

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
Procedural Matters

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1 International Criminal Court
2 Trial Chamber II - Courtroom I
3 Presiding Judge Bruno Cotte, Judge Fatoumata Dembele Diarra and
4 Judge Christine Van den Wyngaert
5 Situation in the Democratic Republic of Congo - ICC-01/04-01/07
6 In the case of the Prosecutor versus Germain Katanga and
7 Mathieu Ngudjolo Chui
8 Trial hearing
9 Thursday, 7 July 2011
10 The hearing starts at 9.03 a.m.
11 (Open session)
12 COURT USHER: All rise. The International Criminal Court is now
13 in session.
14 PRESIDING JUDGE COTTE: (Interpretation) Please be seated. Good
15 morning to everyone. Good morning to the accused persons.
16 Court Officer and the Court Usher, please bring Mr. Logo into the
17 courtroom.
18 (The witness takes the stand)
19 WITNESS: WITNESS DRC-D02-P-0258 (Resumed)
20 (Witness answered through interpreter)
21 PRESIDING JUDGE COTTE: (Interpretation) Good morning, Mr. Logo.
22 THE WITNESS: (Interpretation) Good morning, your Honour.
23 PRESIDING JUDGE COTTE: (Interpretation) I can see that you hear
24 me clearly.
25 THE WITNESS: (Interpretation) Yes, your Honour, I hear you

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1 clearly.

2 PRESIDING JUDGE COTTE: (Interpretation) Do you have your
3 reading glasses?

4 THE WITNESS: (Interpretation) Yes, your Honour. I made an
5 exceptional effort in order not to fall into the same situation we had
6 yesterday.

7 PRESIDING JUDGE COTTE: (Interpretation) Very well. We are
8 going to start therefore.

9 Mr. Hooper, you may proceed with your examination-in-chief.

10 MR. HOOPER: Thank you, Mr. President.

11 Questioned by Mr. Hooper: (Continued)

12 Q. Good morning, Mr. Logo. I'm going to pass over to you now a
13 document which you can perhaps keep in front of you, and that's our
14 EVD-OTP-00051, which is our sketch plan of Bogoro. So -- and I've got a
15 hard copy here which I'd like to pass up to you.

16 We're familiar in this court with this plan. As it comes to you,
17 you will see that --

18 A. (In English) Thank you very much.

19 Q. Now, this represents Bogoro, and more or less in the middle, that
20 yellow circle represents the site of the Bogoro Institute and UPC camp at
21 the time, and to the left, in what is in green, is a representation of
22 Waka hill. And so looking at that map, it's, in fact, orientated
23 approximately -- I don't think it -- the top is due north, but -- but
24 anyway, you get the general picture. And you can see Kasenyi, the route
25 to Kasenyi on the right, going down there. Geti to the bottom.

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1 MR. MACDONALD: Just to reassure my colleague on this point of
2 the due north. The -- (Interpretation) I apologise. Let me speak in
3 French and I apologise to the interpreters.

4 PRESIDING JUDGE COTTE: (Interpretation) Please go ahead.

5 MR. MACDONALD: (Interpretation) This sketch is a satellite
6 image and it's already been filed into the court record. I cannot
7 remember the EVD reference. It's -- that's what I wanted to say. If you
8 take the satellite image, you'll be able to detect the north, the north
9 direction.

10 PRESIDING JUDGE COTTE: (Interpretation) Thank you,
11 Mr. Prosecutor.

12 Mr. Hooper, you may continue after that point of clarification.

13 MR. HOOPER:

14 Q. So now looking at that sketch plan, perhaps I can call up and ask
15 again for the video that we saw at the very last -- at the close of our
16 session yesterday, which has not, I believe, been assigned an EVD number
17 yet. So can I call up DRC-D02-0001-0821, which is a video of Bogoro.

18 We want to see it again, and then, Mr. Logo, if I can invite you,
19 as it were, formally to take us through it and what we'll see, and then
20 I'll play it once more and we can pause it at certain points just to
21 better orientate ourselves. But looking at the video, it's plain to all
22 of us that the initial image is -- is taken from Waka hill looking --
23 looking not directly towards the Bogoro Institute but a bit to the east
24 of the Bogoro -- towards the bottom of the sketch plan that we've got.
25 That's the orientation. And swings around more or less almost

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1 380 degrees as we'll see. So can we play that video again, and when
2 we've concluded that, I'll ask you just to tell us what we -- what we
3 saw.

4 COURT OFFICER: (Interpretation) To view the video, press the
5 button "PC 1."

6 (Video-clip played)

7 MR. HOOPER:

8 Q. So for the benefit really of the transcript and record and coming
9 from you, can you very briefly describe to us what we've just seen on
10 that video? If you wish it to be played again, you can ask for it to be
11 played again.

12 A. (Interpretation) Your Honour, I did not see anything on my
13 screen. All I saw was the map of Bogoro.

14 PRESIDING JUDGE COTTE: (Interpretation) Very well. We will
15 view the video again.

16 Court Usher, could you please ensure that Mr. Logo has that video
17 on his screen. It's not a long one. We are not going to waste any time,
18 and after we view it again, then he will be able to comment on it.

19 Every -- each time something is shown on screen and you are not
20 able to see it, Mr. Logo, please let us know.

21 THE WITNESS: (Interpretation) Thank you, your Honour.

22 (Video-clip played)

23 MR. HOOPER:

24 Q. All right. Now, Mr. Logo, before you start, on reflection it may
25 be easier, if, as I believe is possible, we can start the video again and

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1 pause it immediately and you can tell us what we can see, and then we'll
2 do it in stages like that. That may be easier than doing it all at once.
3 So let's start at the beginning on a paused image.

4 A. Yes.

5 Q. Now, what can we see in this paused image? First of all, is
6 it -- let me ask you this: Is it right that this is a video taken from
7 Waka hill looking towards Bogoro, which is, of course, the crime scene in
8 this case?

9 MR. MACDONALD: (Interpretation) Your Honour, I think we should
10 take the time marker for this video for the benefit of the transcript so
11 that in six months' time, say, if we are reading this transcript, we
12 should know what we're talking about. So the time marker should be
13 indicated for the benefit of the record.

14 PRESIDING JUDGE COTTE: (Interpretation) Who -- who is
15 broadcasting the video? Is it the Court Officer or Ms. Menegon? It's
16 Ms. Menegon.

17 MR. HOOPER: (* Previous translation continues) ...

18 PRESIDING JUDGE COTTE: (Interpretation) Is it technically
19 possible to give the time marker?

20 MR. HOOPER: (* Previous translation continues) ... is at
21 3 seconds.

22 Q. So what do we see there, Mr. Logo?

23 A. Your Honour, this video was taken from the summit of Mount Waka,
24 and the video was taken on a certain Sunday around 4.30 p.m. Whilst we
25 were returning from Songolo we passed through Dele and we ended up in

1 Bogoro with the Defence team. We were standing on the Waka hill.

2 What you can see before you there in the corner, you see some
3 shrubs with white spots. That's the area called Diguna. On the right,
4 starting from the right, extreme right, I mean, you will see the
5 beginning of Ferme Waka, or Waka Farm.

6 Now, moving towards the left around Diguna, which we see in the
7 background, if you move further on you will see the smoke. Behind the
8 smoke you will see some shrubs, and you see the white spot is
9 Bogoro Institute.

10 That's what I can see on my screen now. I also see the house
11 which I commented on yesterday and other houses which I do recognise, but
12 that is not relevant now. Those are the highlights I can identify on
13 this video now. Thank you, your Honour.

14 Q. I think we can probably get a definite date when that video was
15 taken, but can you recall the date or the month?

16 A. I am not very good with dates, even the most recent dates.
17 However, Mr. Hooper, this video was taken when you made your last mission
18 to Ituri, to Bunia, but I do know that it was on Sunday. We were
19 returning with you from Nyankunde, and we passed through the Songolo,
20 Dele, Bogoro, and then we returned to Bunia.

21 MR. MACDONALD: (Interpretation) We are ready to accept the date
22 that you are going to give to the Chamber.

23 MR. HOOPER: (* Previous translation continues) ... not very much
24 better than Mr. Logo on dates, but it was February, and we'll come back
25 with a clearer date, but it's clearly relevant in this case because the

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1 attack, as we know, on Bogoro was the 24th of February.

2 It's the 13th of February, 2011.

3 All right. If we can now move the video on.

4 (Video-clip played)

5 THE WITNESS: (Interpretation) Could you please stop here.

6 PRESIDING JUDGE COTTE: (Interpretation) What is the time
7 marker, for the benefit of the transcript.

8 MR. HOOPER: Ten seconds.

9 Q. And looking at that image at 10 seconds, which includes part of
10 the scene that we just saw, can you -- can you just tell us what -- what
11 you see?

12 A. In the background, on the right, you see part of Diguna with the
13 trees which you can see there. You move further on, you see some trees
14 which are not far from the Bogoro roundabout. You also see
15 Bogoro Institute, which is the white spot. And you move on towards my
16 left, you see some houses, residential homes in Bogoro. And opposite you
17 see a mountain, the mountain called Lagura. And if you move further on
18 from the institute you see a clump of trees, and around there you'll find
19 what we refer to as Hotel Metu. After those trees you see some empty
20 space, and the Bogoro commercial centre is located around that area.
21 Opposite that you have Mount Bogoro.

22 And carry on with the video and I will explain further. Thank
23 you, your Honour.

24 (Video-clip played)

25 THE WITNESS: (Interpretation) Yes. I think we can stop there.

1 MR. HOOPER: Just so that we've got the spot, it's 19 seconds in.

2 Yes. Sorry.

3 PRESIDING JUDGE COTTE: (Interpretation) Thank you, Mr. Hooper.

4 Mr. Logo, please explain.

5 THE WITNESS: (Interpretation) Thank you, your Honour. Towards
6 the end, after the smoke you see Bogoro Institute once more, and when you
7 carry on towards the left you pass Hotel Metu, you pass the commercial
8 centre, and you see the start of a small hill. At that point you see a
9 building. It's the Kavali primary school. You also see Mount Waka
10 appear. And when you move a little further on, you see the
11 Catholic church which is not very visible, and it is close to the school.

12 Moving further on towards the left you see a white point. This
13 is the new Bogoro market that was constructed, and it's along the road to
14 Bunia. Near the market you see a small point which is not very clear,
15 and that is the Bogoro slaughterhouse, which was recently renovated.

16 Behind that point you see a line of trees. That is a farm which
17 belonged to Mr. Mosagba Mupa (* phon) who was a former dignitary under
18 the Mobutu regime.

19 Behind that farm you see the Kilima hill, and you see some cows
20 on Waka hill, close to the big stone. And if we can carry on with the
21 video I will explain further, your Honour. Thank you.

22 MR. HOOPER:

23 Q. Certainly. And as you went through that, it occurred to me that
24 you were detailing quite specific places, and it wasn't perhaps totally
25 clear which places were where.

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1 MR. HOOPER: And I understand there is a facility - it's
2 unfortunate I haven't thought of this before - to actually print out that
3 screen shot and then tender that to the witness and he can mark it up
4 with indication Kavali school and the other things that he's just
5 indicated, but obviously I'm afraid I'm not, regretfully, in a position
6 to do that just now. But I understand during the break we can print it
7 off, and even if, and I say "if," I've concluded my questioning of the
8 witness by -- by 11.00, which is probably unlikely, maybe he can still
9 have the opportunity, independent of any questions from me, to fill that
10 in. Anyway, we'll see how we go.

11 Can we just move that on again, please.

12 PRESIDING JUDGE COTTE: (Interpretation) We retain that it's the
13 snapshot at time marker 19 seconds.

14 MR. HOOPER: Indeed. Thank you.

15 PRESIDING JUDGE COTTE: (Interpretation) Let's proceed
16 therefore.

17 (Video-clip played)

18 THE WITNESS: (Interpretation) Yes, your Honour.

19 MR. HOOPER:

20 Q. Twenty-eight seconds. Is there anything there that you feel the
21 Chamber would be assisted by in the image?

22 A. Yes. I see certain items here which could be relevant. You see
23 a house with a tin roof still on my left in the background. It's a
24 building which is still under construction, and this is the area referred
25 to as Tseyi (* phon).

1 At the time when the Bahema Sud groups had not yet come together,
2 it was in this area that people from Badjanga were located. There you
3 have the administrative offices of the Bogoro groupement. These offices
4 are still under construction, and this area is not very far from the
5 road. If you are coming from Bunia, you turn to the right, and you will
6 arrive at this spot which is called the CE. That's it.

7 Well, to give you more clarification, on my right you see a small
8 hill. If you go to Bogoro and you reach the top of that hill, you will
9 have a bird's-eye view of Bogoro. This hill is called Jida. And close
10 to this hill you have the Kilima Ya Chef Waka hill. And on it you have a
11 communications antenna which is not very visible. And it's about 3 to 4
12 kilometres towards Katonie. I think I'll stop there.

13 THE INTERPRETER: Comment from the English booth: Could the
14 witness speak a little more slowly, Counsel Hooper. Thank you.

