

1 International Criminal Court
2 Trial Chamber VI - Courtroom 2
3 Situation: Democratic Republic of the Congo
4 In the case of The Prosecutor v. Bosco Ntaganda - ICC-01/04-02/06
5 Presiding Judge Robert Fremr, Judge Kuniko Ozaki and
6 Judge Chang-ho Chung
7 Trial Hearing
8 Monday, 25 April 2016
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE FREMR: Good morning, everybody.
14 Court officer, please call the case.
15 THE COURT OFFICER: Good morning, your Honours.
16 This is the situation in the Democratic Republic of the Congo, in the case of The
17 Prosecutor versus Bosco Ntaganda, case reference ICC-01/04-02/06.
18 We are in open session.
19 PRESIDING JUDGE FREMR: Thank you, court officer.
20 Now appearances, please, starting with Prosecution.
21 MR IVERSON: Good morning, your Honours. Today for the Office of the
22 Prosecutor we have Marion Rabanit, associate trial lawyer; Rens van der Werf,
23 assistant trial lawyer; Claudine Umurungi, legal assistant; Julieta Solano, trial lawyer;
24 Selam Yirgou, case manager; and myself, Eric Iverson, trial lawyer. Thank you.
25 PRESIDING JUDGE FREMR: Thank you, Mr Iverson.

1 Defence please.

2 MR BOURGON: (Interpretation) Good morning, your Honour, good morning,
3 your Honours and all people present in the courtroom this morning. Representing
4 Bosco Ntaganda, who is present this morning, Eric Cookson-Montin; Margaux Portier;
5 Dignité Bwiza; and myself, Stéphane Bourgon. Thank you very much, your Honour.

6 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon.

7 Now Legal Representatives of Victims, please.

8 MS PELLET: (Interpretation) Thank you, your Honour. The former child soldiers
9 are represented by Mohamed Abdou and by myself, Sarah Pellet, counsel of the
10 public counsel for victims.

11 MR SUPRUN: (Interpretation) Good morning, your Honour, your Honours. The
12 victims of the attacks are represented by the Office of Public Counsel for Victims,
13 legal associate and myself, Dmytro Suprun.

14 PRESIDING JUDGE FREMR: Thank you, Ms Pellet. Thank you Mr Suprun.

15 And I also note the presence of legal adviser appointed pursuant to Rule 74 to assist
16 our upcoming witness who will testify today. Welcome, and please state your name
17 for the record.

18 MR RAIMONDO: Good morning, Mr President and your Honours. My name is
19 Fabián Raimondo. I am the legal adviser to the witness pursuant to Rule 74.

20 PRESIDING JUDGE FREMR: Thank you very much, Mr Raimondo.

21 Before the witness can be called, I was told that Mr Bourgon would like to approach
22 the Chamber. So Mr Bourgon, you have the floor.

23 MR BOURGON: Thank you very much, Mr President. Very briefly we received
24 last week the document called witness preparation session log and disclosure note.

25 I would just like to make one comment for the record regarding this document at this

1 time.

2 At the last page of the document there's a mention of a question that was put to the
3 witness regarding his interview with the Defence prior to becoming a Prosecution
4 witness. And in this document the witness explains that the Defence representatives
5 had a computer with a camera and that they were filming the meeting.

6 Mr President, just for the record and to remove any ambiguity, I'd like to confirm
7 I was personally present during this meeting with the witness and the interview was
8 not filmed.

9 At the end of this interview a picture was taken of the witness which will be shown to
10 him in cross-examination. I just wanted to make this clear for the record before we
11 begin. Thank you, Mr President.

12 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon. I appreciate this
13 clarification.

14 Any objection on that from Prosecution?

15 MR IVERSON: Well, we were already aware because Mr Bourgon had told me prior
16 to the court session. And I appreciate the heads up so that we're aware. I'm not
17 sure that we have this picture, so if we could just receive in due course the disclosure
18 of the picture that would be helpful, of course. Thank you.

19 PRESIDING JUDGE FREMR: All right. And again even Chamber I think
20 appreciates a much -- this atmosphere of openness and this mutual openness among,
21 between the parties.

