

1 International Criminal Court  
2 Trial Chamber I - Courtroom 2  
3 Presiding Judge Adrian Fulford, Judge Elizabeth Odio  
4 Benito and Judge René Blattmann  
5 Situation in the Democratic Republic of the Congo -  
6 ICC-01/04-01/06  
7 In the case of The Prosecutor v. Thomas Lubanga Dyilo  
8 Monday, 3 May 2010  
9 (The hearing starts at 2.40 p.m.)  
10 (Open session)  
11 THE COURT USHER: All rise. Please be seated.  
12 THE COURT OFFICER (The Hague): We are in public  
13 session, your Honours.  
14 PRESIDING JUDGE FULFORD: Good afternoon. Witness,  
15 please. Mr Sachdeva, we're sorry to hear that Ms Struyven is  
16 not feeling well. Are you happy to take over for the rest of  
17 the afternoon, then?  
18 MR SACHDEVA: I am, Mr President. Thank you.  
19 PRESIDING JUDGE FULFORD: Thank you.  
20 WITNESS: BEDIJO JEAN-PAUL TCHONGA (On former oath)  
21 (The witness answers through interpreter)  
22 PRESIDING JUDGE FULFORD: Good afternoon, sir.  
23 THE WITNESS: Yes, good afternoon.  
24 PRESIDING JUDGE FULFORD: Yes, Mr Desalliers.  
25 QUESTIONED BY MR DESALLIERS:

1 Q. Good afternoon, sir.

2 A. Yes, good afternoon.

3 Q. I just have a few short questions about some details.

4 A. Yes.

5 Q. Last week when one of the legal representatives of  
6 victims, Mr Keta, asked you some questions, we had the following  
7 question and answer. I am going to re-read what was said. You  
8 were asked the following question --

9 A. Yes.

10 Q. The question was: "Who told you that you had been  
11 replaced by other people?" I'm going to read out your answer  
12 and then we will continue. Now, you replied by saying, "It was  
13 the same people who told us that we had already changed with  
14 them."

15 A. Yes.

16 Q. "So, all that we were going to receive, we were going  
17 to share with them."

18 A. Yes.

19 Q. Could you please explain what exactly you were going  
20 to share?

21 A. The items that we were going to give -- that were  
22 going to be given to them would be distributed with them.

23 Q. Thank you. Now, during your testimony you mentioned  
24 on a number of occasions that Mr P had asked you to lie about  
25 the death of your parents and about your age. My question is as

1 follows: Are you the only person whom he asked to lie about the  
2 death of parents and age, or did he make that same request of  
3 other people?

4 A. Yes, there were the others as well, but it was amongst  
5 them, give the exact date of their birth.

6 MR DESALLIERS: (Interpretation) Thank you very much.  
7 Your Honour, I have no further questions.

8 PRESIDING JUDGE FULFORD: Thank you very much,  
9 Mr Desalliers.

10 Sir, I understand that there was something that you  
11 wanted to ask the Court before you completed your evidence.

12 THE WITNESS: Yes, there are questions.

13 PRESIDING JUDGE FULFORD: What do you want to say?

14 THE WITNESS: I'd like to know, since we are -- since  
15 there are two of us, (Redacted) are not --

16 THE INTERPRETER: Message from the English booth.  
17 Could the witness repeat his reply?

18 THE WITNESS: -- and the head teacher who arrived, so  
19 I don't know if the head teacher came to replace (Redacted) or  
20 not.

21 PRESIDING JUDGE FULFORD: I'm afraid we only caught  
22 half of what you've just said. I'm sorry to have to ask you,  
23 but could you repeat what you've just said to the Chamber,  
24 please?

25 THE WITNESS: So I am asking why the head teacher

1    came, the préfet, and yet there's (Redacted) and there's my  
2    friend (Redacted) who is accompanied by (Redacted), but I don't  
3    see my (Redacted). Rather, it's the préfet, the head teacher.  
4    Why is that so?

5               PRESIDING JUDGE FULFORD: Right, thank you for raising  
6    that. It will not be appropriate for the Judges to try to  
7    answer the question which you've just put, but counsel on both  
8    sides have heard what you have said and after we have risen  
9    today, if it is something which they feel can be appropriately  
10   dealt with by way of an answer to you, I ask them to consider  
11   some kind of response that can be given in due course.

