

1 International Criminal Court
2 Trial Chamber I
3 Situation in the Democratic Republic of Congo - ICC-01/04-01/06
4 Case against Thomas Lubanga Dyilo
5 Hearing - Closed Session
6 Tuesday, 26 May 2009
7 The hearing starts at 9.35 a.m.
8 (Expunged)
9 (Expunged)
10 (Expunged)
11 (Open session at 9.35 a.m.)
12 COURT OFFICER (interpretation): Public session.
13 PRESIDING JUDGE FULFORD: Ms. Massidda, the Defence has raised
14 the issue as to whether or not the disclosed application forms for
15 participating victims have all been served in a sufficiently full form.
16 And there seems to be the possibility that there are still some
17 redactions within the disclosed application forms that in fact do not
18 need to be there, not least because they are not requested by the
19 relevant participating victims. In an attempt to avoid a detailed
20 discussion of this in open Court, can I ask all participating victims in
21 relation to whom this is relevant to discuss with the VPRS it possibility
22 of more complete disclosure being effected.
23 Maitre Mabilille's e-mail particularly focused on one or more
24 victims represented by Ms. Bapita, but I think this has wider
25 applicability.

1 Would that be convenient, Ms. Massidda?

2 MS. MASSIDDA: Yes, your Honour, of course. Can we receive the
3 e-mail sent by Maitre Mabilille? Thank you very much. I haven't seen it.
4 Thank you very much.

5 PRESIDING JUDGE FULFORD: I hadn't realized it hadn't filtered
6 through to you, Ms. Massidda. I will have a message sent to the legal
7 advisor to the division to ask her to forward it. Thank you very much
8 indeed.

9 MS. MASSIDDA: Thank you. It could be possible that we could
10 already give an answer to the Defence this afternoon even without
11 consulting VPRS, depending on the kind of redactions, otherwise I will
12 contact VPRS immediately and I will let you know by tomorrow.

13 PRESIDING JUDGE FULFORD: It's probably advisable to include the
14 VPRS in these discussions because I think experience indicates that that
15 division can have insights into these issues that are worthy of being
16 factored into the equation.

17 MS. MASSIDDA: I'm guided, your Honour. Thank you.

18 PRESIDING JUDGE FULFORD: Thank you very much, Ms. Massidda.

19 Maitre Mabilille, over the last few days there has been an exchange
20 of e-mails - and I'm going to put this in the most general
21 way - concerning the facilities which are made available to the Defence
22 in Bunia. It is possible - and for the moment I put it no higher than
23 that because it's not necessary to do so - but it is possible that there
24 has been something of an unhappy history in relation to the timing of the
25 availability to you of certain pieces of equipment and certain

1 facilities. It would be helpful to us if we could try at this stage to
2 draw a line under the history and to focus now on whether or not you are
3 currently being afforded everything that we ordered some little time ago
4 in relation to the facilities that are to be made available to you.

5 So during the course of today could you please reflect on what is
6 now available to you in Bunia and raise the matter with the Bench at an
7 appropriate stage tomorrow, please, if there are still aspects of this
8 which in your estimation are less than satisfactory. Would that be
9 convenient, Maitre Mabilie?

10 MS. MABILLE (interpretation): Absolutely, your Honour, and thank
11 you yet again for the Chamber's assistance.

12 PRESIDING JUDGE FULFORD: Witness 55, please, after we have gone
13 into closed session so that he can be brought into Court.

14 (Closed session at 9.40 a.m.)

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4 (Open session at 12.07 p.m.)

5 PRESIDING JUDGE FULFORD: So could you put the question again,
6 please, Mr. Biju-Duval; namely, that at Camp Ndoyi in the witness's
7 evaluation - and this is the question that's being put - were the
8 majority there adults but was the position that there were also children
9 at the camp? So that's the question, sir.

10 THE WITNESS (interpretation): Yes.

11 MR. BIJU-DUVAL (interpretation):

12 Q. Regarding the children you used the word "kadogo," and in your
13 previous statements on May 14th you explained the meaning of this word,
14 "kadogo," referring to children aged between 13 and 16 years; is that
15 correct?

16 A. Yes.

17 Q. I would like to examine a passage from your statement made in
18 2008 to the OTP investigators which is in document DRC-OTP-0191-0321.
19 This is a confidential document which must not be shown to the public,
20 but the extract itself does not give rise to any matters regarding
21 confidentiality, at least in my understanding.

