

1 International Criminal Court
2 Trial Chamber II - Courtroom 1
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 Friday, 9 September 2011
10 The hearing starts at 9.04 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.
15 Good morning, everybody. Good morning to the accused persons.
16 Court Officer, Usher, could we bring the witness, Chief Manu,
17 into the chamber, please.
18 (The witness takes the stand)
19 PRESIDING JUDGE COTTE: (Interpretation) Good morning,
20 Mr. Witness. Good morning, Chief Manu.
21 THE WITNESS: (Interpretation) Good morning.
22 PRESIDING JUDGE COTTE: (Interpretation) I can see that you can
23 hear me well so we will be able to resume our work. It is
24 Mr. Jean-Louis Gilissen who is the Legal Representative of a group of
25 victims who is going to ask you some questions, questions that fall

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1 within the framework of his role as the Legal Representative of the
2 victims known as child soldiers.

3 I give you the floor, Mr. Gilissen.

4 MR. GILISSEN: (Interpretation) Thank you very much, your
5 Honour. Good morning, your Honour. Good morning, your Honours.

6 WITNESS: WITNESS DRC-D03-P-0088 (Resumed)

7 (Witness answered through interpreter)

8 Questioned by Mr. Gilissen:

9 Q. (Interpretation) Good morning, Chief Manu.

10 A. Good morning.

11 Q. The Presiding Judge has just told you that I'm
12 Jean-Louis Gilissen. I'm a Belgian lawyer from the Liège bar, and I am
13 representing before this jurisdiction the interests of the child
14 soldiers, those who have identified themselves as being child soldiers.
15 And I must say that I'm particularly pleased to be able to question you
16 because, on more than one occasion, I have listened with great interest
17 and drawn a great deal of benefit from your testimony. And so I would
18 like to ask you a few questions to perhaps enable the Chamber to go into
19 your testimony a little bit further and avoid any misunderstanding to
20 prevent we who were not present from making any errors of interpretation.

21 Now, it is true that you're a traditional chief and you are
22 therefore at the centre of circulating information or at least any good
23 chief is the hub of information. And you have explained to us that in
24 that role you have travelled and played a role that is of particular
25 interest to us. You talked a trip to Aveba, to Beni, to Bolo via

1 localities like Bavi, Kalongo, Avenyuma, Tchei, and all of this is in
2 transcript 301 of the 30th of August, 2011.

3 I would like to know, Chief Manu, in general terms, whether it is
4 as a result of your own direct observations where you hold responsibility
5 or on your travels, at any time did you personally see any young people,
6 very young people - and could I just specify what I mean with regard to
7 what you have already told us - you said that it is from the age of 18
8 upwards that somebody could be considered an adult.

9 My question is this: Have you seen any very young people, let's
10 say younger than 15 years old, definitely very young people, who were
11 bearing weapons? Have you seen them in your own collectivity, I repeat,
12 or did you see them on the travels in which you engaged?

13 A. Thank you for the question. I will take things slowly so that we
14 understand each other.

15 Mr. Presiding Judge, your Honours, counsel, when we were taken by
16 surprise by the fighting, when the fighting broke out, we were not
17 thinking about the children. Now, children cannot participate in the
18 fighting. Where we lived, there were no such children. I remember one
19 thing that I can tell you so that you are in a position to know. When I
20 learned that people were starting to talk about child soldiers, in your
21 question, counsel, you asked me if in my locality or on my travels I saw
22 child soldiers. My first answer would be this: There were no child
23 soldiers in my locality. My second answer is this: When I was in Bunia
24 before I left Luara (* phon), at the beginning of the year 2001, I just
25 saw some young people, who were relatively old young people, who had left

1 Uganda and gone to Mandro and they were wearing turbans or head wear, and
2 people were saying they were young people who had gone to receive
3 training in Uganda and had returned. These were people who gave the
4 impression of being very young, but they were adults and they went to
5 Mandro.

6 Other than that and in carrying out my function - because your
7 question made reference to that - well, when I was carrying out my
8 functions, I did not see such young children. I'm going to spend a few
9 moments on this period.

10 When I finished my term as traditional chief or when I was on the
11 point of finishing, there were some CONADER macarons brought, and when
12 the fighting stopped the Hema and the Lendu handed in their weapons. In
13 2006, that is when people started to talk about child soldiers, and I
14 repeat, that was 2006. How could that be possible?

15 The people from the local NGOs arrived, and when they arrived
16 they wanted to see orphaned children.

17 Now, please tell me if I'm speaking too fast.

18 Those agents said that they wanted to see orphaned children,
19 children who had no other member of their families alive because all of
20 those people had perished in the fighting. Certain parents said, for
21 example, we know that this child in particular has no father but he has a
22 mother or we know that this child has a father but no mother. Well,
23 these children were going through a very difficult period and they would
24 even come and present themselves to me. Those people said that they were
25 interested in children aged under 15 and that they would help them to

1 learn professions, would help them, for example, to become stone masons,
2 carpenters, and so on. They also said that they would be able to pay the
3 school fees of those who were able to pursue normal school studies.

4 Now, this is what I say: We need to carry out an inquiry through
5 the entire groupement to find these children. Correction: This is what
6 I said. But this procedure didn't work well.

7 Q. This answer seems extremely interesting to me, but this is not my
8 question.

9 MR. O'SHEA: In the English transcript when he's talking about
10 children coming from Uganda or young people coming from Uganda, there's a
11 reference to them having turbans on their heads. I didn't understand the
12 French word. I was listening to the French but I didn't understand the
13 French word, but "turbans," in my understanding, is something worn by
14 Sikhs. So I don't know what the word was which was used in French. I
15 mean, I heard it but I didn't understand the word so I don't know what
16 was meant.

17 THE INTERPRETER: Interpreter's correction: Those would be
18 cornrows or braids on their hair.

19 PRESIDING JUDGE COTTE: (Interpretation) I do not have the line
20 of the French transcript. I also heard the witness mention something
21 which was on their heads but I'm not quite sure how that was translated.
22 Could we take a moment to bring the French transcript up on screen. They
23 were wearing "*nattes*" in French on their heads, braids, that is line 28.

24 Chief Manu, could you please tell us as clearly as possible in
25 your language once again what object these young people were wearing on

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1 their heads and our interpreters will try and give us an interpretation
2 that will be relayed into French and then into English as clearly as
3 possible. Chief Manu, what did they have on their heads? You said young
4 people, who were fairly old young people, who had left Uganda who went to
5 Mandro and who were wearing, in French, "*nattes*" on their heads. What
6 exactly were they wearing on their heads? Did you really mean "*nattes*,"
7 braids?

8 THE WITNESS: (Interpretation) They had braids that were about
9 as long as I'm indicating with my hands. You roll the hair and you wear
10 them on the head.

11 MR. GILISSEN: (Interpretation) I think that he probably means
12 that they were transporting them on his heads (* as interpreted) because
13 what he's explaining there would appear to be indicating -- in fact,
14 sleeping mats, something that the villagers would use to sleep on. It's
15 not the something that they were wearing on their heads as such. They
16 were carrying them on their heads.

17 PRESIDING JUDGE COTTE: (Interpretation) Ah, all right. I
18 understand. It's not something like a hat. They're actually wearing
19 rolled mats, carrying rolled mats on their heads. So we'll try and find
20 an equivalent word in the English transcript to reflect that that is not
21 turban. It is something of the order of rolled sleeping mats.