12              Now, I want to thank you for your contribution to this  
13   case. We would not be able to fulfil our duty of establishing  
14   the truth in relation to the allegations made against this  
15   accused, Thomas Lubanga, without the assistance of witnesses  
16   such as yourself, who are prepared to give of their time in  
17   order to give evidence, sometimes in circumstances of  
18   inconvenience and possibly of danger.

19              We recognise that this may have involved some real  
20   sacrifice on your part, and so you complete your evidence now  
21   with our thanks.

22              That then completes, I think, the evidence from the  
23   DRC in the field, does it not, Mr Desalliers?

24              MR DESALLIERS: (Interpretation) Yes, your Honour.

25              PRESIDING JUDGE FULFORD: Thank you very much. We

1 want, then, to thank the court officer as well for her admirable  
2 assistance during the course of this process.

3 Good. Can we terminate the connection, please, with  
4 the field office.

5 Can we go into private session, please.

6 \*(Private session at 2.52 p.m.) Reclassified as Open session

7 THE COURT OFFICER: We are in private session, your  
8 Honour.

9 PRESIDING JUDGE FULFORD: Thank you. Maître Mabilille,  
10 in relation to the next witness, the recent request from her is  
11 that she should be afforded what I'm going to describe as the  
12 usual protective measures when protective measures are  
13 requested, because she is afraid of the reaction of other family  
14 members if it becomes known that she has given evidence to the  
15 effect that one or more members of her family have lied on oath  
16 before this Chamber. I imagine you support that request on her  
17 part.

18 MS MABILLE: (Interpretation) Absolutely, your  
19 Honour.

20 PRESIDING JUDGE FULFORD: I don't know who --  
21 Mr Sachdeva, any reaction?

22 MR SACHDEVA: Mr President, the reaction is the same  
23 as with other witnesses. Again, we haven't seen the official  
24 application and it is also our understanding that members of her  
25 family do know that she is going to testify.

1               PRESIDING JUDGE FULFORD: Yes, I'm sure that's right,  
2 Mr Sachdeva. It would be improbable in the extreme that they  
3 were unaware of her presence here. I think the real issue is  
4 whether they are aware of precisely what she is going to be  
5 saying, and it is on that that she has expressed her anxiety,  
6 that once it's known that she is going to be saying that lies  
7 root and branch have been told that that may lead to very  
8 serious consequences for her.

9               MR SACHDEVA: Indeed, Mr President. However, we still  
10 maintain our objection.

11              PRESIDING JUDGE FULFORD: Right, thank you.

12              (Trial Chamber confers)

13              PRESIDING JUDGE FULFORD: We are persuaded, on the  
14 basis of the indications that we've received from the Victims  
15 and Witnesses Unit, that the next witness, Witness 15, has real  
16 grounds for fearing that there may be a strong reaction within  
17 her own family if it became known exactly what it is that she  
18 has said during the course of her evidence. Accordingly, we  
19 will grant the usual protective measures.

20              Now, regrettably, they are going to take 15 minutes to  
21 implement -- sorry, 30 minutes to implement; is that right? So  
22 we're going to have to rise while the protective measures are  
23 put in place.

24              Yes, Mr Sachdeva?

25              MR SACHDEVA: Mr President, may I just inform the

1 Court that Ms Zago will be examining this witness.

2 PRESIDING JUDGE FULFORD: Thank you. Well, we'll say  
3 25-past-3, but if it is possible for these measures to be  
4 implemented quicker can that please happen? We'll rise.

5 (Recess taken at 2.56 p.m.)

6 (Upon resuming at 3.36 p.m.)

7 \*(Closed session) Reclassified as Open session

8 THE COURT USHER: All rise. Please be seated.

9 PRESIDING JUDGE FULFORD: Witness, please.

10 (The witness enters the courtroom)

11 (The interpreter enters the courtroom)

12 PRESIDING JUDGE FULFORD: Good afternoon.

13 THE WITNESS: Yes, good afternoon.

14 THE INTERPRETER: Could the interpreter please bring  
15 the microphone towards her? Thank you.

16 PRESIDING JUDGE FULFORD: Yes. Madam interpreter,  
17 could you move the microphone slightly over towards you so that  
18 -- yes, move it over towards you. Yes, that's much better.  
19 Good, thank you.

20 Madam, for your reassurance, I want to tell you that  
21 we have granted protective measures so your identity will not be  
22 revealed to the public.