22 COURT OFFICER (interpretation): The document will be
23 MFI-00123 -- D-00123.

24 MR. BIJU-DUVAL (interpretation):

25 Q. It is to be found under tab 18 in the binder that you have before

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Open Session)
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1 you if you want to consult it, and it is to be found on page 302 and 303,
2 that is, 0302 and 0303.

3 I'd like to ask you to take a look at page 0302 at the bottom of
4 the page, first of all, to agree that we're -- the passage refers to the
5 (Expunged)

6 is indeed the subject of this passage; and then I would like to read out
7 a brief passage from page 0302, lines 35 to 50, lines 35 to 50?

8 PRESIDING JUDGE FULFORD: Right.

9 Mr. Sachdeva.

10 MR. SACHDEVA: Mr. President, just that the locations are not
11 mentioned in open Court, otherwise questions on this topic of course can
12 be in open session.

13 (Expunged)

14 (Expunged)

15 MR. SACHDEVA: Indeed.

16 PRESIDING JUDGE FULFORD: All right. We shall therefore need
17 redactions to the parts where those have been mentioned in open session
18 over the last few minutes, and here on if it's possible sensibly to avoid
19 mentioning them, that's preferable; and it's impossible, we'll simply
20 implement redactions. Right.

21 Do you want the witness to read a passage to himself,
22 Mr. Biju-Duval, or do you just simply wish to quote from the relevant
23 section?

24 MR. BIJU-DUVAL: (Microphone not activated)

25 THE INTERPRETER: Microphone.

1 MR. BIJU-DUVAL (interpretation): If possible I can read it out.
2 It's very brief, it's page 303 between lines 40 and 50, and I would then
3 like to ask the witness, perhaps then in private session, who the passage
4 refers to.

5 PRESIDING JUDGE FULFORD: Certainly. Well, your English has been
6 perfect so far, Mr. Biju-Duval, so please read it out.

7 MR. BIJU-DUVAL (interpretation): Thank you, Your Honour.

8 Q. I'm quoting:

9 Question: (In English) "Okay, the soldiers, the age groups, what
10 were they?"

11 (No interpretation)

12 (In English) "They were young men, young ones, and grown-ups as
13 well?"

14 (No interpretation)

15 (In English) "Okay, what do you mean 'young men'? We are talking
16 about what age groups? Between the young men and the grown-ups, what do
17 you mean by that? Can you just clarify specifically.

18 (No interpretation)

19 (In English) "I'd say from 15 and up."

20 (Interpretation) End of quote.

21 PRESIDING JUDGE FULFORD: Sorry, Mr. Biju-Duval, did I understand
22 you to be saying that the next question and answer should be in private
23 session?

24 MR. BIJU-DUVAL (interpretation): One single question in private
25 session so that he -- the witness can tell us exactly which troops we're

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
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1 referring to and in what place.

2 PRESIDING JUDGE FULFORD: Private session, please.

3 (Private session at 12.14 p.m.)

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19 (Open session at 12.34 p.m.)

20 COURT OFFICER (interpretation): Open session.

21 PRESIDING JUDGE FULFORD: The question then, sir, is in relation
22 to these two letters apparently written by Mr. Lubanga in the sense that
23 they purport to bear his signature which refer to the demobilisation of
24 child soldiers, whilst you were in the UPC did you hear anything about
25 those orders? So rather than hearing about them later did you hear about

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1 those orders whilst you were within the UPC yourself?

2 THE WITNESS (interpretation): To tell you the truth, your
3 Honour, I don't want to deceive you, I didn't receive an order to
4 demobilise child soldiers. And if you have a look at the documents
5 carefully you'll see that I'm not concerned. I'm not one of those who
6 was informed. That means that I never received an order to demobilise
7 child soldiers. If that had been the case I would have informed you of
8 the fact, but I wasn't aware of this.

