
24 themselves to the demobilisation process and to take a path which had, as its  
25 intentions, the pursuit of peace and reconciliation.

1 All that seems to have been forgotten. He was rewarded for a very short time  
 2 by his Head of State by being nominated as a general in the Integrated Armed  
 3 Forces. Since 2005, as we know, he has been in custody. So it is against that  
 4 background, then, that we submit that it's perhaps unnecessary in the circumstances  
 5 that we meet ourselves ... we find ourselves in from time to time for these allegations  
 6 to be repeated.

7 If there is any substance to them, then let's see that evidence. And then, of  
 8 course, we cannot be critical of such submissions. But we are just concerned that the  
 9 generality of them ... and we have made that point on a number of occasions, and we  
 10 have repeated it in respect to the allegations that have been repeated in some of the  
 11 submissions and observations that have been made. And as I say, our principal  
 12 concern with respect to those is to avoid continued prejudice to Mr. Katanga.

13 I have no other submissions to make this afternoon, Mr. President, unless you  
 14 or either of your colleagues have any questions of me. Thank you.

15 PRESIDING JUDGE COTTE (*Interpretation from French*): The Chamber  
 16 would like to thank you, Mr. Hooper. I would just like to go back briefly to your  
 17 wish, which was made in writing, and now again orally, for the negotiations with  
 18 some States to be resumed, to obtain their agreement to have an accused that is  
 19 released accepted on their territory.

20 Now, independently of what the Office of the Prosecutor said just a moment  
 21 ago, I think that it is in order to recall ... and I think you know them ... their  
 22 provisions of the Regulation 51 of the regulations of the Court which I read at the  
 23 beginning of this hearing. I read it again: "For a provisional release, the Pre-Trial  
 24 Chamber requests observations from host State and from the State authorities on  
 25 which territory the accused is asked to be released."

1           And this, in our opinion, means that the Chamber, if the Chamber envisages  
2 a release, and that's what the Chamber will discuss after the hearing when it  
3 consults, we would need to know the name of the State or States, plural, on the  
4 territory of which Germain Katanga would like to be released.

5           However, this request for renewed negotiations, which you made in writing  
6 and orally, and I would like to read it again in the French translation, "to resume  
7 negotiations with the Netherlands and neighbouring countries." So this request for  
8 renewed negotiations is very general, as is also your conclusion, the conclusion of  
9 your written observations in which you mention, and I quote the French translation,  
10 "that, moreover, the Chamber would like to request the Chamber to contribute to  
11 opening negotiations between the ICC, Netherlands and neighbouring countries to  
12 take measures and implement solutions that will enable us to envisage the  
13 provisional release of a detained person on their territories."

14           So this is a general and theoretical wording of this request. It is interesting.  
15 But in view of this specific situation, the situation of Mr. Katanga in this current case,  
16 and in a request for release, you do not mention which States we should initiate  
17 negotiations with, being the States on whose territory Mr. Germain Katanga would  
18 like to go if he was released.

19           So we are now asking you, and you've probably realised what we are asking  
20 you, but we would like to draw your attention to this point, we would like to ask  
21 you if possibly at a later stage, because you mentioned earlier on that that at present  
22 you are not able yet today to give your position, but you would later on envisage  
23 making a written request for release at Rule 118.3, but with all the risks that we have  
24 ... or giving us all the details that I have just referred to.

25           What is the position of States that were consulted by the Registry when Mr.

1 Mathieu Ngudjolo made a request for release, when he expressed a wish to be either  
2 transferred to the Netherlands, where he currently is, but outside of the Detention  
3 Center, or to Belgium, Great Britain or France? That's the public document that was  
4 drafted by Registry 306.

5 So you, as the Chamber, will have noted that a year ago the States were  
6 consulted on a very specific case, the case of Mr. Ngudjolo during the first term of  
7 2008. And at that time, they proved to be rather reticent, even hostile. And several  
8 had requested further details on the links of this accused. And all this could be  
9 transposed to Mr. Katanga. So what were the links that this accused had with the  
10 country on whose territory he wanted to be resettled?