23 THE WITNESS: Yes, I accept, thank you.

24 PRESIDING JUDGE FULFORD: Good.

25 THE INTERPRETER: We regret -- the interpreter would

1 like to say that the microphone is still not close enough to the  
2 interpreter. We're sorry to interrupt again.

3 PRESIDING JUDGE FULFORD: Can I ask you both, please,  
4 to make sure that you do not speak too quickly and that you keep  
5 your voices up so that everyone can hear what you say.

6 THE WITNESS: Yes, I have understood.

7 PRESIDING JUDGE FULFORD: Now, I'm going to ask the  
8 interpreters can you hear what's being said now?

9 THE INTERPRETER: Response from the English booth:  
10 Mr President, we can only just hear - just - thank you.

11 PRESIDING JUDGE FULFORD: In a moment I'm going to ask  
12 you to take the solemn undertaking and, in order to do that, I'm  
13 going to ask you to repeat the words which the interpreter will  
14 read out to you.

15 THE WITNESS: Very well, thank you.

16 PRESIDING JUDGE FULFORD: Public session, please.

17 (Open session at 3.44 p.m.)

18 THE COURT OFFICER: We are in open session,  
19 Mr President.

20 PRESIDING JUDGE FULFORD: Then can you please out loud  
21 repeat the words that the interpreter will now read out to you.

22 WITNESS: WWW-D01-0015 (Sworn)

23 (The witness answers through interpreter)

24 PRESIDING JUDGE FULFORD: Well done. Thank you very  
25 much.

1 Private session, Maître Mabilles?

2 MS MABILLE: (Interpretation) Yes, indeed,  
3 Mr President.

4 PRESIDING JUDGE FULFORD: Private session, please.

5 \*(Private session at 3.45 p.m.) Reclassified as Open session

6 THE COURT OFFICER: We are in private session,  
7 Mr President.

8 PRESIDING JUDGE FULFORD: Excellent. Maître Mabilles,  
9 can I remind you to be particularly structured in your questions  
10 and to keep the pauses because of the need for effectively  
11 three-way interpretation.

12 MS MABILLE: (Interpretation) I shall do so,  
13 Mr President.

14 QUESTIONED BY MS MABILLE:

15 Q. Good afternoon, madam.

16 A. Good afternoon.

17 Q. My name is Catherine Mabilles, I am a lawyer and I  
18 shall be putting a number of questions to you today for the  
19 Defence of Mr Thomas Lubanga.

20 A. I have understood.

21 Q. The first question that I would like to put to you is  
22 as follows. Could you please provide us with your full name?

23 A. Yes, I can tell you that.

24 Q. Could you please provide us with it?

25 A. My name is (Redacted).

1           PRESIDING JUDGE FULFORD: Maître Mabilille, we're going  
2 to need for the witness to keep her voice up very considerably  
3 above its present volume. It is -- she's speaking so quietly  
4 there is a real risk that what she says is not going to be  
5 picked up by the machinery. Now, I don't want to be continually  
6 intervening, so this is really your responsibility for the  
7 witness that you're calling.

8           THE WITNESS: Yes, I have understood.

9           MS MABILILLE: (Interpretation)

10          Q.    Madam Witness, in providing us with your answer, maybe  
11 you can move a little closer to the microphone and then we would  
12 hear you better. Could you tell us where you were born?

13          A.    I was born in (Redacted).

14          Q.    Could you tell us which ethnic -- of which ethnic  
15 origin you are?

16          A.    I am Mudjere and I was born near (Redacted).

17          Q.    Where do you currently live?

18          A.    I still live in (Redacted).

19          Q.    Could you tell us whether you are married?

20          A.    I used to live at home, but now I live in the village;  
21 in (Redacted), that is.

22          Q.    The question I was putting to you is as follows: Are  
23 you married today?

24          A.    For the time being, I am living at home. I was  
25 married previously, but at the moment I'm living at home in the

1 village.

2 Q. Could you please tell us your husband's name?

3 A. I seem to have somewhat forgotten his name.

4 Q. Did you have a child by your husband?

5 A. Yes, my husband and I did have children.

6 Q. Could you please state the names of those children?

7 A. Are we talking about one only child, or one child  
8 alone?

9 Q. I shall put the question to you again. You told us  
10 that you are married today and I am seeking to ascertain whether  
11 you had children with your husband -- children, or a child?