9 PRESIDING JUDGE FULFORD: Please continue, Mr. Biju-Duval.

10 MR. BIJU-DUVAL (interpretation): Thank you.

11 Unfortunately, I think we need to be in private session.

12 PRESIDING JUDGE FULFORD: Can I explain to the extremely patient
13 and long-suffering members of the public who have been sitting here for
14 quite some time now, I'm afraid for most of the time having to watch us
15 through the glass division rather than being able to hear us. The reason
16 for this, extremely irritating though it must be for you, is a very good
17 one. This Court has very important protective responsibilities for
18 witnesses who appear before us, and if in our judgement there is a risk
19 that a witness may be in some way harmed or his or her family may be
20 harmed as a result of their identity becoming known, it is necessary for
21 questions and answers which would reveal the witness's identity to be
22 given in private. And although that regrettably reduces the extent to
23 which this trial is public, the consequence of not doing it really
24 doesn't need to be spelt out. It could be catastrophic for the
25 individuals involved.

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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1 So given that you have sat so patiently for so long, I wish to
2 provide you with that explanation.
3 Private session, please.
4 (Public session at 12.36 p.m.)
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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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Page 49 - Expunged - Private session.

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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Page 52 - Expunged - Private session.

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Closed Session)
Questioned by Mr. Biju-Duval (Continued)

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10 (Open session at 1.03 p.m.)
11 COURT OFFICER (interpretation): Public session.
12 PRESIDING JUDGE FULFORD: Witness 14, Mr. Sachdeva, any
13 protective measures beyond the conventional?
14 MR. SACHDEVA: None, Mr. President.
15 PRESIDING JUDGE FULFORD: To be seen by the accused or not?
16 MR. SACHDEVA: That's fine, Mr. President, yes.
17 PRESIDING JUDGE FULFORD: Good. Thank you very much.
18 We'll sit again at 2.50. Can we go, please, into closed session
19 so the witness can withdraw.
20 (Closed session at 1.04 p.m.)
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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Open Session)
Questioned by Mr. Biju-Duval (Continued)

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7 (Open session at 2.53 p.m.)

8 COURT OFFICER (interpretation): Public session.

9 Mr. Biju-Duval, you'll bear in mind what the witness said just
10 before the luncheon adjournment that he can only speak to particular
11 individuals because of the limited time that he was involved. Yes,
12 please continue.

13 MR. BIJU-DUVAL (interpretation): Thank you, Your Honour.

14 Q. Well, Witness, I took good note of the reservations you
15 expressed. I will not ask you questions relating to the national origin
16 or the ethnic origin of commanders except when we are dealing with the
17 names that you have already mentioned. First of all, Commander Salongo,
18 do you know his regional or ethnic origin or the community he comes from?

19 A. Salongo comes from an area called Rutshuru. The people who come
20 from Rutshuru are called the Benyejomba.

21 MR. BIJU-DUVAL (interpretation): Your Honour, we have a problem
22 with the French transcript. Apparently it's frozen.

23 PRESIDING JUDGE FULFORD: Yes, it has. Can somebody apply some
24 antifreeze, please.

25 I think if you continue, Mr. Biju-Duval, it's going to catch up

1 with you very quickly.

2 MR. BIJU-DUVAL (interpretation): Thank you, Your Honour.

3 Q. This Rutshuru region, is it located in the Kivu region; is that
4 correct?

5 A. Yes, Rutshuru is found in the Kivu region.

6 Q. Now the community you referred to, is it related to the Tutsis in
7 Rwanda?

8 A. Yes.

9 Q. I am going to ask you exactly the same question relating to the
10 ethnic and community origin for Commander Mugisha. You talked about him
11 some time ago.

12 A. Commander Mugisha is from Hema south. He is from Ituri.

13 Q. As regards Commander Sami, what can you say?

14 A. Commander Samy is from Rutshuru as well. He was born in
15 Rutshuru. He is from the royal family. He is a nephew of Mwami Ndeze or
16 the customary chief Ndeze.

17 Q. Is he also related to the Rwandan Tutsis?

18 A. Excuse me. Well, they are a bit mixed.

19 Q. Same question with respect to Commander Ndayisaba?

20 A. Commander Ndais aba is from Masisi. He comes from an area called
21 Ngungu.

22 Q. And Masisi is also located in the Kivu?

23 A. Yes, in north Kivu.

24 Q. I would like to ask the same question with regard to Commander
25 Salumu.

1 A. Salumu is from the Mushi ethnic group in Bukavu.

2 Q. Bukavu which is in South Kivu; is that correct?

3 A. Yes, in South Kivu.

4 Q. You also talked about Commander Eric. I understood that this was
5 not Eric Mbabazi but this was another Eric; is that correct?