15 MR. HOOPER:

16 Q. I've been invited to remind you to speak just a little more
17 slowly so that the interpreters can keep up. Don't worry. Everyone --
18 we all speak normal speed and it gets more difficult for the
19 interpreters.

20 Can I just come back to two matters while we're on this image at
21 28 seconds, and again, it may be helpful if I ask you later to perform
22 the exercise that you're also going to be invited to do at 19 seconds.
23 You referred to the administrative offices still being built. Do you
24 know where the administrative offices were in 2003? Put simply, were
25 they -- are they approximately in the same place or elsewhere?

1 A. Yes, your Honour. I will try to speak a little more slowly. The
2 administrative offices, to the best of my knowledge, if I'm not mistaken,
3 were located in the same area. The office were in the same area, because
4 if you go there you will still see the ruins of the buildings which were
5 destroyed in 2003.

6 Q. Right. Now, you mentioned a place. Was it Jida? Could you
7 spell that for us, please.

8 A. Your Honour, with your leave, could Mr. Hooper repeat his
9 question? I have some noise in my ears.

10 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper asked you to
11 spell out the name that you mentioned. This has to do with the Jida
12 hill. Could you spell out the name?

13 THE WITNESS: (Interpretation) Yes. That is spelled J-i-d-a.

14 PRESIDING JUDGE COTTE: (Interpretation) Thank you.

15 THE WITNESS: (Interpretation) Thank you, your Honour.

16 MR. HOOPER:

17 Q. You mentioned in the English transcript, as I read it, Kilima
18 Chef hill. Can you just tell us what that is or -- and the spelling of
19 it, please.

20 A. Indeed I did mention a place related to Chief Kahwa. You see,
21 you it means mountain or hill, Chief Kahwa. That means that that place
22 belongs to Chief Kahwa. If you go to Bogoro, to the left, coming from
23 Bunia, you go about 30 or 35 metres into the bush and then you reach the
24 top of the hill, and it is close. There's a place you see. This is
25 there. Kilima, K-i-l-i-m-a Y-a, and then after that K-a-w-a, Kilima Ya

1 Chef Kawa.

2 THE INTERPRETER: Correction from the English booth. The
3 previous place name was spelled G-i-d-a, not J-i-d-a.

4 MR. HOOPER:

5 Q. Obviously we can see more of Waka hill now, and we are at
6 43 seconds. And is there anything you'd like to comment on?

7 A. Your Honour -- your Honours, I really have no comment here, just
8 to say that when we shot this particular image, Mount Waka has several
9 small crests, and you can see that there is a crest here. That's what we
10 see here, a stoney outcropping of Mount Waka. If you turn a little bit
11 in the same direction --

12 Q. Just pausing there just for our edification. What's the hill on
13 the right that we see? We saw it before, but it's more clearly defined
14 here. What's the hill called on the right? Do you know?

15 A. Yes. The hill to the right, that is Lagura mountain, if I
16 remember correctly. Perhaps if you could -- if I could -- if you could
17 zoom in. There's a whole chain of mountains, really, and I might be a
18 bit confused here. Now, if you could zoom in and then I will be able to
19 tell you exactly what this is.

20 Q. Well, let's leave it like that at the moment because I think we
21 start zooming in and out it might get more complex. I'm in the hands of
22 the Court, but I'm quite happy to carry on. We can clarify it later.

23 MR. MACDONALD: (Interpretation) One thing about this exercise,
24 your Honour. We're not here to confuse the Bench or create more
25 confusion. We've seen Mount Lagura. That's clear. Either we move back

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1 and have another look at the video, but that is not Lagura mountain. The
2 witness --

3 MR. HOOPER: (* Previous translation continues) ... interrupt.

4 What I'm going to do - as usual a very helpful suggestion from
5 Mr. MacDonald - is pan back so that you can see it in the context. So
6 can we go the other way. Can we do that? All right. We're just going
7 to retrace our image so that you can see the context a bit better.

8 Just pause. We're at 27 seconds.

9 Q. Right. Does that help you?

10 A. Yes. Yes. This is helpful, indeed. I apologise. I didn't want
11 to create any confusion in the minds of the Bench. It was the view here
12 that confused me a bit. I can see the mistake, your Honour. That wasn't
13 the place where Mount Lawaka (* as interpreted) is. Now, I don't have
14 the name in behind, but behind the hill already there are a number of
15 villages from Ezekere. Behind the hill we see an area that goes towards
16 Ezekere. These are hills or mountains, and sometimes the tops of these
17 hills seem similar, but I certainly did not want to mislead the Bench in
18 any way, shape, or form. I thank you, your Honour.

19 Q. I fully appreciate that. All right. Now we're going to carry on
20 in stages again, but keep that sort of position in mind as we might have
21 a final view of the video at the end. And if we can now just continue
22 round, please.

23 (Video-clip played)

24 MR. HOOPER:

25 Q. So we can see that at 55 seconds, where we are now, we've --

1 we've panned round to a point where we're almost facing the opposite
2 direction from where we started. And what are we looking down on there
3 from Waka hill? What do we see there?

4 A. Well, there's not much to see. We see the pastureland that
5 continues on, and if you move a little bit more you will see a locality
6 called Sidabo, and also somewhat in the direction of Medhu.

7 Q. (* Previous translation continues) ... on then.

8 (Video-clip played)

9 MR. HOOPER:

10 Q. And what do we see there, and in particular, what are those hills
11 that we see at 60 seconds?

12 A. Yes. Well, we've -- we've nearly turned away completely from
13 Bogoro village, and at the far off -- well, we can see part of what is
14 called Golgota mountain, and I think it's very important to mention that.
15 Thank you very much, your Honour.

16 Q. So we'll just continue. I don't think there's very much left of
17 the images, but here we go.

18 (Video-clip played)

19 THE WITNESS: (Interpretation) If you begin the witness (* as
20 interpreted) right -- if you begin the image --

21 MR. HOOPER:

22 Q. (* Previous translation continues) ... seconds, and what can we
23 see?

24 A. The important thing that we see here is Mount Golgota, with a few
25 hills beside that mountain, and that takes us to the collectivity of

1 Walendu-Bindi. So there you have it, your Honour.

2 Q. So we're looking towards Walendu-Bindi. Can we see - let's name
3 a place we know - Kagaba? Obviously we can't see Kagaba itself, but are
4 we looking in the direction of Kagaba or not?

5 A. Yes, indeed. We can see that in the direction of Kagaba there is
6 some haze, some fog, but we do see some big eucalyptus trees that are
7 found in that place. And between the two crests of the mountains we see
8 the village of Kagaba. You can see that. You can see that. I see it.

9 Thank you, your Honour.

10 Q. That's at 1 minute, 8 seconds, and we'll see if we can get a
11 screen print for you there to indicate the eucalyptus trees or the
12 approximate position of the village of Kagaba.

13 All right. Well, thank you very much for that. I don't think
14 it's necessary to show -- well, I could show -- it's not a long -- it's
15 only a minute long. Can I just show that video once again completely,
16 and you can watch it in one section, and again if you have any comments
17 or corrections that you'd like to make, then -- then perhaps you'll have
18 that opportunity to do so in not segmented form.

19 MR. HOOPER: So can we just play that video once more, please,
20 from its beginning to its conclusion. Thank you.

21 (Video-clip played)

22 PRESIDING JUDGE COTTE: (Interpretation) We shall play the video
23 one last time.

24 THE WITNESS: (Interpretation) Could we repeat --

25 PRESIDING JUDGE COTTE: (Interpretation) Yes, yes. We will do

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1 so, Witness. Court Officer --

2 THE WITNESS: (Interpretation) The video starts with the farm
3 called Manzikala, and we are now seeing Diguna, and we now are moving
4 towards the Bogoro Institute, and we see the trees not far from there.
5 And now we are taking a sweeping view of the village, and we are moving.
6 Now we see Hotel Metu. Now moving towards the Bogoro marketplace. Now
7 we see the Kavali primary school not far from there. We see the Bogoro
8 slaughterhouse and the market beside it, and at the back we see another
9 school. And now we continue panning to the left, Sidabo. We're looking
10 in the direction of Sidabo. Now we are viewing Medhu. We continue to
11 pan to the left and we see Golgota mountain, then Kagaba, and we see the
12 total direction towards the Walendu-Bindi collectivity.

13 I am not an expert, your Honour, so this commentary may not be
14 perfect.

15 MR. HOOPER:

16 Q. Well, thank you very much.

17 THE INTERPRETER: Correction: I'm not a journalist, so this may
18 not be perfect commentary.

19 MR. HOOPER: That's fine. Now, can we have an EVD number,
20 please, for this -- this video, and just to assist the Registry, can I
21 have an EVD number for the video DRC-D02-0001-0821.

22 PRESIDING JUDGE COTTE: (Interpretation) Madam Court Officer, if
23 we could have that number, please.

24 COURT OFFICER: (Interpretation) Thank you, your Honour. This
25 video shall bear the number EVD-D02-00163, and shall be registered as a

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1 public document.

2 PRESIDING JUDGE COTTE: (Interpretation) Perfect. Thank you,
3 ma'am.

4 Mr. Hooper, please continue.

5 MR. HOOPER: And now can we have another video, please. It's
6 even shorter than that one. And that's DRC-D02-0001-0822, and again it's
7 a public document, and I can indicate that what it shows in the last
8 video we saw a panning of the camera almost through 380 degrees. The
9 area that wasn't covered there is, I think, largely covered by the next
10 images. So we can play that once through and then go from there. I'd be
11 grateful. And again, Ms. Menegon can assist by playing it from our
12 laptop here.

13 THE INTERPRETER: Message from the interpreters: If the witness
14 could speak very slowly.

15 PRESIDING JUDGE COTTE: (Interpretation) Can you tell us when we
16 need to press the button to view this second video. There we go.

17 Mr. Logo, can you see it on your screen?

18 THE WITNESS: (Interpretation) Yes, your Honour.

19 MR. HOOPER:

20 Q. So this is such a short video let's just anchor it right at the
21 beginning. Again a same view as the beginning of the last video, facing
22 approximately north from Waka hill and looking at the Bogoro Institute
23 there almost in the centre of the top of the screen, and this time
24 panning from west to east. So if the video can start. Thank you.

25 (Video-clip played)

1 THE WITNESS: (Interpretation) Am I -- I don't know that I have
2 really much of a commentary to provide.

3 MR. HOOPER:

4 Q. I appreciate that. This is the final image which shows a track
5 leading off, and it shows a hill or escarpment there. What are we
6 looking at there? Can you recall?

7 A. Yes. On this image, first of all -- well, you see my head to the
8 very right of the screen, and then we see a bit of a path, so to speak.
9 That actually -- those are a path made by the wheels of vehicles that
10 were used to transport rocks from a quarry. Builders went there to get
11 rocks to build houses.

12 And if I could make one further comment here. We can see here --
13 well, we have a very good view of the Manzikala farm, Manzikala. How
14 should I -- if you could centre the image a bit. The centre of it. This
15 is the area referred to as the Manzikala farm. It is a farm belonging to
16 Mr. -- to the gentleman in question who was a dignitary within the
17 Democratic Republic of the Congo. This farm no longer exists. Ever
18 since the gentleman passed away in 1996, the farm has been left to --
19 lies fallow now and is not being used. We see now the Walendu-Bindi
20 collectivity and we are almost at the limit between the Hema South people
21 and the Walendu-Bindi collectivity.

22 We see a bit of a plain as well. It's not exactly a plain, but
23 there are some hills, and this is the place referred to as the Waka Farm.
24 If you pan to the left, you will see Diguna, and if you could pan to the
25 left somewhat more I can continue with this commentary.

1 PRESIDING JUDGE COTTE: (Interpretation) Please try to speak
2 more slowly. You made a number of comments about the whole video and you
3 were going quickly, but when you're commenting on still images, the
4 interpreters need you to speak more slowly.

5 THE WITNESS: (Interpretation) Yes. Thank you, your Honour.
6 I'll try to be a good pupil.

7 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, after the
8 previous comment from Mr. Logo.

9 MR. HOOPER:

10 Q. Yes. Just us pausing. Your comments you've just made about the
11 farm was an image at 5 seconds. We're sort of going backwards now on
12 this video. We're now at -- no, sorry, we were at 9 seconds and now
13 we're at 4. So it was 9 seconds, the last image that you commented upon,
14 and 4 seconds in this image. Is there anything here that's commentable?

15 A. Yes. I could make one comment about this. Here we see Diguna.
16 We see Diguna, and there seems to be a bit of smoke coming out of that
17 area very close -- very close to the Bogoro football pitch, but for the
18 most part we see Diguna, the Diguna Mission, and beside that I see the
19 remnants of the Muzora Institute.

20 And if we could zoom in and look at the image more closely, I
21 still see the traces left by the vehicles that went to get construction
22 rock from Mount Waka. And there's the road on the other side and that is
23 the road that leads towards Medhu in the collectivity of the
24 Walendu-Bindi. So in short, that is what I can say about this image.