22 Mr. Gilissen.

23 MR. GILISSEN: (Interpretation) Thank you very much, your
24 Honour.

25 Q. Witness, I apologise for having interrupted you. I really do

1 apologise, but I don't think you've fully understood my question. First
2 of all, I didn't ask you about child soldiers. I'm surprised that you're
3 telling me about child soldiers. I deliberately chose not to mention
4 child soldiers in my question. What I asked you was whether personally
5 you had seen children bearing weapons and you're talking to me about
6 child soldiers. What is a child soldier? According to you, what is a
7 child soldier? Why all of a sudden are you talking about child soldiers?

8 A. I apologise. I didn't understand you clearly. I thought you had
9 asked me whether I had seen them. I told you that I was -- I had seen
10 children who were carrying those mats and I said that personally I hadn't
11 seen them. I would have stopped there. I really would have left it at
12 that, but given that I don't know you and you don't know me, I wanted to
13 give you more explanations. Now I'm ready to give you an answer.

14 When you asked me your question, you asked me to help you as a
15 chief because it is understood that as a chief I know everything that
16 took place. Well, I was very happy to be asked and I gave you some
17 additional explanations. I would ask you, rather, if I may, to allow me
18 to take things step by step. You've asked me now to define what a child
19 soldier is. You interrupted me, but could I ask you to allow me to take
20 things step by step in accordance with the way you asked your question.

21 Now, I can't tell you a great deal about child soldiers. I heard
22 through the personnel from the NGOs in question that there was an issue
23 concerning child soldiers. So I'm ready to listen to you. Please ask me
24 your questions.

25 Q. Thank you very much, Chief Manu. I think that we're both on the

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1 same wavelength and we will be able to reach agreement on the way to
2 proceed. In practice, apart from the young people that you have just
3 told us about, if I've understood correctly, throughout that entire
4 period, let's say from 2002 until the middle of 2003, you did not see
5 young people carrying weapons. And when I say "young people," I mean
6 people who were obviously younger than 15 years of age. Have we
7 understood each other clearly, Chief Manu?

8 A. Yes. We understand each other clearly. I did not see them.

9 MR. FOFÉ: (Interpretation) Excuse me, Presiding Judge, your
10 Honours. Just to point out that the witness's answer on page 8, lines 1
11 to 7, needs to be listened to again, your Honour. The witness told us
12 where the concept of child soldier came from, who brought that concept to
13 the forefront. It is very important that that should be highlighted in
14 that passage.

15 PRESIDING JUDGE COTTE: (Interpretation) Thank you very much.
16 Now, the provisional transcript has many gaps in it at this stage, so we
17 do need to ensure that the answers are recorded as precisely as possible.

18 Mr. Gilissen or Chief Manu, I've forgotten whose turn it was to
19 speak. I think it was you, Mr. Gilissen, please go ahead.

20 MR. GILISSEN: (Interpretation) Yes, I think that Chief Manu was
21 kind enough to answer me and the ball is now in my court, your Honour, so
22 I will ask my question.

23 Q. Chief Manu, so apparently you in practical terms did not note the
24 presence of such armed children, but as a chief and as a chief who
25 travelled, during that period did anyone tell you of the existence of

1 children of that kind of age, clearly under the age of 15 who may have
2 been seen by others, bearing arms?

3 A. Nobody told me about such children and personally I have not seen
4 children of the kind you're describing.

5 Q. Chief Manu, you received a photograph, a photograph -- a
6 photographer and apparently you welcomed him very warmly, by the way.
7 And you talked to us about that photographer. You situated his visit in
8 time and place. You said that you don't recognise Zumbe in the
9 photograph that we showed you taken by this photographer, but in the
10 image in question you can clearly see child soldiers, children carrying
11 arms. Now, this has been dated July 2003, children who were in Ituri
12 carrying weaponry in July 2003. Is it envisagable that there was a
13 phenomenon perhaps not of child soldiers but of children carrying weapons
14 that may have escaped your attention there?

15 A. Counsel, there were none. When we arrived in Bunia in
16 March - and the photographer came through perhaps six months later - I
17 really can't tell you anything about that. From March onwards, the
18 6th of March, there was fighting. Lopondo was able to calm things down a
19 bit, but after the 6th we no longer had any control. And personally, I
20 did not see any child soldiers.

21 Q. Chief Manu, you have said - and you have used quite strong terms
22 in saying this - that your community was the victim of attacks, you lost
23 a lot of men, women, children, elderly people, houses, property, crops.
24 In your collectivity in reaction against that, was there a general
25 mobilisation? In the community as a whole, including among the children,

1 was there a sudden urge for people to take responsibility, to save their
2 community, which at one point you said was being exterminated - you used
3 that term, "extermination"? Could you give us your thoughts on that
4 aspect of things?

5 A. I had five groups of old wisemen and I've spoken about that and
6 we worked within that framework. Now, we're talking about eight
7 groupements, but we really need to talk about my groupement because this
8 is quite an extensive community. Now, we set up five groups which were
9 to be responsible for ensuring the safety of women, elderly people, and
10 children and with regard to the people who went off to fight between 2001
11 and 2003, well, these were young combatants.

12 It was difficult to obtain weapons. A young person couldn't go
13 off and fight using arrows. He might be captured. An adult might be
14 able to use arrows, but a child could not. And when you find a rifle,
15 you can't give it to a child. You have to give it to someone who is
16 mature enough to be able to use it properly. That is my way of telling
17 you that from 2001 to 2003 that situation did not arise. We, the
18 wisemen, met and we know perfectly well that what you are talking about
19 did not take place.

20 Q. Very well, Chief Manu. You certainly have provided great wisdom
21 to us. You say that these things should not have happened, such things
22 should not happen, but in every country of the world, no matter what your
23 colour, white, brown, or yellow, when a community is facing
24 extermination, the teenagers don't remain indifferent. The young people
25 want to fight.

1 So my question is: At one particular time, perhaps beyond the
2 authority of the wise old men, did some young people take part -- well,
3 not in the fighting, but did they take part in any related activities,
4 were they advance scouts, did they serve as look-outs, did they do
5 anything like that beyond the authority or the decisions of the wisemen?
6 Because the community, the community that they loved so much was in
7 danger.

8 A. I understand your question, but this is difficult. Now, during
9 the war in our area, I would like to tell you, counsel, that one cannot
10 compare our country to yours. In our country -- well, it's not
11 comparable to Libya. Our locality is different. You would see that for
12 yourself if you came. You see, when you hear gun-fire, even white people
13 won't go there because there's no one to protect you. Even the
14 photographer had a hard time taking shots. You can't go there because
15 it's really the bush. Unless you're in an aircraft and take pictures
16 from there, it's very difficult to go in and take photographs during a
17 war. The photographs were taken later, once the French had arrived, and
18 that's when people started taking photographs and *using them to
19 explain what had happened during the war.

20 They did it to make money.
21 The grass is very tall and it's -- there's a lot of bush, scrubland.
22 People can't go through. People might be hiding in the bush. So people
23 received money to make statements, but if today you were to go to my part
24 of the world you would see that it's bush, it's bush land. Here there is
25 no dust, but where I come from, it is bush. There is dust everywhere.

1 People were just trying to get something to eat and children were
2 hiding too. When we heard explosions, we hid. Children were not allowed
3 to go off and fight. If we didn't -- if we were to say: Oh, well, you
4 go off and fight, if the old men had decided -- well, no one could go --
5 bandits might have gone out to steal food from the fields but they would
6 have been -- they could have been caught. The young people were kept
7 home. In our part of the world it really is the country, it is the bush.
8 I am telling you this, counsel, it really and truly is the bush.

9 Q. And these bandits that you've mentioned, Witness, the bandits you
10 just referred to, now, what about them in their groups, in their gangs?
11 Were there very young people within these gangs? Were there children
12 within these gangs?