6 A. It is another Eric, yes.

7 Q. If you know him, can you tell us about his regional or community
8 origin?

9 A. Excuse me for one minute. Eric Mbabazi you said -- who was he?

10 Q. I think there is a confusion here. Let's leave Eric Mbabazi
11 aside. I am talking about the other commander, Commander Eric you talked
12 about.

13 A. I understood you well, but the name Eric Mbabazi, which you
14 mentioned, I wished to get more information on that name because I know
15 two Erics. But the name "Mbabazi" that you referred to, which Eric are
16 you talking about? There was Eric G5 and Eric who was the brigade
17 commander. Which Eric do you want me to talk about?

18 Q. I would like you to talk to us about the regional or community
19 origin of Eric, the brigade commander.

20 A. Eric the brigade commander is from the Munyamulenge ethnic group;
21 that is, if you go past Bukavu, it's -- the place is situated in province
22 of South Kivu.

23 Q. Can we say that this community is related to the Rwandan Tutsis?

24 A. Yes, they are Tutsis, but their origin is Congolese. They are
25 Congolese, but if you go back in history you'll find that Mulenge

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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1 belonged to Rwanda; however, later on that area was -- became part of the
2 DRC.

3 Q. Thank you.

4 PRESIDING JUDGE FULFORD: Yes, sir.

5 THE WITNESS (interpretation): Thank you, Your Honour. I have a
6 question. It's a question I would like to put to you as the Presiding
7 Judge, but I would like to ask that question in closed session. With
8 your permission, I would like to speak to one of your collaborators
9 because there is a certain difficulty which I would like to bring to your
10 attention, but I don't know if that is possible.

11 PRESIDING JUDGE FULFORD: Well, let us first of all go into
12 private session, please.

13 (Private session at 3.03 p.m.)

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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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Page 58 - Expunged - Private session.

1 (Closed session at 3.08 p.m.)

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21 (Open session at 4.02 p.m.)

22 PRESIDING JUDGE FULFORD: Yes, Mr. Biju-Duval.

23 MR. BIJU-DUVAL (interpretation): Thank you, Your Honour.

24 Q. I would like to go back over the regional or ethnic origin of

25 some of the commanders, I'd like to go through three names. Do you know

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
Questioned by Mr. Biju-Duval (Continued)

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1 a brigade commander of the name Manu Ndungutse?

2 A. Yes, I know him.

3 Q. Could you tell us whether or not you know his regional and
4 ethnical background?

5 A. Are we in private session?

6 PRESIDING JUDGE FULFORD: Private session, please. And there is
7 something rather strange happening with the English transcript which
8 needs to be sorted out.

9 (Private session at 4.03 p.m.)

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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
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Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Private Session)
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- 25 (Open session at 4.55 p.m.)

1 COURT OFFICER: Public session.

2 JUDGE ODIO BENITO: Thank you.

3 Questioned by the Court:

4 JUDGE ODIO BENITO: Sir, I would like to seek your assistance in
5 clarifying specific topics about girl soldiers or PMF in the UPC. During
6 your testimony in different moments you mentioned that there were these
7 girl soldiers or PMF in the UPC; is that correct?

8 A. Yes.

9 JUDGE ODIO BENITO: Thank you. You also mentioned that these
10 girl soldiers could be seen working as bodyguards of different officers;
11 is that correct?

12 A. Yes. Most of them served as bodyguards, that's true.

13 JUDGE ODIO BENITO: Do you know, sir, if they carried weapons and
14 wore military uniforms when working as bodyguards?

15 A. Yes, they wore military uniforms and they also carried weapons.

16 JUDGE ODIO BENITO: Could you explain to us, if possible for you,
17 how old these girl soldiers were?

18 A. Well, actually I can't give you their ages, well -- but they were
19 like the kadogos. What I mean is that we had older girls who were like
20 mothers and others who were young. I can't say all of them were adult.
21 There were young girls and there were older girls.

22 JUDGE ODIO BENITO: Thank you. Do you know what other role did
23 these girls have in the UPC in addition to working as bodyguards?