22 Now, before we bring the witness I will be addressing a few procedural matters.

23 First, the Chamber recalls its decision number 1293 granting in-court protective
24 measures for Witness P-907 in the form of face and voice distortion and the use of
25 pseudonym.

1 Second, as indicated by way of email last week, the Chamber encourages the
2 Prosecution to complete its examination-in-chief of the witness within eight hours.

3 So it's goal for you, Mr Iverson.

4 As usual I will be keeping an eye on timing asking you for updates on your progress
5 as we proceed.

6 With regards to timing, I recall that we will be sitting for five hours per day with a
7 two-hour afternoon session ending at 4.30 p.m. And also don't forget that we will
8 not be sitting on Wednesday because there is holiday.

9 Next, I note that both legal representatives have requested to examine the witness.

10 And following our usual practice, we will come back to this request after the

11 Prosecution has completed its examination-in-chief.

12 Finally, Mr Raimondo is present to assist the witness in respect of any
13 self-incrimination issues which may arise. The Chamber notes that he was able to
14 meet with the witness and explain matters of self-incrimination to him.

15 On Wednesday, 20 April, Mr Raimondo seized the Chamber on behalf of Witness
16 P-907 of a request for assurances pursuant to Rule 74. As instructed, the Prosecution
17 provided ex parte observations on Thursday via email. It does not object to the
18 Chamber granting assurances to this witness, subject to the usual caveat of the
19 witness telling the truth throughout his testimony.

20 I first turn to the Defence. Do you have any observation on this issue, Mr Bourgon?

21 MR BOURGON: No observation at this time, Mr President. Thank you.

22 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon.

23 So we will now, just for a second, deliberate because situation otherwise as to this
24 assurance seems clear.

25 (Trial Chamber confers)

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1 PRESIDING JUDGE FREMR: So our ruling is that the Chamber grants the request
2 and will provide the witness with the requested assurances.

3 Now, unless the parties have any further issues which I guess is not the case, court
4 officer have the witness brought in the courtroom.

5 (The witness enters the courtroom)

6 PRESIDING JUDGE FREMR: Mr Witness, good morning. On behalf of this
7 Chamber, I would like to welcome you to the courtroom. Can you hear me,
8 Mr Witness?

9 WITNESS: DRC-OTP-P-0907

10 (The witness speaks Swahili)

11 THE WITNESS: (Interpretation) I can hear you very well.

12 PRESIDING JUDGE FREMR: Mr Witness, you are called to testify in the case
13 Mr Bosco Ntaganda -- in the case against Mr Bosco Ntaganda to assist us in our
14 search for the truth. You will be soon asked questions both by the Judges and
15 lawyers in the courtroom and, in this connection, I would like to guide you as follows:
16 Please listen carefully to those questions. It's very important that you make sure that
17 you understand the question. If you do not understand, feel free to ask for the
18 question to be repeated. We want you to tell the truth and tell us what you saw,
19 heard or sense yourself. If you didn't see or hear it yourself but you found out some
20 other way, then you should explain how.

21 You may not remember all details and it doesn't matter. Please testify just on that
22 which you really remember. Don't guess, don't make things up. There is nothing
23 wrong in saying "I don't know" or "I don't remember".

24 Do you understand all this, Mr Witness?

25 THE WITNESS: (Interpretation) I understand you very well.

1 PRESIDING JUDGE FREMR: Fine.

2 Mr Witness, protective measures are put in place to ensure that your identity is not
3 revealed to the public. And I'm aware that this has already been explained to you,
4 but let me briefly remind you that the public cannot see your face today and that your
5 voice is being disguised so that the public cannot recognize you. We will refer you
6 as "Mr Witness" and ensure that your name and any other information that risks
7 revealing who you are is not broadcasted to the public; therefore, whenever you need
8 to describe anything that might reveal your identity, we will do so in private session
9 so that no one outside the courtroom can hear your answer.

10 Do you understand, Mr Witness?

11 THE WITNESS: (Interpretation) I understand you very well.

12 PRESIDING JUDGE FREMR: Very good. Mr Witness, you also have been assigned
13 a lawyer to provide you with legal advice about possible self-incrimination.