13 A. I talked about young people, but -- well, really they weren't
14 bandits as such. It was because of the famine, the hunger. They knew
15 that was -- there was manioc in the fields and the manioc is tasty and so
16 they would go to the fields, to the farms, to get some. Before being
17 caught they would run into the field and they would eat manioc, cassava.
18 They weren't thieves. They were merely hungry. They did this out of
19 hunger.

20 Even adults would go to the fields, to the farms, to get
21 something to eat. After the fighting everyone would run to the fields to
22 try to get something to eat, not necessarily their own farm or plot of
23 land, other people's. But for us that was not theft because it was a
24 truly difficult time and people were just scrambling to exist. People
25 would even go off into the fields to get food to eat, children, old

1 people as well, they all did this to get something to eat.

2 There were no child soldiers within our groupement during that
3 time, during that conflict.

4 Q. I understand. I think you have been extremely clear and I don't
5 think anyone can get the wrong idea from what you've said. Now, the
6 Prosecutor has asked the question many times and Professor Fofé also
7 asked you about the matter and you have given us answers that are
8 identical. And I don't think anyone could say that you've wavered or
9 said different things about this particular issue. But I have a real
10 problem here. I'm a Belgian person and the Prosecutor is Canadian, so if
11 you're not Congolese you might misunderstand something.

12 What about the Congolese government with the national programme
13 from Kinshasa, the national programme for demobilisation? I think you
14 know this and you took part in activities to sensitise people to
15 demobilisation. There was a specific provision. Some of the
16 demobilisation efforts were specifically for very young people, people
17 under 15. And perhaps there may have been exaggerations, perhaps people
18 might have taken advantage of the situation. That's one thing. And your
19 answer a few moments ago seemed to be tending towards that. But does
20 that mean in Kinshasa people were stupid, so stupid as to set up a
21 programme when there was no need for such a programme, that they would
22 use money, a great deal of money, for phantoms, ghosts?

23 I'm trying to understand. I'm not saying that you're not telling
24 us the truth. What you're saying is quite clear, but you're telling us
25 something, but you're saying you never, ever heard about any child

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1 soldiers and yet there was this demobilisation programme. So I really
2 would like to hear an answer from you.

3 A. Your Honour, I'd like to raise my hand to draw your attention to
4 something. I would have liked to have answered the question from the
5 counsel but in private session, so that other people who are listening to
6 the hearing don't hear. I want only the people in the courtroom to hear
7 what I'm going to say. The lawyer has mentioned a government programme
8 from Kinshasa for demobilisation or disarmament of children, child
9 soldiers, and I'd like to answer the question but in private session. Do
10 I have to answer in open session? If so I will, but ...

11 PRESIDING JUDGE COTTE: (Interpretation) Well, generally
12 speaking, Witness, we go into private session when people who are
13 benefitting from protective measures could be identified. Now, right now
14 the question that has been put to you, if I've understood it correctly,
15 could lead you to perhaps making some kind of assessment of the behaviour
16 of certain public authorities. So I don't think there's any true reason
17 to go into private session for that. So I think it depends on the kind
18 of answer you give us. So please begin answering the question and we
19 will see what sort of answer you give us and we will take it from there.
20 Please answer Mr. Gilissen's question.

21 THE WITNESS: (Interpretation) Well, I wanted some assurances.
22 Well, you see, the CONADER programme came from Kinshasa and it was
23 intended for combatants.

24 THE INTERPRETER: The Swahili interpreter points out that the
25 witness is speaking of years such as the year 1003. The interpreter

1 believes he is speaking about 2003.

2 THE WITNESS: (Interpretation) Now, where did the children get
3 the weapons from and the weapons were handed over and, you see, people
4 were selling the weapons because they were hungry, police officers were
5 selling their weapons because they were hungry. And they were giving the
6 weapons to the children, not just Lendu children, even children from
7 other tribes, in Goma, from Kinshasa, other places. So these children,
8 these children were being used by the army.

9 The NGOs registered children and would give \$100 to the parents,
10 and the parents would encourage their children to register to get money.
11 So that programme from 2006 to 2007, this disarmament programme, was
12 designed to get money. It really didn't have anything to do with the
13 war, which was between 2001 and 2003. So, you see, they asked people in
14 the bush to hand over their weapons, but the people in the bush didn't do
15 that. Where could have the children have gotten ammunition? The
16 soldiers were the ones who brought the ammunition. You see, they had
17 hidden ammunition and, you see, then they came forward to ask for money.
18 That was quite clear and I'm saying this very clearly.

19 It was a plan and it had nothing to do with the war, and that is
20 where the whole expression "child soldier" came from. So that's what it
21 was all about. It was because of the government. People complained, but
22 the government did nothing. I'm telling you this. It was supposed to be
23 a secret, and if you want to investigate that, you will see this, you
24 will realise this.

25 PRESIDING JUDGE COTTE: (Interpretation) Thank you.

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1 MR. FOFÉ: (Interpretation) I beg your pardon.

2 PRESIDING JUDGE COTTE: (Interpretation) Yes.

3 MR. FOFÉ: (Interpretation) Could you remind the witness to
4 speak slowly, particularly when he's giving such important information.
5 Thank you.

6 PRESIDING JUDGE COTTE: (Interpretation) Witness, I think you've
7 heard Professor Fofé's request. Please speak very slowly, even slower
8 than right now.

9 Mr. Gilissen, I think you've had an answer to your question, a
10 question that might really be within your mandate or within this area but
11 more generally. Perhaps --

12 MR. GILISSEN: (Interpretation) Entirely so.

13 Q. Just an observation. You said that things could be terribly
14 difficult and complex. You say that you never saw any child soldiers,
15 but you talked about armed children, children with weapons, who received
16 weapons from soldiers, who received ammunitions from soldiers. So when
17 you asked the question you said where were the weapons, but you said that
18 the weapons had been given to them. We agree on that point, that the
19 children were given weapons?

20 A. Yes, we agree on that point, entirely so. I couldn't talk about
21 it because it didn't happen when I was chief. It was the government that
22 allowed this to happen. They started to distribute weapons and
23 ammunition. We, notables, fought against this programme but the
24 government said nothing about this.

25 Q. I thank you. And I do want to stress one thing. Once again,

1 let's forget about the term "child soldier" which seems to bother you
2 quite a bit. You don't seem to like that term and I understand. I won't
3 even speak of the kadogo, we'll also set that term aside. We know how
4 that term can be awfully controversial.

5 But during that difficult time, those very, very people, young
6 men, they were not 8-year-old children, so during that difficult time
7 when one's survival was at stake, there were no longer any schools
8 operating, the young people had nothing to do. The community needed
9 energy. Young men, these teenagers, these adolescents, somewhere between
10 childhood and adulthood, these young people, what did they do? They did
11 nothing? They just sat on their rears all day? What did they do during
12 those months of inactivity for more than a year while their community was
13 under attack?

14 A. Counsel, in our part of the world there's no work, there's no
15 employment. Children can also go into the fields and do farm work, but
16 in our area there's no jobs. In Ituri -- well, when I left Ituri there
17 was a conflict between us and a mine because the children would go and
18 break stone by hand with hammers, and it's very difficult work. But you
19 see, there's no employment in our region.

20 People don't go -- children don't go to school. Even if the
21 school is opened up today, the children won't go. And I'm telling you
22 this, God as my witness, the parents have nothing, they have no work.
23 You can conduct investigations and check what I'm saying and you will
24 realise that I'm telling you the truth.

25 We helped people, we gave them goats and cows for cattle raising.

1 And when a young person reaches adulthood and gets married, the person
2 takes the cattle of the parents.

3 This disturbs us, this bothers us, there's no employment, not
4 just in our locality but also everywhere in the Congo, everyone is
5 saddened. There is no employment.