25 Q. All right. Can we just go back. There's not very many seconds

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1 left to the beginning of the video. Just keep going, and stop. At
2 2 seconds.

3 Much of that we've -- we've -- we've seen -- we've seen before.

4 Can you just clarify this thing about the Medhu road for us. As I saw on
5 my transcript.

6 A. Yes. The road that leads towards Medhu, that is the road in
7 front of us. If you look, you can see a crossroads, and to the left we
8 see the road leading towards Medhu, and the road here with some traces of
9 vehicles that were going to fetch rocks from Mount Waka. So it's a road
10 that leads towards --

11 THE INTERPRETER: Inaudible.

12 THE WITNESS: (Interpretation) And from this point I also see
13 the house of someone that I mentioned yesterday. It's also visible, the
14 city of Bogoro and other things. That is what I can tell you about this
15 particular image. I see part of Mount Waka, Lagura.

16 MR. HOOPER:

17 Q. That's an image at 2 seconds, and again we'll try and get a
18 screen print for you to mark up at a convenient time to yourself, and
19 perhaps we can remind you from the transcript, provide a list that is
20 taken from the transcript of places that you mentioned that you might be
21 able to indicate when you're provided with these screen prints.

22 All right.

23 MR. HOOPER: And can we have an EVD number, please, in respect of
24 DRC-D02-0001-0822, which is a short video from Waka hill taken on the
25 13th of February, 2011. Thank you.

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1 PRESIDING JUDGE COTTE: (Interpretation) Madam Court Officer, if
2 you could.

3 COURT OFFICER: (Interpretation) Thank you, your Honour. This
4 public video shall bear the number EVD-D02-00164.

5 PRESIDING JUDGE COTTE: (Interpretation) Thank you, ma'am.
6 Mr. Hooper, please continue.

7 MR. HOOPER: Yes.

8 Q. Now, in terms of the -- that road, the Medhu road, in the -- in
9 the image, do you know how long that road's been there?

10 A. I don't know. I'm not in a position to know how long this road
11 has been there for. I said that it was a road that was leading to Medhu.
12 It leads in that direction but if you take that way, if you turn right
13 you can go to the village of Sidabo.

14 One point I could add is that yesterday you told me that I could
15 show Waka stream. And if you look on the video, you will see that
16 there's some -- there are some mango trees, and there is a little bit of
17 a path that leads somewhere, and it stops there, and that little path
18 does go -- does actually go to the Waka stream. A water point has been
19 constructed there, and that is to the left. That's what I added.

20 This road -- well, I don't know how long it has been in existence
21 for. That is the road that goes towards Walendu-Bindi and also in the
22 direction of -- towards --

23 THE INTERPRETER: Inaudible.

24 THE WITNESS: (Interpretation) The road stops somewhere because
25 that is where the vehicles go, but there it becomes more of a path, and

1 it's really not very clear.

2 These are little shortcuts.

3 MR. HOOPER:

4 Q. Thank you very much. And as I said, we hope to get some
5 prints -- we will get some prints of those particular scenes for you to
6 mark up at a later convenient point.

7 Now, I'm going to --

8 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, we've spent
9 some time viewing these videos, these scenes. Now, if you ask the
10 witness to make some annotations on photographs that are taken from these
11 videos, I think it would be a good idea to clearly indicate the names of
12 the mountains, Mount Waka, for example. It would be very useful for the
13 Chamber to have an exact -- an exact idea of the names of these mountains
14 or hills.

15 Thank you. We shall now continue.

16 MR. HOOPER: Indeed. So perhaps when you get these images we can
17 write out a list and show the Bench and there are may be some additional
18 matters that the Bench might be assisted by. Perhaps the Prosecutor as
19 well. It's entirely a matter for him. So that it's exercise that need
20 not be repeated by the witness.

21 Now if I can come to some -- a series of photographs, which I
22 hope we can get through again fairly quickly.

23 Q. Again, speak slowly for the interpreter. Now, the first image is
24 DRC-D02-0001-0484. That will be coming on the screen and it's a still
25 photograph, and I would like you to identify it if you can.

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 MR. HOOPER: It's public, yes.

2 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, this is
3 chapter 16 -- tab 16 of the binder. Did I get the number right? Now we
4 have the photograph on your screen, Mr. Logo. Do you have it? Yes. The
5 accused do you have the photograph? Yes.

6 Mr. Hooper, please proceed.

7 MR. HOOPER:

8 Q. Can you identify that building for us, please.

9 A. This building is the CE 39 church building in Aveba.

10 MR. HOOPER: Thank you. Can I have an EVD number, please, for
11 that image which I remind you was DRC-D02-0001-0484.

12 PRESIDING JUDGE COTTE: (Interpretation) Thank you.
13 Court Officer, please.

14 COURT OFFICER: (Interpretation) Thank you, Mr. President. This
15 photograph shall bear EVD number EVD-D02-00165.

16 PRESIDING JUDGE COTTE: (Interpretation) Thank you. Mr. Hooper,
17 please proceed.

18 MR. HOOPER: The next image is DRC-D02-0801-0492. And a public
19 document.

20 COURT OFFICER: Could you please confirm the ERN number. May I
21 please ask you to confirm the ERN number.

22 MR. HOOPER: DRC-D02-0 -- it's extremely small print. Let me get
23 a younger pair of eyes to look at the ...

24 Yes. It is D-0001-0492. The correct one? So ...

25 PRESIDING JUDGE COTTE: (Interpretation) There we are. Now we

1 have the photograph on the screen.

2 MR. HOOPER:

3 Q. Now, I see on details provided the year in which the photograph
4 was taken was mistaken, plainly mistaken. It wasn't taken this year.
5 Our understanding was it was taken in February of 2008, February of 2008.
6 And looking at that photograph, that image, can you help us as to what it
7 shows?

8 A. Yes. On this photograph we can see the Bogoro Institute as it
9 was at the time. Today, the institute has been reconstructed, but when
10 we went to Bogoro for the first time with Madam Caroline Buisman, it is
11 at that time that we took this photograph of the Bogoro Institute as it
12 was at the time.

13 We can see on the photograph part of the Bogoro Institute, and we
14 can see some brushes around, and then there is a can or a tin, a tin of
15 ammunitions that is lying there, on the photograph, and then in the back
16 we have the building of the Bogoro Institute as it was at the time we
17 made the photograph in February/March 2008 with Madam Buisman.

18 MR. MACDONALD: (Interpretation) I believe that Mr. Logo did not
19 just go with Ms. Buisman but Mr. Logo himself was with Mr. Hooper who
20 made the photograph himself, if I'm not mistaken.

21 MR. HOOPER: Yes.

22 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

23 MR. HOOPER: Yes. That was an administrative hiccup and I would
24 have thought fairly self-evident from the photograph and our knowledge of
25 what's happened to the Bogoro Institute in the last three years.

1 Can I call also -- and a similar criticism can be levelled, I
2 think, at the metadata provided for the next document, but again, you can
3 see it's part of a sequence.

4 Can I call for DRC-0002-0001, and then it's completely illegible
5 to my eyes. 0491. Thank you.

6 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, please,
7 I think we need a magnifying glass for Mr. Hooper, because he's not able
8 to read the figures on the photographs because they are in very fine
9 print. And for the other senior persons in this courtroom, this is a
10 very complicated issue as well. Well, I believe that if the Registry has
11 any magnifying glasses, it should make them available to be Mr. Hooper.

12 Mr. Prosecutor, do you have a magnifying glass?

13 MR. MACDONALD: (Interpretation) No, no, your Honour. But I
14 need to have clarification on the date on which these photographs were
15 made so we have on the record. It would be easier that way. Was it in
16 February or was it in March?

17 Mr. Logo might have problems telling us whether it was in February
18 or in March, but since you made the photographs yourself, we will
19 be ready to receive from you the date on which you made the photograph.

20 PRESIDING JUDGE COTTE: (Interpretation): Clarification on this point,
21 Mr. Hooper. What is the date?

22 MR. HOOPER: Well, can I just say that my understanding is that
23 it's February or March 2008. We may have on the original photograph a
24 digital record of the date, but we'll check that once I've sat down --
25 it's February, my understanding, or March 2008. It may have been taken

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1 by Ms. Buisman. It may have been Mr. Hooper. We're unclear. Or even
2 Mr. Logo, back then.

3 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, could we
4 have the photograph displayed on the screen? My understanding is that it
5 is 0491. Is that correct?

6 MR. HOOPER: All right. So the image we have is coming.

7 PRESIDING JUDGE COTTE: (Interpretation) Now, we have problems
8 with the image, because what I can see on screen is still the previous
9 image.

10 Now that is fine. Mr. Hooper, please proceed.

11 MR. HOOPER:

12 Q. (* Microphone not activated) ... was taken at the same time as
13 the previous one, same occasion. And looking at it, Mr. Logo, what is it
14 that we can see?

15 A. Thank you, Mr. President. On this photograph we can see what is
16 referred to as the gunner's hole or the gunner's trench and that is close
17 to the Bogoro Institute. That trench was dug by Ugandan soldiers who
18 were in Bogoro at the time. Thank you.

19 Q. All right. And we'll make it clear again that that's your
20 understanding, and with the reservations that, obviously, we attach to
21 that.

22 MR. HOOPER: Thank you very much. Can I go to the next
23 photograph which is DRC-D02-0001-0797. These are all public documents
24 until I indicate otherwise.

25 MR. MACDONALD: (Interpretation) I would like to point out,

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 Mr. President, that the metadata of the previous photograph was also
2 mistakenly provided. I don't know whether this problem is not one that
3 arises with the eCourt data and the lists in that database.

4 PRESIDING JUDGE COTTE: (Interpretation) Very well. So we are
5 now at photograph 797; is that correct? Yes, we now have it on screen.

6 MR. HOOPER:

7 Q. This photograph was taken in December 2009, and what does it show
8 us?

9 A. Mr. President, this photograph shows us some eucalyptus trees
10 which were planted along the road. We also see some houses in thatch,
11 and then we have a corrugated-iron sheet roofed house and then we have
12 banana plants in the back, and this is a reflection of what happens in
13 our various villages.

14 This photograph, if I am not mistaken, is a reflection of part of
15 Kagaba village. That is what I can say for now.

16 Q. Thank you.

17 MR. HOOPER: And can I have an EVD number, and did I get an
18 EVD number for the last one? I didn't. I skipped that. All right.
19 There's three to go (* Microphone not activated) ... have EVD numbers if
20 you have a record of those last three. Thank you very much.

21 PRESIDING JUDGE COTTE: (Interpretation) Yes, indeed. 492, 497,
22 and 4 -- Court Officer, please.

23 COURT OFFICER: (Interpretation) Yes, Mr. President.

24 DRC-D02-0001-0492 would have EVD number EVD-D02-00166.

25 Photograph DRC-D02-0001-0491 will have EVD number EVD-D02-00167.

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1 The next photograph, DRC-D02-0001-0797 will have the following
2 number: EVD-D02-00168.

3 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, please
4 proceed.

5 MR. HOOPER: Thank you.

6 Q. Another image, again of -- you'll see of Kagaba, and that's
7 DRC-D02-0001-0798. Public document.

8 PRESIDING JUDGE COTTE: (Interpretation) This comes promptly on
9 the heels of the previous document in chapter 16 of our binder,
10 Madam Court Officer.

11 MR. HOOPER:

12 Q. Again a photograph taken in December 2009 showing Kagaba. And
13 can you help us as to which direction we're looking in, or is that not
14 possible? There's a road there. Where does that road lead to, do you
15 know?

16 A. Thank you, Mr. President. If I were to look straight ahead of me
17 as from this sitting position, so we would be going from Kagaba towards
18 Aveba, and then behind me you would have Nombe, Lakpa, Bogoro and so on
19 and so forth. Thank you, Mr. President.

20 Q. All right. There's a series of images here. The next one is
21 again in very small print, DRC-D02 -- I can't read it.

22 Thank you. And it's DRC-D02-0001-0800.

23 PRESIDING JUDGE COTTE: (Interpretation) Still under chapter --
24 the same chapter of our binder?

25 MR. HOOPER: Yes. In fact, I can indicate it's just an image, as

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1 I hold it up, it's a public document, it's an image of the hill.

2 Q. We'll get to it a bit quicker on paper than electronically,

3 Mr. Logo. Its coming. Here we go.

4 PRESIDING JUDGE COTTE: (Interpretation) There we are. We have
5 the photograph on screen.

6 MR. HOOPER:

7 Q. What is that an image of? What can we see?

8 A. Mr. President, your Honours, here we are in Aveba at the location
9 known as BCA. From this position, we are able to see a hill which is
10 known as Mount Arabe.

11 Q. Very well. Thank you. And that photograph, I understand, was
12 taken in December, 12th of December, 2009.

13 MR. HOOPER: And can I have an EVD number for that? And I think
14 for the last photograph as well. Thank you.

15 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, for 0798
16 and then for 800, please.