14 Mr Raimondo sitting on your right hand. You have met before and he is present
15 here and will be present for all your testimony. If any concerns arise during the
16 course of your testimony, he will be able to advise you and to raise those concerns
17 with the Chamber.

18 Mr Raimondo has requested that you be given certain assurances by the Chamber.

19 There may be questions asked to you for which you fear that answering them
20 truthfully may incriminate you because these questions relate to your own conduct.

21 In such cases, we will require you to answer the question but we can assure that your
22 answer will be kept confidential and will not be disclosed to the public or to the
23 government of any country.

24 The Prosecution has further assured that they will not themselves use this
25 information to prosecute you before the ICC provided that you tell the truth. Do

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1 you understand all this?

2 THE WITNESS: (Interpretation) I understand very well.

3 PRESIDING JUDGE FREMR: Very well.

4 Now, Mr Witness, you will find a piece of paper which is now in front of you with the
5 solemn undertaking. Please now make your solemn undertaking to tell the truth by
6 reading out the declaration on the piece of paper in front of you, please.

7 THE WITNESS: (Interpretation) I have a question before taking the oath.

8 PRESIDING JUDGE FREMR: Please go ahead.

9 THE WITNESS: (Interpretation) I asked my lawyer to send you an application
10 representing -- about self-incrimination. Have you received that, your Honour?

11 PRESIDING JUDGE FREMR: Please, anyway, now let's move into private session
12 because there might be some risk we go to some details.

13 (Private session at 9.47 a.m.)

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18 (Redacted)

19 (Open session at 9.53 a.m.)

20 THE COURT OFFICER: We are back in open session, Mr President.

21 PRESIDING JUDGE FREMR: Thank you, court officer.

22 So Mr Witness, have you understood my instruction both concerning those practical
23 matters? The main thing which is not very natural is to keep pauses. So as soon as
24 anybody put question to you, please wait a moment, don't respond immediately
25 because we all have -- always have to wait for translation. So try always to count

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1 one, two, three, and only then give your response. Is it clear?

2 THE WITNESS: (Interpretation) I understand.

3 PRESIDING JUDGE FREMR: Very well. So now we can move to the testimony
4 itself. You will be questioning first by Prosecution which is represented by
5 Mr Iverson.

6 Mr Iverson, you have the floor.

7 MR IVERSON: Thank you very much, Mr President.

8 QUESTIONED BY MR IVERSON:

9 Q. Good morning, sir. How are you?

10 A. Very well.

11 Q. Now, we have met before, but I just wanted to introduce myself again. My
12 name is Eric Iverson and I'm a trial lawyer for the Office of the Prosecutor and I'll be
13 asking you questions for the duration of your testimony for the Prosecution.
14 Just a few reminders. I'll do my best to ask questions in open session where I can,
15 where there's not much risk that your identity would be revealed, but if there's a
16 chance that your identity will be revealed, I'll ask for -- I'll ask the Court to grant a
17 private session. And I'd like to ask that we try to move through your testimony
18 quickly but accurately. Can we do that, sir?

19 A. I understand you very well.

20 Q. Thank you.

21 Mr President, for the first set of questions, I'd like to ask that we move into private
22 session, please.

23 PRESIDING JUDGE FREMR: And in this connection my question goes to
24 Mr Bourgon. Mr Bourgon, would it be any problem if those, the first bunch of
25 questions concerning personal details would be made through leading questions?

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1 MR BOURGON: Absolutely not, Mr President.

2 PRESIDING JUDGE FREMR: Mr Iverson, you have the floor.

3 But before that, we have to move into private session.

4 (Private session at 9.56 a.m.)

5 (Redacted)

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10 (Redacted)

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- 20 (Open session at 10.08 p.m.)
- 21 THE COURT OFFICER: We are now in open session, Mr President.
- 22 PRESIDING JUDGE FREMR: Thank you, court officer.
- 23 Mr Iverson, you may proceed.
- 24 MR IVERSON:
- 25 Q. First I'd like to ask you, if you could, to walk the Chamber through the chain of

1 command in the various officers and if you could explain who the officers were at
2 Mandro and what their function was, if you recall.