6 Q. Now, Witness, was there any kind of will or attempts to give
7 something to do to these adolescents, some sort of tasks to help them, to
8 make life easier for the combatants? You spoke of a new phenomenon,
9 namely the self-defence groups, and you have said that the young people
10 did not take part in the self-defence groups. But did they -- were they
11 asked to provide assistance to those who were ensuring the survival of
12 the community? Did they help with that?

13 I can assure you that I really want to know what happened because
14 I have investigated. You've asked me to investigate; I have, not just in
15 the Congo but in many war-torn countries. And it's always like that. So
16 what surprises me is that you're saying that your country was an
17 exception, and I'm really very interested. I'm not claiming you're --
18 that you're not telling the truth. I'm trying to understand. What were
19 the young people doing when they had nothing to do, no work to do, no
20 school?

21 A. Counsel, I'm telling you something important. From 2001 to 2003
22 the combatants who handed over their weapons had heard from CONADER that
23 they would receive assistance from them. First of all, they were given
24 \$50 -- correction, \$60 for transportation. And then after that they were
25 given \$100, then \$150. And after that they were told that they would be

1 given \$740 -- \$770. So they were given demobilisation kits so that the
2 young people could get some training to do various forms of manual labour
3 or to learn a trade.

4 So regarding this money, \$770, they were given that money but
5 they spent the money recklessly. They thought that the government would
6 continue to help them. And then after that, people realised there was no
7 more assistance coming. Personally, I took part in the programme and
8 there were seven modules in the programme, seven training modules, how to
9 take responsibility for oneself. We taught them a lot of things in that
10 programme, but all they did was drink alcohol, strong alcohol, and take
11 drugs. They didn't keep a single cent of the money that they had been
12 given.

13 Q. I thank you, Chief Manu. Thank you. I'll try to move forward
14 quickly so that we won't take too much time with all of this. Several
15 times you said that there were no camps, no military camps in
16 Bedu-Ezekere. Now, on the other hand, were there -- was there a place,
17 a -- sort of a common place or a forum where people who were taking part
18 in one way or another in the defence of the community would come
19 together? Would they live together? Was there such a common place that
20 might be called a camp or might be called something else? Right now I'm
21 keeping my question very open-ended.

22 A. There was no such place where groups would meet. People would
23 build huts beside streams or rivers, but people were afraid to build
24 together because they didn't want the enemy to see them. They would
25 hide. They would build in very remote areas. We call that position --

1 in our part of the world we talk about finding a good position to build,
2 being well-positioned. That's what they did. And because of the war
3 when people left Bunia, the Bira and the other tribes found themselves
4 together in the schools, and there were many. And they would set up
5 makeshift shelters with tarps in various areas and we called those
6 refugee camps or displaced persons camps. And then the NGOs helped them
7 in Bunia and even in our area. These people who had been displaced would
8 build makeshift shelters out of straw, and I'm talking about all the
9 various ethnic groups in the Congo, all -- people from all these groups
10 found themselves in the camps.

11 Q. Thank you. But in Zumbe was there any sort of place for the
12 combatants, a place where they could come together, where they could
13 gather?

14 A. No, counsel, there were no such places.

15 Q. Tell me, when you were travelling around the region -- let's not
16 talk about camps. That's a word that's a very subjective word. Might
17 you have seen places, common gathering places, for combatants at one
18 place or another, Bavi, Avenyuma, Tchev, Aveba, Bolo, Beni, any of those
19 places that you travelled to?

20 A. Yes, I did see some. Why? Because the Lendu-Bindi took
21 advantage a lot because they were the only ones in their collectivity.
22 They could say: Well, if we're attacked from this point, from this side,
23 we'll do this. But we were living with the Hema people and the Lendu and
24 the others. So we had to hide because we were surrounded. The enemy was
25 all around us.

1 So if you take a region like the Netherlands, well, it was their
2 region and they would meet, they could talk to each other and decide --
3 make decisions about their business, but as far as we were concerned,
4 that wasn't possible because there wasn't a stream or a brook between us
5 and them. So, you see, we hid.

6 So the young people had to meet within Lendu areas to organise
7 self-defence, but we had the Lendu beside us, the Hema right beside us,
8 and the Lendu and the Hema know each other's secrets. Whereas the others
9 had -- well, they had a collectivity, they would live together in an area
10 where there were no Hema people. And that is why they lived together as
11 a group and they could work together and do things together, but that
12 wasn't possible in our area because we had other ethnic groups in our
13 area.

14 Q. Thank you, Chief Manu. Now, within these groups, these areas,
15 these places where the combatants would gather, were there children
16 bearing arms or not bearing arms, it doesn't matter. Were there children
17 or were these places just for adults?

18 A. First of all, I never went to their camps. I went to Bolo and I
19 stayed two weeks and I slept in Germain's home, but I didn't see any
20 children there. What was I to do in the camps? Why would I go there?
21 There was a camp in our group. Why would I go there? I was at Germain's
22 home. I was the chief. It wasn't for me to go. Perhaps there were -- I
23 saw no such thing. Perhaps that happened later after my reign, but I
24 didn't see that.

25 Q. And the airport, when -- you went to the airport several times.

1 Did you see children there? Did you see young people under 15 years of
2 age?

3 THE INTERPRETER: Interpreter's correction: The witness
4 mentioned drunkards in his earlier reply.

5 THE WITNESS: (Interpretation) Mr. Prosecutor, in our place
6 children love to go and look at planes at the airport. They also like to
7 look at cars. If you go to the Walendu-Bindi villages, children like to
8 go and see planes or cars. There were children, yes, but these were not
9 children who used weapons. As soon as a plane landed, children were in
10 the habit of going there to look at the plane. They would go there to
11 look at the planes because the Hemas were not at the airport. This was
12 in their village, so they would go to the airport to see the plane. In
13 fact, there were many more children than adults at the airport. They
14 even wanted to touch the plane, but they were prohibited from doing that.
15 So, as you know, children like planes and they wanted to go and see them.
16 If someone concealed himself or herself to take photographs of children
17 at the airport, then this person would be an evil person. Children went
18 to the airport just out of curiosity to see the planes.

19 I would also like to say that there were elderly people who were
20 curious about the planes. They wanted to see them because they had never
21 seen a plane in their lives. As you know, we live in an underdeveloped
22 area.

23 MR. GILISSEN: (Interpretation)

24 Q. You would understand that the elderly people are not part of our
25 interest. Now, these people, they did not participate in any way in the

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1 activities at the airport, for example, of loading the planes? So did
2 these young people, one way or the other, serve as porters, transport
3 items, and so on and so forth?

4 A. No. I never saw that. As you know, we were the last group to
5 leave. I did not see any such thing. The young people who were not
6 combatants did not have the right to even go close to a box of
7 ammunition. If you were not a member of a group, you could not even go
8 close to a box of munitions. The combatants were very strict in this
9 area. No one who was not a member of the group could even touch the
10 ammunition.

11 Q. That is very clear, Mr. Witness. And I thank you. With the
12 leave of the Chamber, I will touch on one more thing and it concerns the
13 day of the Bogoro attack.

14 PRESIDING JUDGE COTTE: (Interpretation) Very well, go ahead,
15 Mr. Gilissen, and then we will move on to Mr. Luvengika.

16 MR. GILISSEN: (Interpretation)

17 Q. I have only three questions to ask you. On that day there were
18 clouds. It was not possible to see anything. And no one knew anything.
19 And during the entire day there were explosions, people were screaming,
20 there were massacres, people were killed with machetes, machine-guns, and
21 grenades. You stayed in your home in Zumbe --

22 PRESIDING JUDGE COTTE: (No interpretation)

23 MR. O'SHEA: Can my learned friend just restrain himself a little
24 bit, please.

25 PRESIDING JUDGE COTTE: (Interpretation) I will be at least a

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1 little less dramatic, but you should refocus your question.