17 COURT OFFICER: (Interpretation) Thank you, Mr. President.

18 Photograph DRC-D02-0001-0798 will have the following number:
19 EVD-D02-00169.

20 Photograph DRC-D02-0001-0800 shall have the following number:
21 EVD-D02-00170.

22 PRESIDING JUDGE COTTE: (Interpretation) Excellent. Thank you,
23 madam.

24 Mr. Hooper, please proceed.

25 MR. HOOPER:

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1 Q. The next image is DRC -- again the same sequence in the bundle.
2 DRC-D02-0001-0799, and it's an image of a field.

3 PRESIDING JUDGE COTTE: (Interpretation) Madam Court Officer,
4 that precedes the image we have just been viewing.

5 There we have it. We have the photograph on the screen.

6 MR. HOOPER:

7 Q. (* Previous translation continues) ... photograph taken in
8 December 2009. Are you able to help us as to what we see?

9 A. Yes, Mr. President. On this photograph we can see part of the
10 cultivated farm. A little to the right we have the cassava farm and
11 somewhat to the left, near the tree, we have maize and then we have some
12 grass as well. Then we also have some reeds. And this is from the BCA
13 site in Aveba. Thank you, Mr. President.

14 MR. HOOPER: All right. I'll show the next image, please, which
15 is DRC-D02-0001-0802, again a photograph taken in December 2009. Same
16 sequence. It's a photograph with quite a number of children in the
17 foreground. It's the background that's of interest to us.

18 PRESIDING JUDGE COTTE: (Interpretation) There we have it. The
19 photograph is on the screen.

20 MR. HOOPER:

21 Q. Mr. Logo, can you help us as to what we see there, aside from the
22 children, of course. What can we see beyond them?

23 A. In the background we have a maize farm. We have a cassava farm,
24 and then we have some small corrugated-sheet roofed houses and then we
25 have some thatched houses as well. The children are standing on a small

1 football pitch belonging to that neighbourhood. We can also see in the
2 background a few small houses that were built for internally displaced
3 persons in Aveba. These are people who had fled the war from various
4 areas and had sought refuge in Aveba. If you were to go further on for
5 about a kilometre, then would you get to the mission quarters.

6 Q. And the field on which those children are standing, where is that
7 field, do you know, in relation to the previous photographs that you
8 identified as the site of the BCA camp?

9 A. Yes. That is still around the BCA site, and I told you a little
10 bit about the background with the rising smoke. That is the area where
11 the internally war-displaced persons were staying. They fled the war and
12 came to this location. We saw them arriving -- or they came to this BCA
13 site and that is the location at which we made the photographs,
14 Mr. President.

15 MR. HOOPER: All right. And the next image is DRC-D02-0001-0806.
16 And it shows some huts.

17 PRESIDING JUDGE COTTE: (Interpretation) There we are.
18 Mr. Hooper, we have the photograph on the screen.

19 MR. HOOPER:

20 Q. (* Previous translation continues) ... image. Have you any
21 comments to make in respect of it?

22 A. I don't have much of a comment to make, but this is again another
23 photograph of Aveba. You can see the huts on the photograph, the huts
24 which were built for internally displaced persons fleeing the internal
25 war. And then we have the cassava plants. And all of this is still in

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1 Aveba at the BCA site. Thank you, Mr. President.

2 MR. HOOPER: Thank you very much. Perhaps I can permit the
3 Registry catch up with some three EVD numbers. Thank you.

4 PRESIDING JUDGE COTTE: (Interpretation) Madam Court Officer,
5 799, 802, and 806, please.

6 COURT OFFICER: (Interpretation) Thank you, Mr. President.

7 DRC-D02-0001-0799 will bear EVD number EVD-D02-00171.

8 Photograph DRC-D02-0001-0802 shall bear EVD number EVD-D02-00172.

9 And photograph number DRC-D02-0001-0806 shall bear the EVD number
10 EVD-D02-00173.

11 PRESIDING JUDGE COTTE: (Interpretation) Thank you,
12 Madam Court Officer.

13 Mr. Hooper, please proceed.

14 MR. HOOPER: Yes.

15 Q. There's another image for you to look at, and that's
16 DRC-D02-0001-0810.

17 PRESIDING JUDGE COTTE: (Interpretation) There, Mr. Hooper.

18 MR. HOOPER:

19 Q. And your comments on this photograph, please.

20 A. Your Honour, this photograph was also taken in Aveba. It shows
21 part of the airstrip located in Aveba in its current state. Thank you,
22 your Honour.

23 MR. HOOPER: And again, that photograph was taken in
24 December 2009. Thank you.

25 Photograph -- next photograph, DRC-D02-0001-0811.

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1 PRESIDING JUDGE COTTE: (Interpretation) Yes, Mr. Hooper.

2 MR. HOOPER:

3 Q. Have you got a brief comment to make on that image, please?

4 A. Yes. Your Honour, the brief comment I would like to make is the
5 following: This photograph -- in this photograph you see a group of
6 thatched houses on the left, and you see a lot of people there. That is
7 Aveba market.

8 If you move towards the shrubs on the left, you reach the
9 neighbourhood I referred to yesterday as the Bamutu neighbourhood. You
10 will see a young man walking towards the market and that is the beginning
11 of the airstrip and also part of the football pitch. And on the other
12 side you see residential houses. This is a photograph of Aveba. Thank
13 you, your Honour. So, essentially what we see in this photograph is
14 Aveba market.

15 Q. Thank you.

16 MR. HOOPER: And there's another image, in fact, reverting back
17 to Bogoro, but I'd like it submitted, and it's 0001-0819. If I could
18 have that image, please.

19 THE WITNESS: (Interpretation) Your Honour, with your leave, as
20 we wait for the photograph to appear, I talked about a church referred to
21 as CE 20 in Aveba. That was a slip of the tongue. I wish to correct
22 that to say that I was talking about the church CE 39. It was a slip of
23 the tongue. I apologise, your Honour. Thank you.

24 PRESIDING JUDGE COTTE: (Interpretation) I did notice when we
25 were dealing with the photograph DRC-D02-0001-0484, which bears the

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 reference DRC-D02-00165, I did note that you talked about a church
2 referred to as CE 39.

3 THE WITNESS: (Interpretation) Yes, indeed. There was no
4 problem with that. But while I was making some comments, I talked about
5 a church referred to as CE 20. I think that is what I said. It was a
6 slip of the tongue, and you will find it in the transcript somewhere. I
7 just wished to correct that error.

8 PRESIDING JUDGE COTTE: (Interpretation) Thank you, Mr. Logo.
9 We will correct that when we review the transcript. Thank you for the
10 clarification.

11 Right now you have before you the photograph which Mr. Hooper
12 requested to be put on screen.

13 Mr. Hooper, please put your question.

14 MR. HOOPER:

15 Q. Just before I move to this photograph, in the last sequence of
16 photographs we saw what you identified as the site of the BCA, and then
17 we saw the site of the piste and market. Can you give us an approximate
18 idea of the distance between the site of the BCA and the site of the
19 airstrip and market?

20 A. I estimate that distance at about 1.450 metres, and that is a
21 very rough estimate. I'm not an expert, your Honour.

22 PRESIDING JUDGE COTTE: (Interpretation) If you saw me frowning,
23 it is because for a rough estimate, when you talk of 1.450 metres, I
24 think that is really quite accurate. Anyway, you are the one doing the
25 estimates, not the Chamber.

1 MR. HOOPER:

2 Q. All right. Thank you very much. I think we know what that is.

3 It's an image of the Bogoro Institute, picture taken in March of 2009,

4 February or March 2009 -- 2008. Sorry. I'm corrected. So

5 February/March 2008. And we can see what we can see.

6 Have you any other comment to make on that photograph?

7 A. Your Honours, looking at this photograph, I don't have much to

8 say. In 2008, that is the state in which the Bogoro Institute was in

9 2008. In the background you see Mount Lagura, and this photograph was

10 taken with Mount Waka behind the photographer. You see the type of

11 vegetation we had in Bogoro at that point in time. On the left -- on the

12 right you find that the grass is burnt. You will find that the roof of

13 one of the classrooms has been broken in, and that's because a tree fell

14 on the building.

15 Those are the comments I have to make on this photograph. Thank

16 you.

17 MR. MACDONALD: (Interpretation) Your Honour, for your -- with

18 your leave, I think there was an error. It's not 2009 but 2008.

19 PRESIDING JUDGE COTTE: (Interpretation) That is noted,

20 Mr. Prosecutor. Thank you.

21 THE INTERPRETER: Correction from the English booth: It was 2008

22 and not 2009.

23 MR. HOOPER: All right. Thank you. Now, can I go to -- staying

24 with Bogoro. Thanks. And the first of the images is 0001-0820, please.

25 PRESIDING JUDGE COTTE: (Interpretation) The photograph is on

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 the screen.

2 MR. HOOPER:

3 Q. What does that show us in terms of its -- in terms of that road?

4 Do you know where it is? It's in Bogoro. Just help us as to the
5 direction. Orientate us for the (* indiscernible) please.

6 A. Well, on this photograph we see Ms. Caroline Buisman from behind,
7 and she is walking towards a roundabout. This is the road to Bogoro.
8 She's moving towards the Bogoro roundabout. That's what I can say.

9 Q. And approximately how far would she be from the roundabout?

10 A. I can say that she is about 300 metres away from the Bogoro
11 roundabout, and that is yet another rough estimate. Thank you.

12 Q. Thank you.

13 MR. HOOPER: Shall we have some EVD numbers, please, up to there?
14 Thank you.

15 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, we go to
16 810, 811, 819, and 820, please.

17 COURT OFFICER: (Interpretation) Thank you, your Honour.

18 The photograph DRC-D02-0001-0810 shall bear the reference
19 EVD-D02-00174.

20 The photograph DRC-D02-0001-0811 shall bear the reference EVD
21 -D02-00175.

22 The photograph DRC-D02-0001-0819 shall bear the reference
23 EVD-D02-00176.

24 The photograph DRC-D02-0001-0820 shall bear the reference
25 EVD-D02-00177.

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1 PRESIDING JUDGE COTTE: (Interpretation) Thank you,
2 Court Officer.

3 Mr. Hooper, you may continue.

4 MR. HOOPER:

5 Q. That's a photograph with Ms. Buisman walking towards the
6 roundabout, and there's a sequence now of photographs of the road leading
7 to and up to the roundabout and perhaps I can deal with those relatively
8 quickly. They're in a sequence in the folder. The next one is
9 0001-0830. And that will be followed by 31, 32, 33, 34.

10 PRESIDING JUDGE COTTE: (Interpretation) That will enable the
11 Registry to prepare. 830 -- 830. We are still dealing with roads,
12 Court Officer.

13 MR. HOOPER: I can take this a bit quickly.

14 Q. This is a bit further down the road, coming up to the bend in the
15 road that we saw earlier. And just for the benefit of the Chamber,
16 bearing in mind a possible visit by the Chamber to the area, where are
17 you standing there with Ms. Buisman? Which -- which bit of the road from
18 Bunia to Bogoro is that?

19 There's a question. Perhaps can I repeat it. Which part of the
20 road from Bunia to Bogoro is that in Bogoro where you're standing? We
21 see an image of you there. And there's a sign. Do you know which bit of
22 the road that is?

23 A. Thank you. Here we see some road signs. Ms. Buisman is backing
24 the Kavali primary school. If we move further on, we will be moving
25 towards the commercial centre of Bogoro, and then after that the Metu

1 hotel and then the Bogoro roundabout. We are on the road leading from
2 Bunia to Bogoro, and on our right where Ms. Buisman is standing you have
3 the Kavali primary school.

4 Q. And that's a school that's been rebuilt. You can see the sign
5 with the founders there just to distinguish it from -- it's a new build.

6 Can I come to the next sequence, the next photograph, 31. Again
7 a little bit further down the road.

8 PRESIDING JUDGE COTTE: (Interpretation) There it is, the
9 photograph you're talking about.

10 MR. HOOPER:

11 Q. And again we're just turning that bend that -- in the road, going
12 towards the roundabout, and very briefly, what can we see, and
13 particularly the building, on the stone building, on the left.

14 A. Your Honour, in this photograph we see on the right new
15 buildings. These new buildings are located at the very beginning of what
16 we used to call the commercial centre. When you move further on, you
17 find a stone building on the left. These are the remains of what used to
18 be the commercial centre, the ruins of the buildings destroyed on the
19 24th of February, 2003.

20 You move further down you see a thatched house, and there is a
21 small restaurant there. That is a plain, and you carry on, you rise up
22 to -- you walk up to a centre, to the centre. That is the Bogoro
23 roundabout. And, of course, Bunia is located behind.

24 MR. MACDONALD: (Interpretation) I apologise to interrupt. What
25 year are we talking about? Was this photograph taken in 2008, 2011?

1 When was it taken?

2 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, can you
3 give -- provide us with the clarification requested by the Prosecutor,
4 the date on which this photograph was taken?