12 A. For the time being, the husband that I'm currently  
13 with, I had one child with; only one.

14 Q. And what is that child's name?

15 A. His name is (Redacted).

16 Q. I would like to put the question to you again with  
17 regards to the name of your current husband. I would like to  
18 specify that we are in closed session and that nobody will be  
19 able to hear his name.

20 A. Yes, I did hear you.

21 Q. Could you please tell us the name of your current  
22 husband?

23 A. I do know his (Redacted) name, but there is another  
24 name in addition to his (Redacted) name that I do not know.

25 Q. Thank you. Were you married on another occasion?

1 A. When I was married previously, I had two children.

2 Q. Could I please know the name of the husband with which  
3 you had these two children?

4 A. His name was (Redacted).

5 Q. And could you please give us the names of those two  
6 children that you had with (Redacted)?

7 A. The elder child died just after birth and his aunt  
8 gave him a name which I do not remember. The second was called  
9 (Redacted).

10 Q. Were you married on another occasion?

11 A. I left that home and then I married an Alur gentleman  
12 by the name of (Redacted) (phon).

13 Q. Did you have any children with (Redacted)?

14 A. (Redacted) and I had four children.

15 Q. Could you please give us the names of those four  
16 children.

17 A. Yes. The eldest was called (Redacted); the next was  
18 called (Redacted); the third was called (Redacted)  
19 (phon) -- I've made a mistake, (Redacted) (phon). That is the  
20 order of the children that I actually switched around.

21 Q. Was (Redacted) the youngest?

22 A. The youngest was (Redacted). (Redacted) was in second  
23 position.

24 Q. Do those children live with you today?

25 A. Of these children, the first one was buried in (Redacted).

1 The other three remain.

2 Q. Could you tell us who those children live with today?

3 A. Those children live with their father.

4 Q. Could you tell us when you saw them for the last time?

5 A. I had left (Redacted). I left (Redacted) and I didn't  
6 go back, because I was -- I never went back because I was angry.

7 Q. Do you remember whether you left (Redacted) before the  
8 war, or after the war?

9 A. I left (Redacted) when there was virtually no war  
10 going on at the time.

11 Q. Could you tell us how many years you lived with  
12 Mr (Redacted)?

13 A. We lived (Redacted) years together with (Redacted).

14 Q. Could you tell us where you lived with (Redacted)? In  
15 what place?

16 A. We lived in (Redacted) and then afterwards we went to  
17 (Redacted).

18 Q. Did (Redacted) have children before you got married to  
19 him?

20 A. Yes, (Redacted) had children. The eldest had died and  
21 he had one child remaining. The eldest had died and one was  
22 still alive.

23 Q. Could you tell us the name of that child?

24 A. The name was (Redacted). We called him (Redacted),  
25 but his baptism name was (Redacted).

1 Q. Do you know who the mother of that child was?

2 A. The mother of that child, I -- I saw her myself. I --  
3 I saw her.

4 Q. Do you remember what (Redacted) mother's name was?

5 A. The name that I knew was (Redacted). She had another  
6 name, but I'm not familiar with that other name.

7 Q. Did you meet her when you were already living with  
8 (Redacted)?

9 A. She often came to visit her son, and she's still there  
10 in fact.

11 MS MABILLE: (Interpretation) I would like to show a  
12 photograph to the witness.

13 THE WITNESS: Yes, I have understood.

14 MS MABILLE: (Interpretation) The reference is  
15 EVD-OTP-00317. I have a copy for the witness.

16 THE WITNESS: Yes, that's (Redacted). (Redacted).  
17 That's (Redacted). And he came (Redacted) ago.

18 THE INTERPRETER: He came when (Redacted)  
19 (Redacted), correction.

20 MS MABILLE: (Interpretation)

21 Q. You've just said that (Redacted) came when (Redacted)  
22 (Redacted). Do you mean did he come to live with you?

23 A. When he came -- when I came, rather, (Redacted)  
24 (Redacted) and I was with him until he was (Redacted).  
25 Yes, (Redacted).

1 Q. When you began living with (Redacted), where was that  
2 exactly?

3 A. When we left (Redacted) to go to (Redacted) it was in (Redacted)

4 Q. When you were living in (Redacted), who were you  
5 living with?

6 A. We were with his older sister, the wife of his younger  
7 sister and his younger sister and the small children. The --  
8 (Redacted).