11 The countries had also mentioned and asked whether he had family or  
12 friends, a support network on site or some financial means to support him and  
13 provide for him. The States had also insisted on the fact, at least one State had, that it  
14 would probably not be possible to guarantee the person's controls appearances  
15 because of a lack of judicial means, because of proceedings taking place abroad.

16 And in one case, especially in Belgium, it had been mentioned that there was  
17 an important Congolese community on the country and that political problems  
18 could arise.

19 So we haven't yet conferred about this, but we wanted to address this to show you  
20 that if we reinitiate negotiations on a general level, it might not be easy and may be  
21 even impossible.

22 So either way, if we resume negotiations, at some specific place we will need  
23 further details about a precise accused in a specific situation at a specific time. And  
24 so the Registry might be able to give us their point of view and tell us whether there  
25 are currently already negotiations underway that might already provide an answer



1 to the questions you have raised.

2 Now, this hearing must be held once a year, and it is to give us an  
3 opportunity to have an exchange of views on these points. So we wanted to give you  
4 this point of view independently of the answer we will be given.

5 So if you may, Mr. Hooper, I would like to give the Registry the floor to see  
6 whether or not they have any information to give us. And thereafter, you will be  
7 able to take the floor again, if you so wish. Could the Registry then give us some  
8 details?

9 MR. VANAVERBEKE (*Interpretation from French*): The Registry has  
10 nothing to add. But, of course, if the Chamber wants us to carry out negotiations, we  
11 will do so.

12 PRESIDING JUDGE COTTE (*Interpretation from French*): Very well. So  
13 that means the Registry is showing its willingness, its goodwill in this matter. Mr.  
14 Hooper.

15 MR. HOOPER: It is very much the chicken and the egg. If there was  
16 such a facility in place in Holland, for example, that existed, and I was in a position,  
17 therefore, this afternoon to put forward Mr. Katanga as a candidate for acceptance  
18 into that facility, then my position would probably be stronger than approaching the  
19 Court as I have to on a theoretical basis.

20 My understanding is that there have been discussions, particularly between  
21 the ICC and the host State, that as you, Mr. President, have already indicated, my  
22 understanding of what were those ... essentially, those private and diplomatic  
23 discussions, so it's very much hearsay, was that the host State was averse to  
24 providing or lending itself to provision of such facilities.

25 Our argument is that that is perhaps a little less generous than their position

1 should allow. Their position as host State makes them the principal nexus between  
2 those who are detained in the Detention Center here, over and above any other  
3 neighbouring state.

4 The only nexus perhaps that the other neighbouring States might have,  
5 obviously, is one of convenience and accessibility to the Court for practical reasons.  
6 Plus, perhaps being a state Party.

7 But with the Netherlands, there is a particular position, we say as a  
8 consequence of that position, as a consequence of putting itself up and accepting the  
9 ICC to be here, that there must follow entire responsibilities that don't fall necessarily  
10 on those of other States, even States parties.

11 And so when we made our application or suggestion that the States be  
12 approached, yes, it would be good if the Registry could take these up with States,  
13 such as the ones you've mentioned. But in particular, we had in mind a facility that  
14 could be geographically very close and convenient to the Court, and could be here in  
15 Holland.

16 If that required a degree of judicial structure in order to sanction and control  
17 the released person, then that's something that could be put in place and could be  
18 put in place by the Netherlands. In other words, if the Netherlands had the will to, in  
19 fact, put in place a structure, a bail facility, an interim release facility, a hostel, where  
20 perhaps an accused person could live with their family pending trial, if that really  
21 was there, then I'm quite sure all the necessary obstructions to it would fall away  
22 and it would be rapidly put in place.

23 So we submit it's a question of the willingness of the Kingdom of the  
24 Netherlands to put in place such a facility that needs to be addressed. And in order  
25 to do that, then those within the Registry and those best placed in the States Parties

1 as well are really, really the engine to affect that change.

2 We say if you have a Court and if you have a criminal court in your country,  
3 then you must address the practical, practical consequences of that, which would  
4 necessarily follow, as in any state, to release ... to interim release within the state.  
5 And that's something that hasn't been addressed, and we submit it's something that  
6 should be and should be done expeditiously with a view to putting in place such a  
7 facility, the costing of which, of course, I dare say, will excite the greatest argument.