5 MR. HOOPER: It's marked February this year, so we think that's
6 correct.

7 PRESIDING JUDGE COTTE: (Interpretation) Maybe what
8 Ms. Buisman's wearing can help you to locate the period.

9 MR. HOOPER: (* Previous translation continues) ... she was
10 wearing the same clothes over two years or three years, so I'm not too
11 sure. She has her sort of safari clothing that she takes on these
12 expeditions, but I think I took these photographs. But the thing is,
13 over the years of visiting Bogoro, we've taken photographs at various
14 points, so they all look much the same. This is 2009, February 2009 --
15 sorry, 2011, but I'll check it over the break and come back. If it's
16 wrong, I'll correct that.

17 And the next photograph in the sequence is 0832, again moving, as
18 you'll see, up the road closer to the roundabout and the area of the
19 Bogoro Institute. If we could have that photograph, please.

20 PRESIDING JUDGE COTTE: (Interpretation) It's on the screen.

21 MR. HOOPER:

22 Q. Again, can you just help us? Your comments on that, please.

23 A. I don't have much to say. You can see some trees here. I don't
24 know what other comments you want me to make. We are moving towards the
25 Bogoro roundabout, and if you carry on, you reach a bend, and we would

1 turn to the left and then move straight on to Bogoro roundabout. Thank
2 you.

3 Q. Very well.

4 A. (* No interpretation)

5 Q. And let me call up the next photograph, which is 0833. And this
6 is, in fact, turning back, as it were, and looking back the way we've
7 come. So with one's -- the photographer's back to the roundabout,
8 looking back down that road towards the area where the stone house, the
9 commercial centre, was. Can you confirm that to be the case?

10 A. Yes, that's right. I do confirm that. I wanted to add something
11 about the previous photograph, and it is that the houses which we saw
12 close by, the thatched houses which we saw in the previous photograph,
13 are houses belonging to the Ngiti community in Bogoro. You find many
14 Ngitis living in Bogoro in that locality. Thank you.

15 PRESIDING JUDGE COTTE: (Interpretation) Mr. Logo, if we
16 understand you correctly, this road is leading towards -- we're talking
17 about photograph 833. You say the roundabout is behind us. So this
18 road, as we see it in the photograph, leads towards Bunia.

19 THE WITNESS: (Interpretation) Yes.

20 PRESIDING JUDGE COTTE: (Interpretation) Thank you very much.

21 MR. HOOPER:

22 Q. (* Previous translation continues) ... commented on the thatched
23 houses in the last photograph. Is it right that if we look at this
24 photograph, on the right there's some thatched houses? Who lives there,
25 as it were? This is -- I'm looking at 0833, the last photograph, the one

1 His Honour just commented on.

2 A. Yes. In these houses you find Lendus, you find Hemas. You also
3 find Ngitis. You will see someone on this road to Bunia. On the left
4 you see many people. In that particular part of the road you'll find
5 members of the Ngiti community who live in Bogoro.

6 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, I'm afraid
7 we may not have the time to view photograph 834. I think we'll have to
8 rise now. You made us understand that maybe during the break certain
9 excerpts of the video which were viewed previously this morning might be
10 printed. Maybe it's up to you to then -- would you like the witness to
11 make annotations to those prints during the break or afterwards?
12 Whatever the case, we are going to rise now. We still have
13 photograph 834 outstanding, and we have to give EVD references to the
14 photographs you have just shown.

15 MR. HOOPER: I doubt if we'll be able to get that done,
16 technically, in time, certainly for him to do it. It might be an idea if
17 we can -- given that this witness plainly is going to be giving evidence
18 tomorrow, if with the consent of the Chamber, my friend's no objection,
19 if we can get him these printouts today and he can make these marks in
20 line with the places he's referred to already in the transcript, limiting
21 it to that, and the additional matters your Honour's indicated to him in
22 terms of identifying physical features, then perhaps that could be done
23 and he can produce them tomorrow, whatever stage we've reached today.
24 I'm obviously taking more time than I thought yesterday, but I would hope
25 my friend will certainly start his cross-examination today.

1 PRESIDING JUDGE COTTE: (Interpretation) If the witness has to
2 annotate the document after the hearing, then it would be proper for him
3 to do so within the premises of the unit and not in his hotel room.

4 Court Officer, please ensure that at the beginning of the
5 afternoon the witness should stay behind and make annotations to the
6 document and do so within the premises of the unit before returning to
7 his hotel.

8 Mr. Witness, we are going to rise now. You're going to rest for
9 30 minutes, and we will reconvene in 30 minutes.

10 Court Usher, please kindly lead the witness out of the courtroom.

11 THE WITNESS: (Interpretation) Thank you, your Honour, and I
12 wish you a good rest as well.

13 PRESIDING JUDGE COTTE: (Interpretation) Thank you.

14 (The witness stands down)

15 MR. MACDONALD: (Interpretation) Very briefly, your Honour. I
16 know we are running behind the time.

17 The originals of the three documents are with us. Maybe the
18 Prosecution talked a bit too much or too fast yesterday when we were
19 talking about EVDs. There are three documents and not one document, and
20 the three documents are supposed to each have a specific EVD reference.
21 When we looked at the originals, "originals," we find that the second
22 document, whose ERN I no longer remember, we'll find that it's not one
23 document but three distinct documents. At some point we may revisit this
24 point with your leave, especially after the Chamber would have been
25 acquainted with the documents, after viewing them.

1 PRESIDING JUDGE COTTE: (Interpretation) Thank you,
2 Mr. Prosecutor.

3 Mr. Hooper, in a short while you will tell us what you think
4 about this. A single EVD reference was given for the three documents.
5 Do you have any objections to the attribution of an EVD reference to each
6 of the three documents?

7 MR. HOOPER: No, we haven't. Thank you.

8 PRESIDING JUDGE COTTE: (Interpretation) Very well.

9 We -- we have run out of tape. Court Officer, you should review
10 your filing system to ensure that each of the three documents receives a
11 separate EVD reference. I think that is technically feasible.

12 We stand adjourned.

13 Recess taken at 11.02 a.m.

14 On resuming at 11.32 a.m.

15 (Open session)

16 COURT USHER: All rise.

17 PRESIDING JUDGE COTTE: (Interpretation) Please be seated.

18 Court Officer, Court Usher, could you please fetch Mr. Logo and
19 bring him into the courtroom.

20 Apparently, Professor Fofé, you would like to take the floor.

21 Please proceed.

22 MR. FOFÉ: (Interpretation) Good morning, your Honours. I will
23 be brief.

24 In response to the proposal made by the Prosecutor yesterday
25 regarding the witness D03-P-0963, in response to the proposal from

1 yesterday, and this has to do with our application filing 3036 --
2 correction -- yes, 3066. So that the Chamber may come to a decision with
3 an entire -- a complete appreciation of the position taken by the
4 Ngudjolo Defence team and also to allow the other parties and
5 participants who have not yet responded to this position taken by the
6 Ngudjolo Defence team regarding the proposal from the Prosecutor, a
7 proposal that was made yesterday, I would like to inform the Chamber, all
8 parties and participants, that after conferring amongst the -- within the
9 team, we agree that if the Chamber agrees to our position in the
10 application, this witness should -- should be placed in the ninth
11 position on the list rather than the fourth. In other words, the list
12 would be as follows, and I'll just give you the last identifying number:
13 1, P-0044; 2, P-0055; 3, P-0066; 4, P-0077; 5, P-0088; 6, P-0100; 7,
14 P-0125; 8, P-0410; ninth position, P-0 -- P-0963; tenth, P-480; 11,
15 P-0505; 12, P-0707.

16 There you have it.

17 PRESIDING JUDGE COTTE: (Interpretation) Thank you very much for
18 that collegial proposal which should be satisfactory and will provide,
19 indeed, oxygen to all the parties and participants subject to the final
20 decision.

21 MR. MACDONALD: (Interpretation) I'd like to thank the members
22 of the Ngudjolo Defence team. We have no objections. I don't know
23 whether my other colleagues have any objections. Perhaps applications
24 could be made tomorrow, and the Chamber could come to a final decision
25 with full knowledge of all the facts.

1 PRESIDING JUDGE COTTE: (Interpretation) If Mr. Luvengika
2 speaks -- wishes to speak he may, but I would remind everyone that we are
3 rather restricted in terms of the number of hours of time we have for
4 Mr. Logo's testimony, but if there are no objections in principle, very
5 well.

6 Mr. Gilissen.

7 MR. GILISSEN: (Interpretation) I think to ensure that things
8 proceed smoothly, well, really we have no objections to this manner of
9 going about things. Thank you very much.

10 PRESIDING JUDGE COTTE: (Interpretation) Thank you,
11 Mr. Gilissen. Thank you for being so brief and clear.

12 Mr. Luvengika.

13 MR. LUVENGIKA: (Interpretation) Thank you, your Honour. As far
14 as we are concerned, we have no objection as long as we will have
15 sufficient time to prepare for this new witness. I thank you.

16 PRESIDING JUDGE COTTE: (Interpretation) Thank you.

17 Now, I don't know whether the Katanga Defence team wishes to
18 express their views or whether they'd rather to make a filing within the
19 deadline with -- regarding this matter of adding another witness and
20 making some alterations to the list of witnesses. The witness in
21 question will be now ninth on the list rather than fourth. Any
22 objections?

23 MR. HOOPER: No objection subject to notice.

24 PRESIDING JUDGE COTTE: (Interpretation) Very well. Thank you,
25 everyone. This will allow us to save some time in terms of not having to

1 deal with filings, and Mr. Ngudjolo's Defence team has simplified matters
2 rather than complicating them.

3 Court Officer, Court Usher, if you could be so kind as to bring
4 into Jean Logo into the courtroom.

5 (The witness takes the stand)

6 (Trial Chamber and Court Officer confer)

7 PRESIDING JUDGE COTTE: (Interpretation) Witness, before we
8 resume, can you hear me?

9 THE WITNESS: (Interpretation) Yes, your Honour. I can hear you
10 just fine.

11 PRESIDING JUDGE COTTE: (Interpretation) Great. I'd just like
12 to remind you that the work done by our interpreters and court reporters
13 is a difficult form of work. You are trying hard, but if you could speak
14 very slowly, and if you could also articulate more than what you're
15 doing. So if you could be very careful to articulate properly. I know
16 you will do your very best, and we thank you.

17 THE WITNESS: (Interpretation) Thank you very much, your Honour.
18 I shall do so.

19 THE INTERPRETER: Many thanks from the interpreters and court
20 reporters.

21 MR. HOOPER:

22 Q. And perhaps the easiest way for you to do that is to break down
23 your sentences. Just speak a sentence and then pause a moment and then
24 the next. That might help you.

25 MR. HOOPER: Can I -- I think we're on the point of looking at

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 DRC-D02-0001-0834. And if we could have that on the screen, please.

2 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, if we
3 could go back to our review of photograph 834. We're still looking at
4 this photograph of a road.

5 MR. HOOPER:

6 Q. So we've moved up, I think, towards the -- further towards the
7 roundabout, and -- can we see the roundabout from there or not?

8 A. Yes, your Honour. From the place where the photograph was taken,
9 it is not possible to see the roundabout. However, if I could make a
10 short comment on this photograph.

11 First of all, the people in the photograph have nothing to do
12 with the photograph, really. We can see them fairly close, and behind,
13 further back, we see a house. We see a few doors. And that is the Metu
14 Hotel. We have our backs to Bunia here, and we move forward and we come
15 to -- we see this -- we see the road curving further off, and we see some
16 people there.

17 When we came there in 2008 with Caroline to Bogoro, to this
18 particular place to the right, there are a number of houses, and the
19 market had been set up there on a temporary basis. The market is no
20 longer located there. And from there we are not in a position to see the
21 roundabout, the Bogoro roundabout, but if we move forward somewhat, as we
22 will see as the road curves to the left, that we will come to that
23 roundabout.

24 That's what I can tell you about this particular photograph.

25 Thank you, your Honour.

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 Q. And just on that photograph, you mentioned the hotel. Can you
2 indicate where that is on the photograph, bearing in mind that pointing
3 at your screen doesn't help us. Can you tell us: Is it right, centre,
4 to the right behind the trees, to the left? Where is it?

5 A. I think I mentioned in my short comments we can see the cypress
6 trees. You can see them to the right, to the right. We can see a small
7 door that is partly open, and that is the Metu Hotel. That's the
8 clarification I wanted to provide.

9 Q. So if I understand you correctly, you're indicating the building
10 on the extreme right of the photograph. Am I correct in understanding
11 you to say that or not?

12 A. Yes, quite so. You've understood. If you draw a line right of
13 the lady who is wearing yellow, and if you draw a perpendicular line to
14 the -- perpendicular to that lady, you will see the place in question.
15 Thank you.