9 Q. Do you remember how long - how many years - you stayed  
10 in (Redacted)?

11 A. We lived in (Redacted) for three years. I don't  
12 remember the exact years, but he's the one who explained it to me.

13 Q. Then you told us that you went to live in (Redacted).  
14 Who were you living with in (Redacted)?

15 A. In (Redacted) there was his younger sister and his  
16 older sister, but the older sister died at a given point in time  
17 and then there were other family members of the sister.

18 Q. Did you yourself have children while you were living  
19 in (Redacted)?

20 A. We stayed with (Redacted) and the child who was born  
21 at that time, because the two girls had left.

22 Q. Do you remember how many years you lived in  
23 (Redacted), approximately?

24 A. We stayed more than eight years in (Redacted).

25 Q. After (Redacted), where did you go?

1 A. The younger ones went to (Redacted) and we went to  
2 (Redacted). He left school.

3 Q. You've told us that you lived close to eight years in  
4 (Redacted).

5 A. Yes.

6 Q. At that time, did (Redacted) go to school?

7 A. He went to school from first grade to fifth grade.

8 Q. Do you know where he went to school for first grade of  
9 primary school?

10 A. He went to the first year of primary school in (Redacted),  
11 at (Redacted).

12 Q. Do you know where he went to second grade of primary  
13 school?

14 A. He went to the (Redacted) in second grade.

15 Q. And what about third grade?

16 A. At the (Redacted) as well.

17 Q. Just to be precise, where exactly was (Redacted)  
18 (Redacted)?

19 A. The (Redacted) is in the (Redacted) parish.

20 Q. Do you know where he went to fourth grade of primary  
21 school?

22 A. He was still at the (Redacted) in fourth grade.

23 Q. And what about fifth grade?

24 A. Also in (Redacted). (Redacted) in (Redacted).

25 Q. And what about afterwards? Do you know where (Redacted)

1 continued his schooling, if he did continue?

2 A. Yes, he went to sixth grade, but it wasn't very  
3 regular because sometimes he skipped school. In sixth grade he  
4 only went to school for three months.

5 Q. When was it that you -- that you left (Redacted)?  
6 What grade was (Redacted) in when you left (Redacted)?

7 A. Then from there he went to (Redacted). He ran away  
8 and he went to (Redacted).

9 Q. Do you know how long he stayed in (Redacted)?

10 A. He spent about a week - approximately a week - in  
11 (Redacted). He wasn't there continually. He spent about a week.

12 Q. And when (Redacted) left for a week in (Redacted), was  
13 the family living in (Redacted)?

14 A. The -- (Redacted) grandfather had died, that is the  
15 father of his mother. \*There was just me left. At that time  
16 there was just me there, in (Redacted).

17 THE INTERPRETER: Message from the English booth: We  
18 believe it's time for the Lendu team to switch, so if the other  
19 Lendu inter -- if we could have a very short break to have the  
20 other interpreter come in? Thank you.

21 THE WITNESS: Well, he hadn't finished primary school,  
22 the sixth grade, and he went to (Redacted) and he tried to enrol  
23 in a secondary school, where he only stayed two weeks, and his  
24 father came to get him there.

25 PRESIDING JUDGE FULFORD: Maître Mabilille, I've just

1 had a message from the interpreters that it's time to switch the  
2 Lendu interpreter.

3 What I think we'll do is give everyone a 10 minute  
4 break so that the interpreters can switch over, so the witness  
5 can have a short break and we'll sit again just after  
6 half-past-4.

7 Closed session, please.

8 THE INTERPRETER: Many thanks from the interpretation  
9 team.

10 THE WITNESS: Thank you.

11 THE INTERPRETER: The witness asks if she should stay  
12 here in the courtroom.

13 PRESIDING JUDGE FULFORD: Usher, can you take both the  
14 witness and the interpreter.

15 \*(Closed session at 4.21 p.m.) Reclassified as Open session

16 THE COURT OFFICER: We are in closed session,  
17 Mr President.

18 (The witness exits the courtroom)

19 (The interpreter exits the courtroom)

20 PRESIDING JUDGE FULFORD: 25-to.

21 THE COURT USHER: All rise.

22 (Recess taken at 4.22 p.m.)

23 (Upon resuming at 4.39 p.m.)

24 THE COURT USHER: All rise. Please be seated.

25 PRESIDING JUDGE FULFORD: I think the baby was pleased

1 with the break. Witness, please.