3 A. Well, I will answer your question about the Mandro training centre. When we
4 got to Mandro, the leader was Mr Mugisa Muleke he was the one who supervised the
5 training centre in Mandro. That is where all the recruits were. But he reported to
6 Mr Ntaganda. There was also a number of instructors, former commanders such as
7 Abelanga, Mutegaji. There were many instructors who worked together, one taking
8 over from another. I didn't know all their names. There were many instructors.
9 I didn't know exactly how they divided up the work, but each one of them had a
10 particular component of training to give. Some taught how to handle weapons,
11 others taught guerilla warfare and strategy. I know that all the instructors were at
12 the same level, but their superior was Muleke and he reported to Bosco Ntaganda.
13 That is what I learned once I had got to the training centre.

14 Q. Okay. Just so it's clear for the record, sir, could I just ask you to spell out the
15 name Muleke and Abelanga. If you could just spell it so it's clear on the record.

16 PRESIDING JUDGE FREMR: Court usher, could we provide Mr Witness with piece
17 of paper, or it's already there? Okay, fine.

18 Mr Witness, could you just -- it will probably make it easier to write it on paper first
19 the name and then spell it letter by letter because we would like to have precise
20 transcript.

21 THE WITNESS: (Interpretation) I'm ready, Abelanga, A-B-I-L-A-N-J-A. That's
22 Abelanga. And then the next name M-U-T-G-A-G-I, that's Mutegaji.

23 MR IVERSON:

24 Q. All right. Could I have you focus on one person you mentioned, Abelanga.

25 Could I have you explain to the Chamber what was his role and how did this person

1 behave in Mandro training camp?

2 A. I know Abelanga well. He was a commander who was very strict at the centre.
3 He was known for that. He behaved very strictly. He was the one who taught us
4 fighting techniques, guerilla warfare. All I know is that he made our life tough at the
5 centre. If you did something wrong, he would hit you. And he was very, very
6 tough. That is what I know about him. He was the one who taught us fighting
7 techniques, but he would hit us. He hit us with sticks. I think I've answered your
8 question.

9 Q. I know you mentioned a number of things and I don't want things to get missed.
10 I think I believe you mentioned the name Kahwa. Who was Kahwa and did he have
11 any relation to anything that was going on at Mandro?

12 A. Mr Kahwa was the collectivity chief, the traditional chief. All I know is that
13 our camp was in his area. He was the one who allowed us to take that training there.
14 I don't know whether he played any other role, for example, ensuring the safety of
15 soldiers. I don't know anything about that. All I know is that he allowed us take
16 training in his locality. The members of his -- the people in his area also helped us
17 because they gave us foodstuffs and supplies. At one point, airplanes would come
18 and drop off supplies. Before there were an airport. All I know is that he was a
19 traditional chief and he was a wise old man from the village.

20 THE INTERPRETER: Interpreter correction: The collectivity mentioned was
21 Bahema-Banywagi.

22 MR IVERSON:

23 Q. All right. And sir, do you know the accused in this case, Mr Ntaganda?

24 A. Yes, I know him very well.

25 Q. And could you explain what was his role, if any, at the Mandro training camp?

1 A. At the training centre -- well, I would say that he was the top gun, number one.
2 Even though Muleke was the head of the centre, he was much higher up, he had a
3 higher rank. He would come to the centre sometimes to see how the training of the
4 recruits was going. He would stay a few minutes and then he would leave again.
5 Sometimes he would come and actually spend the night at the training centre and
6 then he would leave the next day. He didn't give the training because, you see, there
7 were instructors for that. He would come and he might speak to the recruits. They
8 would have these gatherings, you see. But I really couldn't tell you that he gave any
9 training. He was the boss and he was the one who received all the reports.

10 Q. Could you tell the Chamber if there are any moments or times in particular
11 where you remember seeing Mr Ntaganda at Mandro training camp?

12 A. You wanted to know whether he came instead of the training or to centre in
13 general? I remember he came once when training was going on, and he spent the
14 night there, and then he went off again. If, for example, let's say, there was a
15 graduation ceremony for recruits, he might come for that, or he might come to the
16 check on the recruits' progress. Once he came and he spoke to the recruits and he
17 gave us a pep talk, he cheered us up. He also gave us some orders, instructions.
18 He also took part in a drill once for the deployment of troops. I remember seeing
19 him in Mandro.