16 Q. All right. Thank you.

17 MR. HOOPER: And now if we could move to the next image, which is
18 DRC-D02-0001-0836.

19 PRESIDING JUDGE COTTE: (Interpretation) There we have it,
20 Mr. Hooper.

21 MR. HOOPER: I just indicate my next one will be 0842.

22 Q. All right. Looking at the current photograph, what do we see
23 there?

24 A. Your Honour -- your Honours, this photograph was taken at the
25 foot of Mount Waka. You can see the path, that path that comes from the

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 Bogoro Institute. We go by way of this path. To the left we see some
2 grass and some grasslands, and to the right there is a cultivated field.
3 We see a number of people, children, on the path, and this is where we
4 find the beginning of Waka stream. This is a place -- a place has been
5 set -- there are facilities there for fetching drinking water. There's
6 also a sign identifying the spring, and it was an NGO -- I don't know
7 whether it was Oxfam or another NGO. In any event, it is a sign from
8 that NGO that indicates that it was that particular NGO that created this
9 spot so that the inhabitants could go fetch water. Thank you,
10 your Honour.

11 Q. All right. Thank you.

12 MR. HOOPER: And the next image is 0001-0842. If we can see
13 that, please.

14 PRESIDING JUDGE COTTE: (Interpretation) Forty-two or 46,
15 Mr. Hooper?

16 MR. HOOPER: Forty-two, 0842.

17 PRESIDING JUDGE COTTE: (Interpretation) Fine. Thank you.
18 There we have it. We can now continue.

19 MR. HOOPER:

20 Q. And in brief, what do we see here?

21 A. Your Honours, in this photograph at the back, in the distance, we
22 see Mount Lagura. There is some blue, some points. We can see the
23 Bogoro Institute behind the white patches. And when we began to move up,
24 climb up the mountain, you're not very far. And you can see in this
25 photograph -- you can see the bed of the small stream, Waka -- the

1 Waka stream that we saw a few moments ago. We also see some houses with
2 sheet-metal roofs in the village of Bogoro. So basically, that is what
3 we see here in this photograph.

4 Q. And can you confirm that it's taken from a position on
5 Mount Waka?

6 A. Yes. That's what I just said. This photograph was taken from
7 Mount Waka. Not at the very top of the mount. We are towards the bottom
8 of the hill, not yet at the middle. This photograph was taken, well,
9 when we were on Mount Waka. Thank you, your Honour.

10 Q. Thank you very much.

11 MR. HOOPER: And I'll catch up with the EVD number after the next
12 photograph, if I may. And the next photograph is 0844 of the sequence.

13 PRESIDING JUDGE COTTE: (Interpretation) We now have the
14 photograph on the screen, Counsel.

15 MR. HOOPER:

16 Q. Can you confirm that this is again a photograph taken from
17 Mount Waka, a little bit higher, as we can see, from the previous
18 photograph?

19 A. Yes. Yes, your Honour. This photograph was taken from
20 Mount Waka. We weren't yet up at the very summit. We were in the
21 process of climbing Mount Waka. If I could describe this briefly.

22 In this photograph we see behind -- in the background we see
23 Mount Lagura. We also see the Ituri institute, the Bogoro Institute, and
24 we also can see Diguna on the other side and the small -- the small path
25 that leads to the stream. At the foot of Mount Waka we see a few cows.

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1 We also see a few houses that are on the side. We also see a few houses
2 from Bogoro that overlook Mount Waka.

3 That's all I can tell you about this photograph.

4 Q. All right. Thank you.

5 MR. HOOPER: Can we please have EVD numbers for the -- those
6 images that require it? Thank you.

7 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, I
8 believe we're starting at 830, 831, 832, 833, 834, and so on and so
9 forth. Please continue, Court Officer.

10 COURT OFFICER: (Interpretation) Thank you, your Honour.

11 The photograph DRC-D02-0001-0830 shall bear the EVD number
12 EVD-D02-00178.

13 Photograph DRC-D02-0001-0831 shall bear the number EVD-D02-00179.

14 Photograph ending with 0832 shall bear the number EVD-D02-00180.

15 The photograph whose number ends in 0833 shall bear the
16 EVD number EVD-D02-00181.

17 The photograph DRC-D02-0001-0834 shall bear the EVD number
18 EVD-D02-00182.

19 The photograph DRC-D02-0001-0836 shall bear the EVD number
20 EVD-D02-00183.

21 The photograph ending with the numbers 0842 shall bear the
22 EVD number EVD-D02-00184.

23 The photograph with the number ending in 0844 shall bear the
24 EVD number EVD-D02-00185.

25 PRESIDING JUDGE COTTE: (Interpretation) Thank you,

1 Court Officer.

2 Mr. Hooper, we can now continue.

3 MR. HOOPER: Thank you. And I'd like to show a photograph in the
4 same sequence, 845 and 846. So first of all, DRC-D02-0001-0845, please.

5 PRESIDING JUDGE COTTE: (Interpretation) We have the photograph
6 on screen, Mr. Hooper.

7 MR. HOOPER:

8 Q. (* Microphone not activated) ... do you know what town that is?

9 A. Mr. President, your Honours, this is an aerial shot of Bunia
10 town.

11 Q. All right. Thank you.

12 MR. HOOPER: Can I go on to the next photograph, 0846, please.

13 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

14 MR. HOOPER:

15 Q. Again an aerial shot of -- of Bunia. Do you recognise where that
16 is? I mean, which bit of Bunia that is.

17 A. Yes. I recognise this part of Bunia town. This part of Bunia is
18 the main road in Bunia town. * I can even see the MONUC offices.
19 I can see the MONUC restaurant. And this is referred to as Bunia town. To
20 the left -- or, rather, to my right I see Nyakasanza neighbourhood, and
21 then further on we see Mudzipela. And in any event, this is Bunia town,
22 Mr. President, still an aerial shot of the town. And on the photograph
23 you can also see part of the propellers of the aircraft, and these were
24 UNAMIR Antonov aircraft, and I can see that as well. And the picture is
25 part of Bunia town. I thank you, Mr. President.

1 MR. HOOPER: Thank you. Finally in this sequence, 0847, please.

2 THE INTERPRETER: Correction from the interpreters: * UNAMIR
3 should read MONUC. Thank you.

4 PRESIDING JUDGE COTTE: (* No interpretation)

5 MR. HOOPER:

6 Q. Again, can you help us what we look at here in this photograph?

7 A. Thank you, Mr. President. That is still part of the aerial view
8 shot of Bunia town. This photograph was taken, by my reckoning, by a
9 photographer who was at the back of the plane, and it is from that
10 position that he took a shot of part of Bunia town. Thank you,
11 Mr. President.

12 Q. Do you know which part it is that we're looking down on there?

13 A. I need to consider this very carefully, because it's an aerial
14 view of the town of Bunia. Now let me see if I can find my bearings.
15 No, not quite. Maybe with the next shot I'll be able to provide a few
16 more details. Thank you.

17 Q. All right. Well, let's just add one more photograph, then, if
18 this might help you. 0848.

19 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

20 MR. HOOPER:

21 Q. Again an aerial shot. Are you assisted by that? Can you help us
22 any further as to which part of Bunia town that is?

23 A. Mr. President, it is not easy for me, but this indeed is a
24 picture of Bunia town, but looking at things from above is a little bit
25 difficult for me to interpret the photograph, so I'm attempting to find a

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1 few bearings that might help me to provide you with some detail. Thank
2 you.

3 Q. Well, don't worry about it if you're disorientated by the aspect
4 of the photograph.

5 MR. HOOPER: Can I ask for EVD numbers for that sequence of
6 photographs, please.

7 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, 845,
8 846, 847, and 848. We need four EVD numbers for those photographs.

9 COURT OFFICER: (Interpretation) Thank you, Mr. President.

10 Photograph number DRC-D02-0001-0845 shall bear the EVD number
11 EVD-D02-00186.

12 Photograph number DRC-D02-0001-0846 shall bear number
13 EVD-D02-00187.

14 Photograph DRC-D02-0001-0847 shall bear EVD number EVD-D02-00188.

15 Picture DRC-D02-0001-0848 shall have the EVD number
16 EVD-D02-00189.

17 PRESIDING JUDGE COTTE: (Interpretation) Thank you, madam.

18 MR. HOOPER: And now there's another sequence of photographs
19 starting with 0853, please.

20 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

21 MR. HOOPER:

22 Q. Can you identify where that photograph was taken?

23 A. That photograph was taken in Bunia, in Dele, to be more specific,
24 at the Kilo-Moto farm. Thank you.

25 Q. Thank you.

1 MR. HOOPER: Can I have another in that sequence, this one:

2 0856. And after that, I'll be asking to show 00 -- sorry, 0858. So,
3 0856 and 58.

4 Q. So that photograph's up, I think, now, and again can you identify
5 the place where that photograph was taken?

6 A. Mr. President, this photograph was taken in Bunia still, and we
7 are in Dele, in the area known as the Kilo-Moto farm. Thank you.

8 Q. Thank you.

9 MR. HOOPER: And the next photograph, 0858, please.

10 * PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, we are at
11 photograph 858, and I take it that we have moved on to Dele, and please carefully
12 select the photographs you are bringing to the attention of the Chamber,
13 mindful of our decision of 5 July. We have dwelt at length on the presentation of
14 photographs, and therefore the photographs that you have selected must be quite
15 relevant, particularly in view of the fact that you have now moved to another
16 topic. Now we are at photograph 858; correct?

17 THE WITNESS: (Interpretation) Yes, Mr. President. This is one
18 of the houses in Dele, the Dele camp where workers of the Kilo-Moto
19 company used to live. Thank you.

20 MR. HOOPER:

21 Q. And looking at that image there, how does that house, we'll call
22 it, the quality of the house, compare to the other houses at Dele farm?

23 A. Like on all the other photographs in Dele, these are rudimentary,
24 makeshift buildings, very small houses which can host entire families,
25 sometimes of up to ten persons crammed into the small houses, these

1 miserable houses. Thank you.

2 Q. All right. Thank you.

3 MR. HOOPER: We've had previously exhibited photographs of
4 particular houses at Dele Ferme, and I don't propose to revisit them now
5 with this witness. I don't think their general authenticity is disputed,
6 or their provenance.

7 Can I just go to the next photograph, which is going to prove a
8 problem I think I'm going to find, but we'll see. It's 0001-0869.

9 Q. It's an aerial shot again, I'm afraid, Mr. Logo, but are you in a
10 position to help us as to what it represents or shows us?

11 A. On this photograph we can see the blue patch, which is the lake,
12 Lake Albert, and then close to the lake you have Kasenyi town. And to be
13 a little more specific, there is a line, a line running straight to the
14 bottom of the screen. It is the road from Kasenyi to Bogoro. It is a
15 road that runs through the Lake Albert plain, and that is why you see the
16 road appearing to be very straight, and it goes right up to Bogoro.
17 Thank you.

18 Q. Thank you.

19 A. With the leave of the Court, I have now remembered something
20 about the aerial photographs of Bunia. They seem to depict what is known
21 as Lumumba neighbourhood in Bunia, and I'm talking here about the
22 previous photographs that we were viewing. Thank you.

23 Q. So I think I would be -- am I correct in understanding you to say
24 that the last two photographs where you hesitated as to where it was, you
25 now believe to be the Lumumba area of Bunia? Thank you.

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1 A. Yes, that is correct. Yes, that is correct. It is part of the
2 Lumumba neighbourhood. Thank you.

3 Q. Thank you. Now, going back to the aerial flight photograph,
4 there's a sequence, and I will select, if I may, 0872 to be shown,
5 please. It's not up yet.

6 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

7 MR. HOOPER:

8 Q. All right. Another aerial shot (* Microphone not activated) ...
9 familiar with what it shows? Can you identify what we see there, please?

10 A. Yes. This photograph is an aerial shot of Mont Bleu as one moves
11 away from the lake towards Zumbe and other areas. This is the type of
12 mountain that you see. So this picture depicts part of Mont Bleu once
13 one leaves Lake Albert and is flying towards Bunia town. Thank you.

14 MR. HOOPER: All right. And can I show another in that sequence.
15 0874, please.

16 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

17 MR. HOOPER:

18 Q. And again, what do we see there, in brief?

19 A. This is still an aerial view of the mountains around Lake Albert.
20 This is Mont Bleu. And then you see a few tracks and so on and so forth.
21 That is all I can say. Thank you. Thank you, Mr. President.

22 MR. HOOPER: Very well. And the next photograph, 0877, please.

23 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

24 MR. HOOPER:

25 Q. And again, can you help us with that image, please?

1 A. Yes, of course. Once again, flying over Lake Albert towards
2 Bunia. You get now closer to Bunia, and you can see the tracks, the
3 roads along -- running along the hills, which people used to go fetch
4 building materials and stones. That is all I can say in this connection.
5 Thank you.

6 Q. (* Previous translation continues) Thank you.

7 MR. HOOPER: 0001-0884, please. Thank you. And after 84, I'd
8 ask for 82.

9 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, please
10 proceed.

11 MR. HOOPER: Ah. That's not the number I thought. All right.

12 PRESIDING JUDGE COTTE: (Interpretation) 884?

13 MR. HOOPER: It doesn't matter.

14 Q. This photograph here, what -- what -- what do we see?

15 A. On this photograph -- let me start by saying that this photograph
16 was taken by the Bunia-Nyankunde road. So you can see the general layout
17 of the vegetation and the relief which is adapted to stock breeding, and
18 then this is a typical prairie setting.