2 (The witness enters the courtroom)

3 (The interpreter enters the courtroom)

4 PRESIDING JUDGE FULFORD: Private session, please.

5 \*(Private session at 4.41 p.m.) Reclassified as Open session

6 THE COURT OFFICER: We are in private session, your  
7 Honours.

8 PRESIDING JUDGE FULFORD: Maître Mabilille.

9 MS MABILLE: (Interpretation)

10 Q. Witness, you told us that (Redacted) had begun his  
11 secondary schooling in (Redacted). Do you know the name of that  
12 school?

13 A. I don't know the name of the school.

14 Q. Witness, during the period of time when you were  
15 living with (Redacted), did he do any military training?

16 A. He did not do any service of that nature.

17 PRESIDING JUDGE FULFORD: Sorry to interrupt, Maître  
18 Mabilille. The usher and indeed Judge Blattmann have quite  
19 correctly brought to my attention that there's no need for the  
20 witness to be wearing headphones.

21 Can I ask the interpreter, please, to quietly explain  
22 to the witness that there's no need for her to have the  
23 headphones on and to ask her if she could kindly take them off.

24 Thank you very much.

25 THE WITNESS: Thank you.

1 MS MABILLE: (Interpretation)

2 Q. Now, during the period of time when you were living  
3 with (Redacted), was he part of an armed group?

4 A. \* What! What I know is that at one time he was with  
5 the soldiers in (Redacted) just to fetch things for them at the  
6 market, but he did not do military service.

7 MS MABILLE: (Interpretation) I think there's a bit  
8 of a discrepancy between the English and the French, but I will  
9 stick with the English.

10 Q. Witness, do you know what the activities of (Redacted)  
11 are at the current time; what he currently is doing?

12 A. I -- (Redacted) went to (Redacted). That's all I know  
13 about him.

14 MS MABILLE: (Interpretation) Thank you. Just a  
15 moment, your Honour, if you don't mind.

16 I have concluded, your Honour.

17 PRESIDING JUDGE FULFORD: Ms Zago.

18 MS ZAGO: Thank you, Mr President.

19 QUESTIONED BY MS ZAGO:

20 Q. Good afternoon, Madam Witness.

21 A. Good afternoon to you all.

22 Q. I wanted to introduce myself again to you. My name is  
23 Alicia Zago and I will be conducting the questioning today on  
24 behalf of the Office of the Prosecutor.

25 A. Yes, I understand.

1 MS ZAGO: Mr President, I'm afraid I will have to  
2 conduct the first set of questions in private session.

3 PRESIDING JUDGE FULFORD: Certainly, Ms Zago.

4 MS ZAGO: Thank you, Mr President.

5 Q. Witness, what is your date of birth?

6 A. I'm sorry, I'm not exactly sure what year I was born  
7 in. I'm very sorry but, you see, I have not studied.

8 Q. Did you tell the Defence at any point in time that  
9 your date of birth was (Redacted)?

10 A. That -- they saw that on my enrolment card.

11 Q. Can you explain to me what is a carte d'enrôlement?

12 THE INTERPRETER: Inaudible.

13 THE WITNESS: I don't know exactly how to put it, but  
14 it's an official card with a photograph of the owner.

15 MS ZAGO:

16 Q. Thank you. And who -- do you know which entity issued  
17 this carte d'enrôlement?

18 A. It was before the voting was held in the country.  
19 People were asked to enrol, so we went and enrolled or  
20 registered ourselves, so to speak, and that was at the mission.

21 Q. Did you declare yourself to the, I assume, officers  
22 that issued this card that your date of birth was (Redacted)  
23 (Redacted)?

24 THE INTERPRETER: The Lendu interpreter did not  
25 understand the question.

1 MS ZAGO: I will rephrase.

2 Q. Witness, when you went to get this carte d'enrôlement,  
3 did you declare yourself to the officers who were supposed to  
4 issue this card that your date of birth was (Redacted)?

5 A. I didn't see that myself because my parents were  
6 already dead then, but the grandparents, they were the ones who  
7 helped me provide my birth date.