8 But in any event, it would be a justice to those who are brought here and who  
9 have no, perhaps, obvious alternative in terms of a prison detention here. Thank  
10 you.

11 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
12 very much, Mr. Hooper. Judge Diarra.

13 JUDGE DIARRA (*Interpretation from French*): Mr. Hooper, we listened  
14 very carefully. Do your submissions mean that you keep provisional release for your  
15 client on condition only that the Netherlands grant him residence here? Do you  
16 exclude for him to be put ... or do you exclude for him to be put in provisional  
17 release and sent back to his country?

18 MR. HOOPER: Well, this afternoon I am not making an application for  
19 interim release. What I am trying to do, and this is well understood by Mr. Katanga  
20 himself and his general response to the situation we are confronted with this  
21 afternoon, is to find what is, we hope, the most pragmatic answer to a problem  
22 which isn't just going to be his problem, it's going to be the problem of the doubtless  
23 many who will follow him on this very difficult lonely path to the ICC.

24 He has no nexus with any European State and neighbouring State. And I am  
25 confining myself at the moment to considering the matter in terms of neighbouring

1 States, because one felt that was probably the most attractive vision that would be  
 2 open to me this afternoon. He has some contact, some nexus with people in Brussels,  
 3 but again very few. I think one or two people only. So he is someone with no roots  
 4 and no structure that he could attractively offer the Court.

5 So what does one do for someone in his situation? He lives ... or he was  
 6 detained in Kinshasa where he went for Army training. But Kinshasa is as far from  
 7 his home almost as his home is from here. It is quite the other side of the Congo, so ...  
 8 in Northern Ituri now where his wife lives.

9 So he can only come before this Court and say, well, I have no nexus. In fact,  
 10 my principal nexus at the moment, apart from the DRC, is probably now with  
 11 Holland, because this, after all, is where my case is. It is where my legal team is. It's  
 12 where my wife can come and visit me.

13 And if the Congo isn't a reasonable prospect, if that's not going to be  
 14 something that is going to be attractive to the Court for various reasons that have  
 15 been raised and discussed, then perhaps if we had that position of saying, well, there  
 16 is a hostel here in Leiden, or somewhere like that, where he can go and live, where  
 17 his family can visit him, where his two very young children and his several adopted  
 18 children can perhaps come and live with him, then that would perhaps be an  
 19 attractive proposition.

20 It might be a proposition that you, the Chamber, might have to wrestle with  
 21 in terms of whether to deny him such a right or not. Whereas, at present, we come  
 22 relatively empty-handed before the Court; hence, his pragmatic response to his bail  
 23 response and the fact that we are not asserting a request for bail this afternoon.

24 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you,  
 25 Mr. Hooper, for those details. I would like to come back briefly to the Registry.

1 Mr. Germain Katanga is the reason why we are holding this discussion  
 2 today, but I need again to look at the general context, like Mr. Hooper has done. And  
 3 I want to be sure, and that's why I am asking this again to the Registry, and insisting  
 4 on it, I would like to know whether there are not, theoretically at least, any ongoing  
 5 negotiations at present with the Netherlands on this issue, because it could be that  
 6 it's not impossible.

7 Is that something that the Registry has not really been concerned with or is  
 8 there an ongoing negotiation going on with the Kingdom of the Netherlands to try  
 9 and find a way of releasing current or potential accused of the Court on the territory  
 10 of the Netherlands, as the question which probably also asked in the case of the  
 11 ICTY, which probably also raised the question at the appropriate time. So is there  
 12 anything ongoing on this issue or was the specific request made by Mr. Ngudjolo  
 13 last year something that is still in abeyance? Are you able to answer us today?

14 MR. SANT-ANNA: Your Honors, the Registry has indeed initiated  
 15 negotiations in the Lubanga case, when there is a freezing of the procedures and ...  
 16 or a stay in the proceedings. And the Dutch authorities didn't enable us to have a  
 17 positive outcome as regards the issues raised by the Registry.