19 To be a little more specific, this photograph was taken from a
20 distance not too far away from Chai.

21 Q. We can see some distant hills. In general, what area is that
22 that we're looking at where the hills are?

23 A. Yes. When one goes from Bunia towards Nyankunde through Lengabo
24 and Chai, then you would see these hills to your left. When you see
25 these hills, then you are looking at Walendu-Bindi collectivity. These

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1 images were zoomed in, and one is able to see part of the Walendu-Bindi
2 collectivity.

3 MR. HOOPER: And in that sequence, can I see 0887, please.

4 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

5 MR. HOOPER:

6 Q. Again we see what you've described as a prairie landscape,
7 pasturage, and the hills behind. To the right-hand side of the
8 photograph you can just make out a village or place. Do you know where
9 that is? Can you recognise it?

10 A. Yes, your Honour. Your Honours, I do recognise this area. That
11 is Nyankunde. Thank you.

12 MR. HOOPER: Thank you. Can I please have 0882, please.

13 Q. And in general, do you recognise what we see there? Can you tell
14 us what it is?

15 A. Yes, your Honour, I do recognise what's shown in the photograph.
16 Where you see the smoke, the mountain you see is Mont Bleu. The
17 photograph was taken from the Bunia-Bogoro road. We were going to
18 Bogoro. Behind those hills, and you might not be able to see this, you
19 have the Bedu Ezekere groupement, behind those hills. Thank you.

20 Q. All right. Thank you.

21 MR. HOOPER: Can I just pause there and gather up some more
22 EVD numbers. Thank you very much.

23 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, can we
24 start with 853, 856, 858, 859, 872, 74, and so on and so forth.

25 COURT OFFICER: (Interpretation) Thank you, your Honour.

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1 The photograph DRC-D02-0001-0853 shall bear the reference
2 EVD-D02-00190.

3 The photograph DRC-D02-0001-0856 shall bear the reference
4 EVD-D02-00191.

5 The photograph DRC-D02-0001-0858 shall bear the reference
6 EVD-D02-00192.

7 The photograph DRC-D02-0001-0869 shall bear the reference
8 EVD-D02-00193.

9 The photograph DRC-D02-0001-0872 shall bear the reference
10 EVD-D02-00194.

11 The photograph DRC-D02-0001-0874 shall bear the reference
12 EVD-D02-00195.

13 The photograph DRC-D02-0001-0877 shall bear the reference
14 EVD-D02-0196.

15 The photograph DRC-D02-0001-0884 shall bear the reference
16 EVD-D02-00197.

17 The photograph DRC-D02-0001-0887 shall bear the reference
18 EVD-D02-00198.

19 The photograph DRC-D02-0001-0882 shall bear the reference
20 EVD-D02-00199.

21 MR. HOOPER: Thank you very much indeed. 0906. That's the last
22 of the sequence in divider 16 that I'll be referring to.

23 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, you may
24 continue, sir.

25 MR. HOOPER:

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1 Q. And can you identify the image in that photograph, please.

2 A. Yes, I can, your Honour. I can identify what is in the
3 photograph.

4 In the background you see the mountain I referred to as
5 Mount Arabe. This is the Aveba medical centre. This is part of the
6 Aveba medical centre. And the white structure you see are -- I think
7 it's a toilet. And the other buildings have the maternity and other
8 health care services. In any case, this is Aveba, the medical centre of
9 Aveba. Thank you.

10 MR. HOOPER: All right. Can we have an EVD number, please, for
11 that photograph. Thank you.

12 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, please.

13 COURT OFFICER: (Interpretation) Thank you, your Honour.

14 The photograph DRC-D02-0001-0906 shall bear the reference
15 EVD-D02-00200.

16 PRESIDING JUDGE COTTE: (Interpretation) Thank you,
17 Court Officer.

18 Mr. Hooper, you may proceed.

19 MR. HOOPER: Can I see or have shown to the witness
20 DRC-D02-0001-0103. Thank you.

21 PRESIDING JUDGE COTTE: (Interpretation) In which tab are we,
22 Mr. Hooper?

23 MR. HOOPER: Sorry. It's the last item on tab 7.

24 PRESIDING JUDGE COTTE: (Interpretation) Thank you.

25 MR. HOOPER: In fact, I've called it up by its -- I've called it

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1 up by -- it's got an EVD number. I should have referred to that. Shall
2 I refer to that now for the benefit of the record? It's EVD-D02-00027.

3 PRESIDING JUDGE COTTE: (Interpretation) Yes. Thank you,
4 Mr. Hooper. But the point is, is this -- I think this document is
5 confidential, so the blinds behind the witness have to be lowered.

6 Court Officer, please do something about that.

7 MR. HOOPER: Yes, I'm sorry. This is a confidential document,
8 and perhaps the blinds can remain down behind the witness. Of course the
9 windows remain open either side of him, but that would be helpful.

10 PRESIDING JUDGE COTTE: (Interpretation) Members of the public
11 should move to either side of the witness, because the curtain behind the
12 witness is going to be lowered.

13 MR. HOOPER:

14 Q. And looking at that, have you seen that photograph before?

15 A. Yes, your Honour, I have seen this photograph before.

16 Q. And did you obtain the photograph?

17 A. Yes, your Honour. I was the one who obtained this photograph.

18 Q. And if asked, are you in a position to provide the name of the
19 person you obtained it from?

20 A. Your Honour, this photograph was provided to me by someone by the
21 name of --

22 Q. Don't provide the name. Just -- sorry, I should have said that.
23 Don't say the name. Just say -- I'm just asking if you were asked, is it
24 right that you can provide the name of the person who gave it to you?

25 A. Yes. I will be able to provide the name of the person who

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1 provided me with this photograph. By the way, the person who gave it to
2 me is in the photograph.

3 Q. Well, that's very helpful. Thank you very much. I don't take it
4 any further. You may be asked other questions about it.

5 MR. HOOPER: Can I now go to a photograph in folder -- divider 8,
6 the first one, and it's EVD-D02-00034.

7 PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper.

8 MR. HOOPER:

9 Q. Do you know who took that photograph?

10 A. Yes, I do know the person who took that photograph. It was taken
11 by myself.

12 Q. Right. I don't think I need ask you any further questions about
13 the photograph. Can I take you to a document which is EVD-D02-00037.

14 MR. HOOPER: This is a confidential document. In fact, you can
15 treat all these documents as confidential, I think, unless I say
16 otherwise.

17 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, we are
18 in tab 8.

19 MR. HOOPER: All right. All right.

20 PRESIDING JUDGE COTTE: (Interpretation) The document's on
21 screen, Mr. Hooper.

22 MR. HOOPER:

23 Q. We see -- we see the image of the document. Have you seen that
24 document, and where did you obtain it?

25 MR. MACDONALD: (Interpretation) Your Honour, I beg your pardon,

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1 but this document is supposed to be confidential.

2 PRESIDING JUDGE COTTE: (Interpretation) We are still -- we
3 still have confidential arrangements in place.

4 MR. MACDONALD: (Interpretation) The public cannot see the
5 document.

6 PRESIDING JUDGE COTTE: (Interpretation) Yes, but I think it's
7 best to err on the side of caution, and Mr. Hooper will strive to make
8 sure that the names are not mentioned as he did previously.

9 Mr. Hooper asked you, Mr. Witness, whether you had seen this
10 document before.

11 THE WITNESS: (Interpretation) Yes, your Honour. I have already
12 seen this document, and I was the one who obtained this document as well.
13 I went to obtain it from the service which represents the Ministry of
14 Labour and Social Insurance in Bunia. Thank you.

15 MR. HOOPER:

16 Q. All right. Thank you. Can I show you document EVD - just one
17 moment - D02-00124, please. And again, these are confidential documents?

18 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, we are
19 still dealing with documents in tab 8.

20 MR. HOOPER:

21 Q. So that's up. Have a look at that. I'm going to ask you a
22 global question in a moment, because I want you next to look at EVD -126,
23 and after that, 125. Let me put it the other way round: 125 and then
24 126, again from the same divider.

25 PRESIDING JUDGE COTTE: (Interpretation) The document 0124 has

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1 been displayed on screen. You want 125 and 126 to be displayed -- should
2 be displayed as well, and you probably wish to put questions on all these
3 documents.

4 So, Court Officer, can we move on to 125 and later on to 126.
5 And you display these documents in succession, the three documents. The
6 first one has just disappeared. 125 is on screen now, and, Mr. Logo,
7 take your time to examine it.

8 THE WITNESS: (Interpretation) I have finished going through it.

9 PRESIDING JUDGE COTTE: (Interpretation) You have already --
10 fine, you've read 126 (* as interpreted). Court Officer, could you
11 please display 126.

12 Have you been able to read it, because it's not very clear on
13 screen, Mr. Witness.

14 THE WITNESS: (Interpretation) Yes, your Honour, I have been
15 able to read it.

16 PRESIDING JUDGE COTTE: (Interpretation) Very well.

17 Mr. Hooper, you wanted the three documents to be displayed. They
18 have been displayed. Please, you may proceed.

19 MR. HOOPER: All right.

20 Q. In what circumstances did you see those documents before?

21 A. These documents, your Honour, were obtained by myself from the
22 mining company Kilo-Moto. I obtained the documents from its
23 administrative headquarters in Bunia.

24 Q. Thank you. Can we now see - it's the last document in that
25 divider - EVD-129.

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1 PRESIDING JUDGE COTTE: (Interpretation) Mr. Logo, can you see
2 that document on your screen?

3 THE WITNESS: (Interpretation) Yes, I do. With your permission,
4 can it be blown up a little?

5 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, is it
6 possible to magnify the document? Very well. Thank you.

7 THE WITNESS: (Interpretation) Thank you, your Honour. I do
8 recognise this document as well. I was the one who obtained it from the
9 offices of the Independent Electoral Commission in Bunia in their Ituri
10 liaison office. Thank you.

11 MR. HOOPER: All right.

12 Q. Now, can I show you EVD-D02-00033, please.

13 PRESIDING JUDGE COTTE: (Interpretation) We are still in tab 8,
14 Court Officer.

15 Thank you, Usher. The document has been magnified.

16 MR. HOOPER:

17 Q. Have you seen that document before, and in what circumstances?
18 And again don't mention names at this stage, please.

19 A. Yes, your Honours. I have already seen this document. This
20 document was prepared in my presence in the school called the
21 Kindia Institute of Bunia.

22 Q. All right. Thank you very much.

23 MR. HOOPER: Now, can we go into closed session -- private
24 session, please. It will be just to deal with this particular area, part
25 of it in any event.

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1 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, could we
2 go into private session for a while.
3 (Public session at 12.57 p.m.)
4 (Expunged)
5 (Expunged)
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Page 68 expunged – Private session

Witness: Witness DRC-D02-P-0258 (Resumed) (Private Session)
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12 Page 69 expunged – Private session

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Page 70 expunged – Private session

Witness: Witness DRC-D02-P-0258 (Resumed) (Private Session)
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10 (Open session at 1.09 p.m.)

11 COURT OFFICER: (Interpretation) We are in open session,
12 your Honour.

13 PRESIDING JUDGE COTTE: (Interpretation) Thank you.

14 Mr. Hooper.

15 MR. HOOPER:

16 Q. (* Microphone not activated) Sorry. Looking at that card,
17 have you seen it before, and in what circumstances?

18 A. Yes, your Honour. I've already seen this card. Once again, I am
19 the person who went to get it from the Independent Electoral Commission
20 and more specifically at their liaison office in Bunia. Thank you.

21 Q. Thank you. Now, can you please have sight of EVD-D02-00042 and
22 43. And if they can be put up in sequence. You have a look at them, and
23 then I'll ask you a question in respect of both of them. Thank you.

24 PRESIDING JUDGE COTTE: (Interpretation) Court Officer, I
25 believe the two documents are to be found under tab 9, tab 9. If they

Witness: Witness DRC-D02-P-0258 (Resumed) (Open Session)
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1 could be displayed on the screen one after another with sufficient time
2 for the witness to read them.

3 MR. HOOPER:

4 Q. Right. That's one, I think, and you've seen that. I can see you
5 looking at that and have seen that.

6 MR. HOOPER: Can we have the next one, 142, please.

7 Q. And have you seen either or both of those documents before and in
8 what circumstances, please?

9 A. Yes. All these documents which I've seen here were obtained by
10 me. I got them from the administrative office of the Kilo-Moto mining
11 company in Bunia. And just to be more specific, these are documents that
12 I obtained from the parents who were working for this company, the
13 Kilo-Moto mining company. Thank you.

14 Q. Thank you. Can I please show you EVD-D02-00127. It appears in
15 divider 10 and is a photograph showing three youths.