8 Q. When did you get this carte d'enrôlement what year?

9 A. Since I've got it, well, it's been five or six years,  
10 and that card I had, I still have it with me here.

11 Q. You've forgotten since that date that your date of  
12 birth was (Redacted)?

13 A. Yes, indeed, I had forgotten that.

14 Q. Are you (Redacted) years old today?

15 A. I believe -- well, I'm not exactly (Redacted) years of age.

16 Q. How old do you think you are?

17 A. I wonder -- I think the people who had me were 35 or  
18 36, so I wonder how I could be older than those who gave birth  
19 to me.

20 Q. During your examination in-chief you referred to your  
21 ethnic background and you indicated that you are of Mugera  
22 (phon) ethnicity. Could you please clarify with us whether  
23 Mugera means in other words Hema North, or Gegere?

24 A. All I know is that they call us Mugere, but I don't  
25 know. I really don't know -- I can't go into the depths of

1 that. I can't give details.

2 Q. During your evidence-in-chief as well, you mentioned  
3 that you were married to a person called (Redacted) and that  
4 before marrying him you had a previous relationship with another  
5 person. Can you tell us the name of this other person, please?

6 A. His name is (Redacted).

7 THE INTERPRETER: Correction from the English  
8 interpreter: (Redacted).

9 THE WITNESS: That's fine. No problem.

10 MS ZAGO:

11 Q. How old were you when you started this relationship  
12 with (Redacted), or (Redacted)?

13 A. At that time I was 16 years old.

14 Q. Do you know what year was it that you started this  
15 relationship?

16 A. I can't remember.

17 Q. You also said in evidence that you had two children  
18 with this person. Can you tell us a date of birth of the two  
19 children that you had with this person, please?

20 A. The first child that I had was born -- well, directly  
21 after his birth I don't remember the child's name because I  
22 wasn't the one who gave him a name; gave the child a name. I  
23 really no longer remember.

24 Q. My question was about the date of birth of this child?

25 A. I really don't remember, but the child was born when

1 -- at a time that I had spent two years with the man.

2 PRESIDING JUDGE FULFORD: Ms Zago, the interpreters  
3 very kindly agreed to sit slightly later than normal this  
4 afternoon because we lost quite a lot of time immediately after  
5 the midday adjournment, but I think 5 o'clock is the absolute  
6 deadline. I'm sorry to interrupt you. I'm afraid we'll have to  
7 pick it up again tomorrow morning.

8 MS ZAGO: Thank you, your Honour.

9 PRESIDING JUDGE FULFORD: Thank you very much indeed.  
10 Madam, thank you very much indeed for your assistance so far  
11 today. We have got to break off now and we look forward to  
12 seeing you again at half-past-9 tomorrow morning.

13 THE WITNESS: You're welcome.

14 PRESIDING JUDGE FULFORD: Closed session, please.

15 \*(Closed session at 5.00 p.m.) Reclassified as Open session

16 THE COURT OFFICER: We are in closed session,  
17 Mr President.

18 PRESIDING JUDGE FULFORD: Yes, usher, could you --

19 (The interpreter exits the courtroom)

20 (The witness stands down)

21 PRESIDING JUDGE FULFORD: Something, Maître Mabilie,  
22 for you to think about overnight. No need for a response now.  
23 If, if we order disclosure, so one if, and then a second if is  
24 if, as a result of that, there's a request to ask questions  
25 again of the two witnesses who've just testified from the DRC,

1 once the court officer has returned to Europe it will probably  
2 take two weeks to put in place everything that needs to happen  
3 in order for the evidence to occur.

4 Now, my best guess is that if we order disclosure, you  
5 are probably going to want to conduct some investigations before  
6 you put further questions to either of the witnesses, if you are  
7 going to seek to put further questions. And so the preliminary  
8 order that's been given is that the court officer should return  
9 to Europe rather than lingering there indefinitely against the  
10 possibility that there may be some further questions at some  
11 time later.

12 Now, if a fortnight is acceptable, there's no need for  
13 you to raise the matter. But if for some reason it's going to  
14 have greater urgency than that, we really need to tomorrow  
15 morning. Half-past-9.

16 (The hearing ends at 5.03 p.m.)

17 RECLASSIFICATION REPORT

18 Pursuant to Trial Chamber I's emails instructions dated 08<sup>th</sup>  
19 November 2011 and 12<sup>th</sup> January 2012, the transcript is  
20 reclassified as public after the indicated redactions have been  
21 implemented as ordered by the Chamber. All private and closed  
22 sessions (\*) are now available to the public with the exception  
23 of the portions of the transcript that have been redacted.

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