24 A. This does not mean that all of them were serving as bodyguards.
25 There were some who served as bodyguards. Others served within

1 companies. But the most important task that they carried out was that
2 they helped commanders with their cooking and they also carried out other
3 feminine tasks, routine tasks carried out by women. You could find
4 commanders who had girls serving them as cooks or taking care of their
5 clothes and other such duties.

6 JUDGE ODIO BENITO: What do you mean exactly when you say "other
7 feminine tasks"? You mentioned cooking and clothing, but what else?

8 A. Well, routine tasks within the army. They could also participate
9 in combat or serve as guards or carry out patrol. In other words, they
10 carried out the same routine duties that other soldiers would carry out.

11 JUDGE ODIO BENITO: Thank you. Did you ever deal or hear with
12 the cases of sexual violence against women and particularly girl soldiers
13 within the UPC staff? Have you heard about that?

14 A. When you talk -- you have used the term "kubaka" in Swahili, what
15 does that mean?

16 JUDGE ODIO BENITO: Well, sir, I didn't use the term "kubaka" in
17 Swahili. I frankly don't know the meaning of "kubaka" in English.
18 Perhaps the interpreters can assist us. My question, sir, was if, for
19 instance, when you were visiting training camps you were informed about
20 sexual violence against girl soldiers. And when I talk about sexual
21 violence I'm talking about rapes, I'm talking about sexual slavery, I'm
22 talking about forced impregnation. Have you heard about that? Has
23 somebody told you about that?

24 A. Yes, I heard such information.

25 JUDGE ODIO BENITO: Thank you, sir. If -- could you tell us if

1 that was a common practice or you only heard about that from time to
2 time?

3 A. Such cases did not occur frequently. I say this because I did
4 receive complaints along those lines, but that doesn't mean it was
5 something that occurred frequently. Sometimes the soldiers would get
6 along or agree to get married and sometimes there were relationships
7 and -- which would lead to pregnancy.

8 JUDGE ODIO BENITO: Thank you. When explaining to the Prosecutor
9 about the discipline and certain punishment that the soldiers could
10 suffer during their service in UPC, you mentioned that among those
11 punishment could be assigned to cooking, to be in charge of -- to cook
12 for the other colleagues. And you said, I think that if my memory at
13 this point in time doesn't fail, that that was used as a punishment
14 because cooking was very difficult in Africa and it's a very hard task.
15 Is that correct? I am accurate in saying that?

16 A. Yes, it's a difficult task.

17 JUDGE ODIO BENITO: So -- but please correct me if I am wrong, so
18 it was a difficult task for the soldiers, the men soldiers, but it was
19 the normal task for the women soldiers, is that correct, because they
20 were women?

21 A. When I was saying that the PMF prepared the food, you need to
22 distinguish between preparing the food for an individual and preparing
23 food for all the troops. I said that the PMF were often bodyguards and
24 amongst their tasks they prepared food for the commander to do his
25 laundry, to clean his house. But as regards the overall feeding of the

1 troops there had to be food prepared for everyone, and the cook couldn't
2 eat with the rank and file soldiers. So when I referred to a difficult
3 task I wasn't referring to preparing the food for the commander.

4 When you cook at home, you're cooking for one or two people, but
5 cooking for all the troops meant cooking in large pots, cooking for all
6 the soldiers; and to do that you had to collect a lot of dry wood, you
7 had to make a fire, and that's not an easy task to prepare food for 100
8 people. But the tasks carried out by the PMF, that is, cooking for their
9 commander, just meant ordinary home cooking.

10 JUDGE ODIO BENITO: And the PMF never cooked for the whole troop,
11 only for the commanders?

12 A. That depends. If the PMF was not appointed to a commander, she
13 could be appointed to working in the kitchen, cooking for all the
14 soldiers. After all, they were soldiers like others and they had
15 numerous different tasks.

16 JUDGE ODIO BENITO: Thank you very much indeed. Very helpful,
17 sir.

18 PRESIDING JUDGE FULFORD: Anything, Mr. Sachdeva?

19 MR. SACHDEVA: No, Mr. President.

20 PRESIDING JUDGE FULFORD: Thank you.

21 Mr. Biju-Duval?

22 MR. BIJU-DUVAL (interpretation): I do have one point, if I may,
23 your Honour.

24 PRESIDING JUDGE FULFORD: Arising out of Judge Odio Benito's
25 questions; is that right? Certainly.

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Open Session)
Further Questioned by Mr. Biju-Duval

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1 MR. BIJU-DUVAL (interpretation): Which relate to a question put
2 by the Prosecutor.