2 MR. GILISSEN: (Interpretation) Very well. But I think it would
3 have been better if the attackers in Bogoro limited their attacks,
4 because what I have just said is the truth.

5 MR. O'SHEA: (* Previous translation continues) ... (*
6 overlapping speakers) --

7 PRESIDING JUDGE COTTE: (Interpretation) Mr. O'Shea, very, very
8 briefly because we are not going to open hostilities here in the
9 courtroom.

10 MR. O'SHEA: Not at all. I have the greatest of respect for my
11 learned friend. It's just a question of -- you know, he is not there to
12 give evidence and this witness has given his position as to what he knows
13 about the Bogoro attack, and in those circumstances, he does have to
14 restrain himself a little bit in the way he formulates his questions, I
15 would submit.

16 PRESIDING JUDGE COTTE: (Interpretation) Very well. That is
17 very pleasantly said.

18 The Legal Representatives of the Victims expressed themselves in
19 a limited way during the testimonies of the earlier testimonies called by
20 the Defence of Mathieu Ngudjolo, but today they are dealing with someone
21 who was the chief of his groupement. So they are trying to have more
22 detailed information, so this explains the relatively long period of time
23 that Mr. Gilissen has taken this morning to ask his questions. He has
24 told us that he has a further two or three questions, and maybe he should
25 be calmer in his questioning, at least with the phrasing of his

1 questions. Maybe the answers elicited will not be entirely satisfactory
2 to you, but it is necessary for the Chamber to be enlightened.

3 Please proceed.

4 MR. GILISSEN: (Interpretation)

5 Q. What I wanted to point out to you is simply that these were not
6 simply fireworks. What type of noises were you hearing through the fog?
7 What is it that you heard that made you to stay at home?

8 A. Counsel, I will answer you calmly. In asking your question you
9 referred to machetes. You know, the distance between Zumbe and Bogoro is
10 15 kilometres. From Zumbe you can see Bogoro far away but you cannot
11 hear the screams. This was a village covered in fog. In February and
12 March, Bogoro is covered in fog.

13 Bogoro was far away from our place and it was not possible to
14 have a clear idea about what was happening in Bogoro because people were
15 simply speculating. We did not know that Bogoro was just very close to
16 us, but it was far from us. Lakpa is between 4 to 6 kilometres away from
17 our area. We could sometimes see Bogoro very well. Sometimes we saw the
18 village well, sometimes we couldn't. Sometimes we could hear the
19 gun-fire and sometimes not. The sound was loud at times and sometimes
20 not so loud. We could not leave our homes to go there because it was not
21 in our interest to do so. Our main objective was that the road to Bunia
22 should be opened up, and since Lopondo had been chased away we would be
23 able to have food supplies. We were focusing on the Bunia road.

24 Q. Mr. Witness, I wanted to ask you this last question. You have
25 told us today that Bogoro is 15 kilometres away from Zumbe. I do not

1 think that the continental drift has affected the distance and that that
2 distance has been increasing from day-to-day. I believe that at one
3 point we have to know what is the precise distance.

4 PRESIDING JUDGE COTTE: (Interpretation) Mr. Gilissen, let us
5 come back to the questions that need to be put within the framework of
6 your mandate. We accept that you might have comments, but not too many.
7 You have to distinguish between the questions that you're asking and
8 those that need to be asked by Mr. Luvengika.

9 MR. GILISSEN: (Interpretation) Yes, your Honour. I know that
10 the Chamber is alert.

11 Q. When you talk about something happening next door, 10 to 15
12 kilometres away, this is close to you. We are talking about shells,
13 bombs, heavy weapons. When something like that happens, the young people
14 are around, wouldn't they go to see what is happening? Even if the war
15 reaches the village, are you telling us that people will simply remain
16 indifferent? That is what I have difficulty understanding.

17 You have said that you did not wish your collectivity to be
18 involved in the Bogoro attack. You have said that and I understand you.
19 But since, as you have said, you did not know that there was a war at a
20 precise area, what troubles me is that nothing was done. And since you
21 were the chief, you are the person best placed for me to ask that
22 question to.

23 Now, we know that these young people were strong and they were
24 enthusiastic. Did they remain indifferent to this war which was
25 happening very close to Zumbe?

1 A. That is a very good question. However, it would be good for us
2 to reach an understanding on the following points. Counsel, you have
3 never been to Zumbe, you have never been to Bogoro either. Nevertheless,
4 if you were to be in Zumbe on that day, and you can imagine how the
5 fighting could have been going on on that day, you wouldn't go out at
6 all, that is, if the bullets fired do not reach your locality. As you
7 know, if there is a war in Bogoro, then there will also be a war in
8 Kasenyi and in Mandro. We were surrounded. It was difficult for us to
9 go out of our locality. Counsel, it was difficult for us to go out of
10 our locality.

11 Let me now come back to the issue of the approximation of
12 distances. If you are in Zumbe, before you go to Boisey (* phon), you
13 have to cross a river. There is no road. You have to cross a
14 2-kilometre river. You climb up a hill to Katonie and from Katonie to
15 Bogoro is 7 kilometres. This road was accurately measured by the
16 Europeans. I never gave an approximation of the distance. I'm simply
17 giving you an idea. It could be 5 kilometres as the crow flies, but on
18 foot, and that is a long distance. It is easy to look from the hill and
19 see houses and trees, but you will not see people.

20 So, counsel, what I'm telling you is that it was difficult for us
21 to leave our locality because the enemy surrounded us. Bunia could
22 attack, Mandro could attack, and that is why we could not move about. As
23 you know, we had fought against the enemy before and we were wondering:
24 Should we also go and attack them so that they should suffer just like we
25 are suffering? And we decided that it would not be a good thing for us

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1 to attack them because they would attack us again. We were localities
2 situated at the centre, in the middle, of many other localities. If you
3 were there, counsel, you would say I am correct.

4 MR. GILISSEN: (Interpretation) Your Honour, this is what I
5 promised.

6 Q. And I will stop here, Mr. Witness. Thank you very much. If I
7 persisted a little bit in my questions, you will understand that it was
8 because I wanted more detailed information for us to better understand
9 things. Maybe one day I will have the opportunity to travel to Bogoro
10 and Zumbe. That is in the pipeline, but thank you very much and I wish
11 you a safe trip back home.

12 PRESIDING JUDGE COTTE: (Interpretation) Mr. Luvengika, do you
13 have a few questions for the witness?

14 MR. LUVENGIKA: (Interpretation) Your Honour, I have a few
15 questions for clarification, but I can reassure the Chamber that I will
16 not be too long.

17 Questioned by Mr. Luvengika:

18 Q. (Interpretation) Good morning, Chief Manu, the traditional
19 leader.

20 A. Good morning, my brother.

21 Q. My name is Fidel Nsita Luvengika. As you have just said by
22 calling me "my brother," I am of Congolese origin and a member of the
23 Brussels bar. I am the Legal Representative of the victims of the Bogoro
24 attack of the 24th of February, 2003. As you can therefore imagine, my
25 questions will be limited to the Bogoro attack. I do not have many

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1 questions. Professor Fofé asked you many questions about that Bogoro
2 attack. The Prosecutor did the same, and as a result I have only a few
3 questions to seek clarification.

4 However, independently of that Bogoro attack - because this is
5 something that has come up over and over again - and considering your
6 position as a traditional leader, I wanted to ask you a question that
7 relates to tradition, a question about the means of communication. You
8 talked to us about the means of communication that you used. You used
9 drums and cow or antelope horns.