16 PRESIDING JUDGE COTTE: (Interpretation) There you have it,
17 Mr. Hooper.

18 MR. HOOPER:

19 Q. Have you seen that photograph before and in what circumstances?

20 A. Your Honour, I have already seen this photograph. It is a
21 photograph of three youths, and once again, I was the one who obtained
22 the photograph in Bunia. I got it from Mr. Nobirabo, also known as
23 Nobire. This photograph was in his possession. He's a photographer,
24 actually. And the person -- or, rather, the people who asked for their
25 picture to be taken were not able to pay, and so the photograph remained

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1 in the possession of the photographer, and as part of my investigations I
2 was able to obtain this photograph. I thank you.

3 Q. Thank you very much. Again, it has an EVD number. And now I'd
4 like you to be shown 0001-0162, which is a public document and appears as
5 the one item in divider 11.

6 PRESIDING JUDGE COTTE: (Interpretation) The document is now
7 displayed on the screen, Mr. Hooper.

8 MR. HOOPER: Yes. This may have an EVD number.

9 Q. Have you seen this document before and, if so, in what
10 circumstances?

11 A. Yes, your Honour. Your Honours, I have already seen this
12 document. I am the one who brought it and gave it to my team. I found
13 it within the CONADER offices in Kinshasa when I travelled to Kinshasa.
14 * I went to the CONADER offices because I wanted to obtain more specific
15 information about the list of children who were demobilised in the Ituri
16 area. Once I got there, I wasn't able to get access to that document, but seeing that
17 there were some pamphlets on the tables, Mr. Dadi (* phon) who worked at
18 CONADER in Kinshasa gave me -- correction: I asked him for the pamphlet.
19 He gave it to me, and so I took the pamphlet and I handed it over to my
20 team. That is what I can tell you about this document.

21 MR. HOOPER: It doesn't need an EVD number. It already has one.
22 Let me read it. It's EVD-D02-00144. Thank you very much.

23 Q. Have you as an investigator made any efforts to obtain details
24 relating to demobilisation of children or adults in the Walendu-Bindi or
25 elsewhere areas?

1 A. Your Honours, when I went to the CONADER offices in Kinshasa, I
2 wasn't given access, so I was not able to obtain details about the
3 demobilisation of people within the Walendu-Bindi collectivity. I wasn't
4 given access. The people at CONADER said it was -- such information was
5 a state secret, and so I wasn't able to have access to that data.

6 So there you have it. That's what I can tell you about this
7 matter.

8 Q. All right. In the course of your inquiries, have you taken
9 letters of request to government offices in Kinshasa in relation to child
10 soldiers or indeed in respect of governmental support through EMOI or any
11 other organisation in relation to matters relevant to this case?

12 A. Yes. I did send two letters, but neither one was answered. I
13 never had any reply, neither in writing nor in oral form. That's all I
14 can tell you, your Honours.

15 Q. Now, if I say to you "Witness 0219," do you have in your mind --
16 do you know who I'm speaking about, Witness 0219?

17 A. Yes, Witness 0219, I can see who you mean by that.

18 Q. All right. Now, without mentioning his name, how did you come to
19 be in contact with him?

20 A. Your Honour, you got into touch with Witness 0219 within the
21 framework of my investigation. I was placed in contact with Witness 0219
22 by a person by the name of (Expunged) is of the same
23 ethnic group and clan as me. We are distant cousins, and we have known
24 each other for a very long time. So as part of my work, during my
25 conversations with him he told me no, he could find someone who could

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1 provide me with some information about what happened in the Walendu-Bindi
2 region because this person -- well, he had worked with this question, and
3 he had spoken with this person quite a bit, and often he had discussions
4 with him about Aveba or Zumbe.

5 So I -- I got that name, and I was able to get in touch with
6 Witness 0219 through my distant cousin (Expunged). And he is still
7 alive, as a matter of fact. Thank you.

8 Q. All right. Thank you. Now, can you recall how many times you
9 met Witness 0219? And I'm then going to ask you to go through the
10 meetings you had with him, but I'm looking at the clock. We've got some
11 minutes, so perhaps we can -- we can start with just that general
12 question.

13 Do you know how many times -- can you recall how many times you
14 met with Witness 0219?

15 A. Your Honours, I met Witness 0219 four times.

16 Q. All right. So perhaps we can start -- and I don't want -- you
17 needn't go into it in great detail but some detail perhaps, but can you
18 tell us what happened on the first occasion you met him, and then we'll
19 anticipate that we'll probably stop there and you can tell us the other
20 occasions tomorrow.

21 MR. HOOPER: And I can indicate that this is the last subject
22 that I need deal with at the moment with this witness.

23 THE WITNESS: (Interpretation) Thank you, your Honour. Indeed,
24 my first meeting with 0219 was basically just a meeting to get into touch
25 with him, to have contact with him. We really just had an initial

1 meeting, and this was in the afternoon. We met one another. We
2 introduced ourselves, and I explained what the purpose of my work was,
3 and so we set another meeting with this witness the next day. So that's
4 what I can tell you about my first meeting with Witness 0219.

5 Q. All right. Well, thank you. And I think that's, with
6 His Honour's approval, as far as we can -- can take it.

7 MR. HOOPER: Now, I'm very grateful to Ms. Roussos and
8 Ms. Menegon because they've this morning been able to extract and print
9 in colour the various -- the various items that this witness can take
10 away with him now or deal with here in -- with the VWU. Can I hand them
11 up to your Honour?

12 May I say that we printed out two copies of each so that if, as
13 can so easily happen, there is a mistake in one, he can always make a
14 fair copy with the second one, as it were. And each of these extracts
15 is -- provides the seconds. So the witness can see the seconds. And
16 there's also a list of the -- a list, and there's a copy for everyone -
17 I'm very grateful for that foresight - of the various places the witness
18 has so far named. And of course Mr. Logo is alert to your Honour's
19 request to identify the hills and the physical aspects. So can I -- and
20 I'll share the -- my friend wants to see the list. We have a copy, in
21 fact, for him, and I'm sure that will be satisfactory. So perhaps we can
22 deal with that as soon as we rise for the adjournment, and I can put
23 these documents into the hands of the Registry. And there's a copy there
24 of the items he's mentioned so far, and there's copies here for the
25 various parties and for Their Honours of the list that has been extracted

1 from the transcript.

2 PRESIDING JUDGE COTTE: (Interpretation) Thank you, Mr. Hooper.

3 So each party and participant will receive one copy of the various
4 extracts from the video that you chose, and the witness will be asked to
5 make a number of annotations on the documents within the premises of the
6 unit after lunch.

7 Court Officer, could you make sure that the witness is able to do
8 so under proper conditions, of course, and if you could ensure that these
9 documents will be presented tomorrow. Most likely Mr. Hooper will have
10 made use of the documents to present them to the Chamber and to parties
11 and participants, and you believe he said he expects to conclude his
12 examination-in-chief with some questions about Witness 0219, and this
13 means that we could foresee Professor Fofé beginning his questioning
14 later on tomorrow and so on and so forth.

15 Now, Mr. Court Usher, I realise you have many tasks to do all at
16 once, but if you could be so kind as to accompany the witness out of the
17 courtroom and ensure that these photocopies are provided to the various
18 parties such as Mr. MacDonald and the legal assistants of the members of
19 the Bench.

20 MR. HOOPER: The screen -- the screen shots, all those are for
21 the witness. There's no copies for anyone else. They're for the
22 witness, but there's two of each one solely in case when he's doing it
23 he's in error.

24 And just before we close, can I just say that in respect of the
25 electoral card that was produced -- was shown to the witness that didn't

1 need -- didn't have an EVD number, we need an EVD number for that, and
2 perhaps I can come back to that tomorrow with the Registry if there's not
3 time now.

4 THE WITNESS: (Interpretation) One moment.

5 MR. MACDONALD: (Interpretation) I beg your pardon. Could we
6 please have the list.

7 PRESIDING JUDGE COTTE: (Interpretation) How many photocopies
8 were you planning to make, Mr. Hooper? How many photocopies are there,
9 four, five, six, seven?

10 MR. HOOPER: Of which? There's -- there's photocopies --

11 PRESIDING JUDGE COTTE: (Interpretation) The photographs taken
12 from today's video, the ones that you are planning to give to the
13 witness, how many photocopies are there of these documents?

14 MR. HOOPER: Twelve extracts, and there's two copies of each of
15 the 12 separate extracts. And we'll get further copies for the Chamber
16 tomorrow and for my friend. Perhaps we can either send them
17 electronically, or in any event, we will assist, I hope, by getting them
18 and for the parties as well.

19 PRESIDING JUDGE COTTE: (Interpretation) The ideal, then, would
20 be that once the witness has annotated the photographs, Madam
21 Court Officer, you would make those photographs available to all parties
22 and participants tomorrow morning.

23 Now, if those photocopies were distributed this evening, that
24 would be excellent.

25 The ideal, therefore, would be that after his meal, the witness

1 should proceed to do this exercise and that thereafter the annotated
2 photos -- or photocopies be distributed by this evening.

3 And by the way, Madam Court Officer, tomorrow morning you should
4 provide an EVD number to the electoral card which Mr. Hooper has just
5 referred to. We don't have much time. And you also proceed to provide
6 the EVD numbers for the second document which was referred to this
7 morning at the end of the first part of our deliberations. It is
8 Mr. Hooper's desire that these documents be sorted out in that manner,
9 because it bears several components.

10 Now, the witness is going to have to leave.

11 THE WITNESS: (Interpretation) Mr. President, with your leave, I
12 would like to start by thanking the Registry for taking the original
13 documents from my room yesterday. However, let me clarify one thing
14 relating to a copy of the document that was handed back to me.

15 There are a number of items that were photocopied on both sides
16 of the sheet of paper, and this might lead to confusion, so it is better
17 to do this all over again. So the problem might be on my side, and I
18 think that there is need for those documents to be reviewed and organised
19 properly, because I have heard mention that there are three documents,
20 but there are a total of about five documents, and I wanted to make that
21 point very clear, Mr. President.

22 I wish you all a very pleasant afternoon.

23 PRESIDING JUDGE COTTE: (Interpretation) Thank you. Thank you.
24 The Court Officer will look closely at the second document to determine
25 the manner in which to assign EVD numbers so that all parties and

1 participants subsequently can be on the same page when consideration is
2 made of these documents.

3 Mr. Witness, see you tomorrow morning. Thank you for your
4 contribution, and after lunch, you will please proceed to do what
5 Mr. Hooper has requested. Thank you.

6 (The witness stands down)

7 PRESIDING JUDGE COTTE: (Interpretation) So we shall reconvene
8 tomorrow morning at 9.00 a.m. under the circumstances as discussed.

9 Mr. Hooper ends, Mr. Fofé continues, and then Mr. MacDonald.

10 The hearing ends at 1.33 p.m.

11 CORRECTIONS REPORT

12 The Court Interpretation and Translation Section has made the following corrections
13 in the transcript:

14 * Page 52 lines 18-19 "I can even see the MONUC or UNAMIR offices.

15 I can see the UNAMIR restaurant. And this is refer to as Bunia town. "

16 is corrected by

17 "I can even see the MONUC offices.

19 I can see the MONUC restaurant. And this is referred to as Bunia town. "

18 * Page 53 lines 2-3 "UNAMIR should read MONUC for the Congo."

19 is corrected by

20 "UNAMIR should read MONUC"

21 * Page 55 lines 10 to 16

22 "PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, we are at

23 photograph 858, and I take it that we were at Dele, and please carefully

24 select the photographs you are bringing to the attention of the Chamber,

25 mindful of the decision that we have made, and therefore the photographs

1 that you have selected must be quite relevant, particularly in view of
2 the fact that you have now shifted the subject or the topic. Now we are
3 at photograph 858; correct?" is corrected by
4 "PRESIDING JUDGE COTTE: (Interpretation) Mr. Hooper, we are at
5 photograph 858, and I take it that we have moved on to Dele, and please carefully
6 select the photographs you are bringing to the attention of the Chamber,
7 mindful of our decision of 5 July. We have dwelt at length on the presentation of
8 photographs, and therefore the photographs that you have selected must be quite
9 relevant, particularly in view of the fact that you have now moved to another
10 topic. Now we are at photograph 858; correct?"

11 * Page 73 lines 14 to 20:

12 "I left the CONADER offices because I wanted to obtain more specific
13 information about the list of children who were demobilised in the Ituri
14 area. I wasn't able to get access to that document, but seeing that
15 there were some pamphlets on the tables, Mr. Dadi (* phon) who worked at
16 CONADER in Kinshasa gave me -- correction: I asked him for the pamphlet.
17 He gave it me, and so I took the pamphlet and I handed it over to my
18 team. That is what I can tell about this document." Is corrected by
19 "I went to the CONADER offices because I wanted to obtain more specific
20 information about the list of children who were demobilised in the Ituri
21 area. Once I got there, I wasn't able to get access to that document, but seeing that
22 there were some pamphlets on the tables, Mr. Dadi (* phon) who worked at
23 CONADER in Kinshasa gave me -- correction: I asked him for the pamphlet.
24 He gave it to me, and so I took the pamphlet and I handed it over to my
25 team. That is what I can tell you about this document."