18 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
 19 very much. Before we give the floor to Mr. Katanga and before we rise, does the  
 20 Office of the Prosecutor or Legal Representatives of Victims wish to take the floor?  
 21 Do they have anything more to say or have you told the Chamber everything you  
 22 needed to say? Prosecutor, do you have anything to add?

23 MR. KAUFMAN: With your leave, perhaps I may clarify as the  
 24 understanding of the issue. As far as Regulation 51 is concerned, the regulations of  
 25 Court, we, of course, object strenuously object to the release of Mr. Katanga. But

1 should the Court decide that there are grounds to entertain such a possibility, then  
 2 we do agree that Regulation 51 is the correct legal course.

3 I was taking issue with paragraph 6 of Mr. Hooper's filing, which in the  
 4 English version States as follows: "The defence requests that the Trial Chamber order  
 5 the Registrar to re-enter negotiations with the Netherlands and neighbouring States."  
 6 And this is a general request insofar as it's not specific to Mr. Katanga, but it is in  
 7 respect of all potential accused who should appear before this Court one day in the  
 8 future.

9 So I say I was taking issue with the word "order." The Court in my opinion  
 10 and in the Prosecution's submission can invite, it can make recommendations, but I  
 11 would perhaps suggest that the word "order" requires a more detailed legal  
 12 examination of the relevant subsections or sections of the Statute ... of the Rome  
 13 Statute which would enable such and I think perhaps a more deep, deep  
 14 examination of the issue than a mere casual reference to Articles 86 and 87. That is all  
 15 I wish to add at this present moment in time. Thank you, your Honor.

16 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
 17 very much, Prosecutor. Does any Legal Representatives of Victims wish to take the  
 18 floor again? No. And the Office of Public Counsel For Victims? No. Very well.

19 Well, the Registry, in view of this exchange of views, which was interesting,  
 20 Registry I think it would be important and good for you to let us know in a report  
 21 that you will give to the Chamber ... let's see. We are now Monday 23. So in eight  
 22 days. If possible, therefore, next Monday. And if you can give us the report earlier,  
 23 we would be very glad.

24 So a report in which you tell us what was done in the Lubanga case. So a  
 25 written report stating what is already being done, what contacts you entered into at

1 the time. And perspective ... or possibility of resuming negotiations. I think that the  
 2 situation was clearly presented by Mr. Hooper, by the Office of the Prosecutor. And I  
 3 think that everybody has given all the details necessary for such negotiations. If you  
 4 could give us a report in two languages, that would be very useful for us, for Mr.  
 5 Katanga's defence and all the parties and also for the French speaking people  
 6 concerned by the case.

7 So please, as soon as possible, provide us with a report. It's important for the general  
 8 case and also specifically important for this particular issue.

9 Mr. Katanga, could you please give us your point of view concerning not this  
 10 specific case, but detention in general? But if you don't want to take the floor, you  
 11 don't have to. We don't want to put you in a difficult spot, but as this hearing is  
 12 taking place because of your detention, you might have something you would like to  
 13 tell the Chamber and you might like to address the Court on this.

14 MR. KATANGA (*Interpretation from Lingala*): Your Honors, I do not  
 15 have anything I would like to add.

16 PRESIDING JUDGE COTTE (*Interpretation from French*): Just another  
 17 question: Do your current conditions of detention, are your current detention  
 18 conditions problematic or not? We have one hearing a year to deal with detention  
 19 matters, so this is the right opportunity for you to tell us whether or not your  
 20 conditions of detention are correct, acceptable or not.

21 MR. KATANGA (*Interpretation from Lingala*): I don't think that anybody  
 22 ever finds detention satisfactory.

23 PRESIDING JUDGE COTTE (*Interpretation from French*): Thank you  
 24 very much, Mr. Katanga. The Chamber would like to thank all parties and  
 25 participants in the proceedings who have enabled an exchange of views, personally,

1 but also for the other members of the Chamber. I think it was interesting. I would  
2 also like to thank all the other people, such as the Court Reporters, interpreters and  
3 court officers. Thank you very much. The hearing is adjourned.  
4 (*The hearing ended at 15:27*)