10 My question is as follows: Would you agree with me that this is
11 the same practice that is used in our villages, to alert the other
12 localities in the event of a wedding, death, or other events? Do you
13 agree with me?

14 MR. HOOPER: (Previous translation continues) ...

15 PRESIDING JUDGE COTTE: (No interpretation)

16 MR. HOOPER: (Previous translation continues) ... instead of
17 drums, I think it's -- that could be corrected. Thank you.

18 PRESIDING JUDGE COTTE: (Interpretation) That is understood,
19 Mr. Hooper.

20 Mr. Luvengika, please proceed. Please do not forget that even
21 though the Legal Representatives have a time allocated to them, they have
22 to use that time usefully. So please continue.

23 THE WITNESS: (Interpretation) Thank you, counsel. In our
24 tradition - and this has been going on for a long time - the members of
25 the population used drums to announce a happy occurrence or the death of

1 a person. Horns are also used to invite somebody to come, and the horns
2 are used for people who live far away, while drums are used for people
3 who live in the same village. We also use an instrument known as a linzi
4 (* phon) in our place or a xylophone. These are pieces of wood that are
5 lined up and then people strike those people -- those pieces of wood,
6 that means there is a joyful event or there is the installation of a
7 traditional leader, or even a wedding. And when a king is to be
8 enthroned, all those instruments are used, drums, horns, and xylophones.

9 Now, with regard to war, there is a special way of beating the
10 drums or the xylophones or blowing the horns. But quite frequently we
11 used the drums during the war because it is easy to move about with it.
12 This happened before, but these days the telephone has taken over the
13 place of all these instruments. The people are forgetting the culture,
14 they are forgetting our traditions, and they use telephones to
15 communicate. Have I answered your question? If not, you can put it to
16 me again.

17 MR. LUVENGIKA: (Interpretation)

18 Q. No, Chief Manu, you have correctly answered my question,
19 particularly the last part of your answer, which of course is interest to
20 us in this courtroom. Considering that Bedu-Ezekere is located on a
21 hill, do you know what distance those sounds from the drums or the horns
22 can actually cover? How far away can those sounds be monitored?

23 A. Your questions reminds me of many memories. As you know, the
24 hill is very important when it comes to the use of horns. If you blow on
25 a horn from a particular hill, the sound waves will reflect off the other

1 hills, they will echo from the other hills. And someone who is at the
2 foot of the hill will climb up the hill in order to hear what is
3 happening. So the sound echos off all the other hills, and the sound is
4 therefore heard everywhere. So the hills are very important when the
5 horns are being used. I do not know how God had the wisdom to do this.
6 The hills are very strategic when it comes to sound transmission from the
7 horns.

8 Q. Thank you, Chief Manu. Can you tell the Chamber which were the
9 other collectivities that were able to hear the sounds from those
10 instruments? Were the sounds emitted from Zumbe heard in Walendu-Bindi
11 collectivity and vice versa?

12 A. No, that is not possible. The distance is very long. We are in
13 Djugu. The Hemas are in between our two communities. The Walendu-Bindis
14 are very far away. Even if you blow very loudly, the noise cannot be
15 heard. Maybe those who are close to the Bedu hill could hear, but in
16 Kasenyi it is difficult. In Bunia, maybe in the area known as Dolanda.
17 This is a place where a plane crashed. There is a hill at that place and
18 the echo of the sound can reach there, but the people in Gety cannot hear
19 the sounds from our place. I believe that when we use the horns the
20 sound can be heard only by the neighbouring localities.

21 Q. Thank you, Chief Manu. We are going to move to something else.
22 During your testimony here in the courtroom you stated that you
23 studied in Bogoro. You provided certain information that establishes a
24 link between you as a traditional leader, as the leader of a groupement,
25 and the locality of Bogoro because you studied there, you know people in

1 Bogoro, you even told us that you went to negotiate with Chief Samuel,
2 who you know very well, and therefore you were very attached to Bogoro.
3 My question is as follows: When were you informed or when were you told
4 for the first time that the gun-fire that you heard on the 24th of
5 February, 2004, had come specifically from Bogoro and that Bogoro had
6 fallen? Do you remember when precisely you were clearly informed about
7 that for the first time?

8 A. Before my trip to Loga there is a wiseman whose name I do not
9 know, who told me that the gun-fire was coming from Bogoro and that
10 people were fighting in Bogoro. I told myself that that was their
11 business. I left and I went to take Chief Loga because I did not spend
12 very long in Zumbe. Upon my return, that is, one week afterwards, I had
13 already heard the news that there had been fighting in Bogoro. I had
14 heard that information. I do not remember precisely who gave me that
15 information. However, everyone in the village knew that there had been
16 fighting in Bogoro.

17 Q. Chief Manu, when you were told that information, were you given
18 any details about what happened during the fight itself?

19 A. No, I was not given any details.

20 Q. As I said a short while ago, you had some attachment to Bogoro.
21 Did you worry about the fate of the inhabitants of Bogoro?

22 A. During the fighting, when someone told you something -- well, let
23 me give you an example. My father had two wives, several wives, his
24 second wife was buried in Bogoro and my paternal aunt was buried in
25 Bogoro. And I have also said that my son, Karaku (* phon) was killed in

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1 Bogoro. Samuel, who is a chief, was replaced by his son. If his opinion
2 had been followed, then Bunia would not have fought against those
3 people -- Bogoro, excuse me, because my -- it was said that their people
4 would not have been fighting against them, they would have been the same
5 people.

6 Q. Yes, I understand. Now, you said that you had lost a son in
7 Bogoro, that you had buried a son in Bogoro, you knew a lot of people
8 there for that reason. That is why I am asking you: Despite this
9 connection that you had with Bogoro, did you not ask yourself any
10 questions? Did you not information yourself about what had happened,
11 what fate had befallen the inhabitants, the people that you knew in
12 Bogoro?

13 A. I told you this much earlier. I told you that in our ethnic
14 group, the Lendu, if, for example, I meet a brother who is fighting
15 another brother, I can't get involved in that fight. Now, why not?
16 Because one of the two adversaries might have insulted the mother of his
17 opponent. Now, that's what it's like in our region. Now, if you were to
18 conduct an investigation, you would realise that what I'm telling you is
19 true. We do not get involved in other people's business. I personally
20 cannot do it.

21 Q. I have understood, Chief Manu. I'm not talking about you
22 participating in things that didn't concern you, you getting involved. I
23 am just asking you whether you did not take an interest in the fate of
24 civilians, of people who may have been killed in this attack. Did people
25 tell you about people who were killed? Did people tell you that there

1 were deaths in Bogoro in those days? Did you receive such information?

2 A. That old man told me that he did not go to Bogoro, and the people
3 from my region did not go to Bogoro. But they learned that there was
4 fighting in Bogoro.

5 Now, I'm going to come back to a question that you asked me. My
6 concern was to prepare for my trip to go and meet the chief because there
7 was a problem in that chief's family who lived in Ezekere. There was
8 nobody to help him in his region. So I was planning how I was going to
9 go and see my chief, and that was my main concern.

10 Q. All right. We've understood that clearly, Chief Manu. Let's
11 change topics. After the Bogoro attack and in accordance with your
12 testimony you went to Bogoro several times. You were working in a roads
13 office and that made it possible for you, furthermore, to make quite a
14 few trips to Bogoro in the context of your outreach activities that we've
15 discussed.

16 Now, my question is this: When you went to Bogoro - and this is
17 after the 24th of February, 2003 - you who had studied in Bogoro, who
18 knew Bogoro, what state did you find the locality of Bogoro in with
19 regard to the housing? Were there still houses standing? The school
20 that you had attended, what happened to that school? Did you find Hema
21 people in Bogoro on your trips there? Can you tell us about all of that?