3 PRESIDING JUDGE FULFORD: Given you're entitled to go last,
4 you're entitled to ask a question arising out of Mr. Sachdeva's
5 questions. Yes, Mr. Biju-Duval, certainly.

6 MR. BIJU-DUVAL (interpretation): Thank you.

7 Further questioned by Mr. Biju-Duval:

8 Q. Witness, could you please look at the document which is under tab
9 7 of your document. The reference is DRC-OTP-0191-0646, page 0664?

10 COURT OFFICER (interpretation): The document will be given the
11 MFI-00126 -- D-00126.

12 MR. BIJU-DUVAL (interpretation):

13 Q. Would you look at lines 656 and 657 in the Swahili version, which
14 I will read out in English.

15 A. Excuse me?

16 Q. It's lines 656 and 657 in Swahili and 658 and 659 in English and
17 I'm quoting:

18 (In English) "And when I talked to the child, the child did not
19 tell me that he was at school. The child told me they were at the place
20 and the child was taken from there."

21 PRESIDING JUDGE FULFORD: Right. Mr. Biju-Duval, I think we need
22 to have in as well, if you're going to take the witness to those two
23 particular lines, just a little bit further up the -- at 649 and 650 the
24 mother -- the information you got from the mother was that this child had
25 been taken directly from school. So the -- putting it in its entirety,

1 therefore, as dealt with in this interview what was being said was that
2 the mother had said that the child had been taken from school, but the
3 child when the witness spoke to him didn't say that he'd been taken from
4 school. So bearing that in mind, what's the question, Mr. Biju-Duval?

5 MR. BIJU-DUVAL (interpretation):

6 Q. My question is: Is it true, is it correct, that the child did
7 not tell you that he was taken from school? Let me draw your attention
8 to line 669 of this same page you:

9 "No. It wasn't taken from school?"

10 I'd like to ask you to take a look at lines 671 and 672 in
11 Swahili. And my question is as follows: According to your knowledge was
12 the child of school age? Was -- the child was enrolled in school, but
13 the child didn't tell you that he had been taken out of school, that he
14 was abducted from school?

15 A. I'd like to tell you that you need to understand things fully.
16 You're reading what is written, but I have the impression you don't want
17 to understand what I'm saying. On page 671, or rather, line 671, I'm
18 going to read it out in Swahili. Listen carefully. He was taken. He
19 was studying in elementary school. He was a child. He was a pupil. I
20 think you have understood what I'm saying now.

21 I'm not saying that the child told me he was taken in school.
22 It's the mother who told me that her child had been taken, whereas the
23 child was still in school. I am not saying they went to take the child
24 in school. They abducted the child somewhere, but the mother said that
25 her child had been taken, whereas the child was still a pupil. And I

1 think that this sentence that I have just read out was clear and I hope
2 you have understood me.

3 Q. That's perfectly clear. Thank you.

4 PRESIDING JUDGE FULFORD: Thank you very much.

5 Sir, giving evidence has been a lengthy process for you, and I
6 suspect that it has been a difficult one as well, most particularly
7 because it may have and indeed it may already have had a significant
8 impact on your life and that of your family. This Court can only
9 function if witnesses such as yourself are prepared notwithstanding the
10 difficulties to come to The Hague to give evidence in person and to be
11 subjected to perfectly proper questions from a number of different
12 counsel.

13 You therefore leave this Court with our profound thanks for your
14 preparedness to assist us in the process of searching for the truth in
15 this case. Your evidence is now concluded and you are free to go, and as
16 I say you leave this Court with our thanks.

17 Closed session, please, so the witness can withdraw.

18 (Closed session at 5.18 p.m.)

19 (Expunged)

20 (Expunged)

21 (Expunged)

22 (Expunged)

23 (Expunged)

24 (Expunged)

25 (Expunged)

Witness: Witness DRC-OTP-WWW-0055 (Resumed) (Closed Session)
Further Questioned by Mr. Biju-Duval

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1 (Expunged)

2 (Expunged)

3 (Expunged)

4 (Expunged)

5 The hearing ends at 5.21 p.m.

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