22 A. Counsel, Bogoro was fortunate. Why is this? Because the
23 inhabitants of Bogoro made a complaint. The Lendu did not do so. If the
24 Lendu had made a complaint much earlier, then Bogoro would have had
25 problems. You see, the Hema committed atrocities in Bogoro that not even

1 a dog should suffer. So that is why I am saying, counsel, that we in our
2 community do not get involved in other people's business. I'm telling
3 you about what I know. I cannot go and ask how a house was destroyed,
4 how many people were killed, I can't ask that kind of question, no.
5 That's not my job.

6 I never planned to go and visit Bogoro. I took the route that
7 took me to where I carried out my activities. I might have gone through
8 Bogoro, but I didn't -- I could not stop and ask the inhabitants of
9 Bogoro how they fought. I couldn't do such a thing as a chief. And I
10 know that the population is under my responsibility, but if I get
11 involved in that -- those things, then I would be influencing the
12 population one way or another and that was not my mission. My father was
13 killed -- well, his day had come. I can't go and investigate to find out
14 how he died. No, I just couldn't do that.

15 Q. Yes, Chief Manu, my question did not concern whether you had
16 asked questions or investigated, but I imagine that you're not blind. By
17 going through the village of Bogoro, your eyes perceived things. My
18 question is simply: What did you see with your eyes on those occasions?
19 Without asking you what you said. What did you see?

20 A. I saw the business centre of Bogoro. I realised there were
21 houses that had been destroyed, without knowing, for all that, who those
22 houses belonged to and I couldn't ask any questions about that. Counsel,
23 when there was fighting between -- or when the Kombozi (* phon) chased
24 the Botole (* phon) Hema people, they destroyed the village of Bogoro and
25 they were looting. I can tell you about Rafah (* phon), the son of

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1 Simon, now they were looting and they were arrested. The Hema are
2 thieves. They steal cattle. They can destroy a village. If a Hema
3 person hits you with a *stick, he's the one who will start shouting, but if you hit him...

4 Q. That is not the subject of my question, but I would like to thank
5 you for your answers to my question.

6 MR. LUVENGIKA: (Interpretation) And I would like to thank you,
7 your Honour, my questioning will stop at this point.

8 PRESIDING JUDGE COTTE: (Interpretation) Thank you very much,
9 Mr. Luvengika.

10 Questioned by the Court:

11 PRESIDING JUDGE COTTE: (Interpretation) Witness, just a few
12 short questions that the Chamber would like to ask you to clarify certain
13 points that have been addressed in your earlier answers or to resolve
14 certain questions which may seem to you of little importance, but it is
15 important that everything should be clear to us. When you met with the
16 Prosecutor, Mr. Moreno-Ocampo, in Zumbe, you will remember that you drew
17 a sketch which was admitted into evidence under the number EVD-D03-00093
18 and on that sketch - I'll hold it up for you, because it is a public
19 document - just to refresh your memory, you did not write "Bogoro" in one
20 single word, B-o-g-o-r-o; rather, you wrote B-o-n and then a hyphen and
21 then Goro after that.

22 Could you please explain, just very quickly, why you wrote it
23 that way so that we can understand this way of spelling the name of the
24 locality that is really at the heart of our debates. Why did you write
25 Bon-Goro with a hyphen rather than Bogoro?

1 A. I will give you an explanation. "Goro" means Lendu. Goro is a
2 Lendu, a Nzotsi. Goro is a Lendu of the Nzotsi ethnic group and he had a
3 son who was a Landu (* phon). This man Goro received the visit of white
4 people, white men who were travelling in this area, they were
5 missionaries. They established themselves. There was Matison (* phon)
6 who also received visits of white men and there was also Stanley. Now,
7 according to the explanations that we received, the white man had a
8 business there, and when they met the chief Goro, there were other people
9 who had come from Danu (* phon) who were speaking a language which the
10 chief could understand. And they asked for eggs. They said, "Please
11 give us two eggs." The chief understood that each person should bring
12 two eggs to them, and they rang the bell and people gathered together at
13 the chief's place. And they asked the chief, "What do the white men
14 want?" And the chief said, "You have to bring two eggs." And the chief
15 told them, "Go and fetch eggs of good quality."

16 Now, in our area there is a large basket that we call granyu (*
17 phon) and this is a basket that is woven from reeds. Two baskets were
18 filled with eggs, and these people who were with the white men fed
19 themselves with those eggs and the white men were happy and they said,
20 "Goro Bon," Goro is good, Goro is a good man, Bon-Goro.

21 It is the white man who put that prefix "bon," "good," before the
22 name "Goro." Why did they do that? Well, because two baskets were
23 filled with eggs and that is the reason why the white man gave this name
24 which is not a typically Lendu name -- or rather, not a typically Hema
25 name.

1 Now, with regard to Kavalega, that is a name that was given by
2 the Wahema --

3 PRESIDING JUDGE COTTE: (Interpretation) Perfect. Thank you.
4 Thank you very much, Chief Manu. I must admit that we were not expecting
5 to hear a tale of this nature, but that's an answer to the question and
6 we thank you for it.

7 Another question. A very simple question and we need a quick
8 answer from you. On page 9 of transcript 299, this was the first day of
9 your presence here among us, you informed us that you bear the name - and
10 my pronunciation will not be good - of Ndudjini, N-d-u-d-j-i-n-i, and you
11 told us that "Ndudjini" meant: Let the miracle occur. Are you able to
12 tell us if the word Lundjini, L-u-n-d-j-i-n-i, exists in your language
13 and what it means? Does Lundjini mean the same thing as Ndudjini?

14 A. Lu, with an L, Lundjini is not a name from our area. This name
15 does not exist in our area.

16 PRESIDING JUDGE COTTE: (Interpretation) Thank you, thank you.
17 I don't need any further explanation. On page 44 of the transcript 299,
18 you told us - and you told us more about this later - that the wisemen
19 had decided to create a group of young people. On page 61 in particular
20 of transcript 60 --

21 THE INTERPRETER: Says the Judge.

22 PRESIDING JUDGE COTTE: (Interpretation) -- you told us that
23 this group of young people was a self-defence group. We spoke about that
24 often. Would it be possible to give us a quantitative details concerning
25 that group of young people that was called upon to provide self-defence

1 services when you were attacked. When you were the chief of the
2 groupement, in total, how many young people were in that young person's
3 group, can you even give us an approximate idea? Just a figure. Once
4 again, we're not asking you to develop the answer too much. Just give us
5 an order of magnitude.

6 A. There were more than 500 of them. That's what I think, more than
7 500. There were a lot of them.

8 PRESIDING JUDGE COTTE: (Interpretation) All right. Thank you.
9 Thank you, Chief Manu. Along the same lines, on page 21 of transcript
10 301, you told us, and I'll quote:

11 "Each group had its leader among the young people because they
12 had different positions. Each team of young people had its leader or its
13 person in charge and each group had to send in its organisational chart."

14 Can you tell us in which locality the different positions of the
15 young people of the Bedu-Ezekere groupement were situated? Were they
16 distributed across different localities; and if so, which localities were
17 those positions in?

18 A. They were gathered together in a single place, but there were six
19 or seven access points where we were. They could be managing the Zaba
20 access, the Zuakati (* phon) access point, the Kasenyi access point, the
21 Linga towards Tchomia access point, or the access point from Ezekere
22 towards Mandro, as well as the Lima towards Bunia access point, and the
23 Masu access point leading towards Nyakere (* phon). So they could be
24 going to those different points to guard the areas at the night and then
25 in the morning they would fall back and be relieved by others. If there

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1 was no -- if there were no problems in those areas, those young people
2 would move from one area to another.

3 There were groups which were positioned in a given place which
4 could then relay other groups, but from one village to another they would
5 send a group of people to inquire about where attacks could come from.
6 They could send people at night, they would go there, and then they would
7 come back in the morning. If, for example, there was a group that was
8 positioned at that place, the next day that group would move to another
9 place. And the objective of that was to ensure security and -- so as not
10 to be surprised by attacks. I don't know if you've followed me clearly.

11 PRESIDING JUDGE COTTE: (Interpretation) I believe so. You said
12 that they were gathered together in a single place, but they were highly
13 mobile. They -- and that permitted them to send groups to six different
14 places if they felt it was necessary in order to ensure the security of
15 those six places. They were highly mobile and the groups could relay
16 each other in going out to those different places.

17 But what exactly does this word "position" mean? You used that
18 word earlier and this morning when you used the word "position" - and I
19 have located the exact line in the transcript - what exactly do you mean
20 by these positions? Can you briefly describe what a position is?

21 A. I would like to observe your five-second rule before answering.

22 What we call a position -- you know, people might sleep together
23 but they couldn't all be in a single place. Each person would find their
24 own corner to hide in and would take position in that place. If that
25 person, for example, wanted something in somebody's residence, then they

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1 would have to approach that house and later go back and reposition
2 themselves in the corner they'd chosen. Each person had their own corner
3 where they positioned themselves, and that was a way of hiding such that
4 a visitor could not know where these people were hiding.

5 PRESIDING JUDGE COTTE: (Interpretation) Chief Manu, so we're
6 not talking about fixed positions. Here, once again, everything was
7 extremely mobile according to need.

8 A. Yes, yes, you could change position at any time.

9 PRESIDING JUDGE COTTE: (Interpretation) Thank you. On page 22
10 of transcript 300 you told us that the attack which took place during
11 your trip from Beni to Aveba was the last attack launched against Zumbe.
12 Do you know why that was the last attack? Why, from that date onwards,
13 did those who were attacking you stop attacking you? Once again, if you
14 can give us a brief answer. We only have five minutes left and I do have
15 one final question to ask of you.

16 A. We know that when there were attacks during the day people
17 dispersed, and at night mines were laid, knowing that those mines would
18 kill a large number of people. * So you see, they laid a lot of mines. And that is why
19 they did not come back to attack this village. They underestimated this village
20 because they did not find any soldiers there, since these soldiers had already left.

21 PRESIDING JUDGE COTTE: (Interpretation) All right. So laying
22 these mines, according to you, made it possible for them not to take any
23 further interest in Zumbe from that date onwards. Perhaps I'm
24 summarising a great deal, but in short, that's your answer? All right.

25 A. Yes.

1 PRESIDING JUDGE COTTE: (Interpretation) One final question. In
2 transcript 306, yesterday's transcript, page 19, line 28; and then page
3 20 up to line 3, you said that the Ngiti from Gety had attacked Bogoro.
4 When you say that the Ngiti from Gety attacked Bogoro, are you referring
5 to the town of Gety or are you talking more generally about the
6 groupement of Aveba and Boloma? And also page 34 of that transcript you
7 also referred that way of referring to Gety as though Gety referred to
8 something more than the town. So when you talk about the Ngiti of Gety
9 attacking Bogoro, are you referring to the town or the Baviba and Boloma
10 groupements?

11 THE INTERPRETER: Interpreter's correction: On page 41, line 5,
12 it should be Baviba and Boloma, not Aveba.

13 THE WITNESS: (Interpretation) No, that is not the case. There
14 is only one group in this region which we call the Ngiti, and Gety is a
15 whole community inhabited by the Ngiti. If you go to Lakpa, people will
16 say that you are going to Gety. If you go to Bolo, people will say that
17 you are going to Gety. So Gety is a community and the inhabitants of
18 that community are called the Ngiti. If you come to a locality of that
19 community, people will say that you are coming to Gety. So I did not say
20 that these were people from Bolo or Baviba; I was talking about the Ngiti
21 in general.

22 PRESIDING JUDGE COTTE: (Interpretation) Thank you very much.
23 These are clarifications that are useful to us. But is Aveba in this
24 Ngiti community?

25 A. Yes, it is in the same chiefdom as Walendu-Bindi, which is in

1 Gety.

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

3 We will have to bring this hearing to a close.

4 Mr. Prosecutor, when we meet on Monday at 2.00, if you would like
5 to take the floor again but only with regard to the clarifications that
6 the witness has just give to these brief questions put by the Chamber,
7 you may do so, because that is the method that we have used up to this
8 point.

9 MR. MACDONALD: (Interpretation) Yes, your Honour. And that is
10 what I wanted to -- what I remembered as you were speaking. We will have
11 one question concerning what you have asked.

12 PRESIDING JUDGE COTTE: (Interpretation) Very well. That is in
13 accordance with the rules of the game. The Prosecutor can take the floor
14 again but only with regard to the scope of the questions posed by the
15 Chamber. We will not come back to your cross-examination which has now
16 concluded.

17 And then Mr. O'Shea or Mr. Hooper may take the floor. Just to
18 get an idea whether we should bring the next witness on Monday or not,
19 how long do you think you will be? Mr. O'Shea, quickly.

20 MR. O'SHEA: Mr. Hooper says five minutes.

21 PRESIDING JUDGE COTTE: (Interpretation) Very well.

22 Professor Fofé, do you have an estimate on your side, an
23 approximate idea? In other words, should we bring the next witness in at
24 2.00 p.m. or should we bring that witness in for 4.30 p.m.?

25 MR. FOFÉ: (Interpretation) As it is the afternoon, your Honour,

1 I think that the witness can come in at the beginning of the afternoon
2 and stay here because it may be that I take no more than one hour
3 maximum, but it's only an estimate, your Honour.

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

5 Chief Manu, the hearing this morning was two hours only. Thank
6 you again for your contribution during the morning. We will see you
7 again on Monday afternoon, but as you have heard, very probably it will
8 be the final occasion on which you join us.

9 In the meantime, we wish you a restful weekend.

10 Court Usher, could you please escort the witness, Chief Manu, out
11 of the chamber.

12 THE WITNESS: (Interpretation) I wish you a very pleasant
13 weekend.

14 (The witness stands down)

15 PRESIDING JUDGE COTTE: (Interpretation) We will resume on
16 Monday at 2.00 in the afternoon. Have a good weekend, everyone.

17 COURT OFFICER: (Interpretation) All rise.

18 The hearing ends at 11.01 a.m.

19 CORRECTIONS REPORT

20 The Court Interpretation and Translation Section has made the following
21 corrections in the transcript:

22 *Page 11 lines 18 to 20

23 "...when people started taking photographs and asking people, asking
24 for explanations about what had happened during the war.

25 Most often, money was given to people so that they would talk."

- 1 Is corrected by
- 2 "... when people started taking photographs and using them to explain
- 3 what had happened during the war. They did it to make money."
- 4 *Page 36 line 3
- 5 "... Hema person hits you with a baton, you're going to shout and scream out."
- 6 Is corrected by
- 7 "...Hema person hits you with a stick, he is the one who will start shouting, but if
- 8 you hit him...".
- 9 *Page 41 lines 18 to 20
- 10 "That was their plan. And that is why they did not come back, because
- 11 they neglected this village, they underestimated this village."
- 12 Is corrected by
- 13 "So you see, they laid a lot of mines. And that is why they did not come back
- 14 to attack this village. They underestimated this village because they did not find
- 15 any soldiers there, since these soldiers had already left."