20 THE INTERPRETER: Mandro, corrects the Swahili interpreter.

21 MR IVERSON:

22 Q. And I don't want to ask you to speculate because you were talking -- you gave
23 your answer in a bit of a hypothetical, you said he might come to check on the
24 recruits' progress or a graduation ceremony. Do you remember in fact that
25 Mr Ntaganda came for any graduation ceremonies or parades or anything like that,

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1 sir?

2 A. I saw him personally. He came and he spoke to the recruits. He gave
3 instructions. He told us that no one should desert. He said that after the training
4 we would be soldiers. He came a second time and that was when the recruits were
5 graduating. And some troops had been deployed to Tchomia. Others were sent to
6 various camps. That was the second time that he came. And the drill or the parade,
7 rather, was by Kahwa's residence. At the end of the training we were supposed to
8 go to a football pitch and that is where the troops would be deployed from.

9 THE INTERPRETER: Message from the Swahili interpreter: Could the witness be
10 asked to slow down.

11 PRESIDING JUDGE FREMR: Mr Witness, I just got a message from the interpreters
12 you are a bit fast, so please slow down a bit, okay, because we would like just to get
13 precise interpretation. Do you understand?

14 THE WITNESS: (Interpretation) Yes, I understand.

15 MR IVERSON:

16 Q. So I'll just amend what -- my instructions from the beginning were quickly and
17 accurately, and I appreciate your attempting to do that, I failed to mention, you know,
18 that -- or, remind you that we have interpreters. So we'll try to just slow it down just
19 a little bit, but we'll continue hopefully a good pace, sir.

20 Now, could I just ask you to step back and describe what one would see when they
21 would enter Mandro training camp. What would you encounter when you enter
22 Mandro training camp?

23 A. Well, when you entered the training camp -- well, there were two different
24 camps. There was the Mandro camp where Chief Kahwa's residence was and that is
25 where the recruits were who had -- who were finishing their training. There was

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1 another camp that was the camp for recruits itself. So you have to be more specific
2 in your question because there were two camps really; one where Kahwa's residence
3 was, and then there was a pitch where the training was conducted. That was our
4 camp. You have to be specific in your question.

5 Q. Thank you. I'll try to be specific. Let's start with the pitch, your camp. And
6 you mention recruits. For instance, how many recruits are we talking about? If you
7 were to enter, how many recruits would you see during the time that you were there?

8 A. I understand. When you went into the recruits' camp, Kudja was the name of
9 that spot, there was a stream just before the camp and that is where some soldiers
10 were posted, and then after that you would come to this flat pitch, and after the pitch
11 there were some houses. They were built out of straw these houses for the officers.
12 Further along downwards, there were some barrels and --

13 PRESIDING JUDGE FREMR: Mr Witness.

14 THE WITNESS: (Interpretation) -- they were used for cooking. And then there
15 was the area --

16 PRESIDING JUDGE FREMR: Sorry to interrupt you, but I guess the question was
17 mainly about the number of recruits you had seen when you enter this camp. So we
18 appreciate description of the camp, but I think the question was focus on the number
19 of recruits.

20 THE WITNESS: (Interpretation) I'm sorry. I answered in that manner because
21 the first question that I was asked was what you saw when you entered the camp and
22 then the second question was how many recruits.

23 So to answer that, there were many recruits. People would go to Mandro in large
24 numbers. Old people, young people, children. There were thousands of us. I
25 wouldn't say it was one or two people or a hundred, I would say that there were a

1 great many of us, thousands of us. No one would say that it was one, two, three
2 hundred people. And what's more, no actual census was done by the instructors or
3 by anyone. There were a great many of us. I don't -- but there was no actual
4 official counting. I think I've answered your question. Some people would come in
5 the morning, some people came in the evening or midday. They were groups of
6 people who would come, so you really -- you couldn't tell exactly how many people
7 entered the camp, but many people went. It was -- there was a lot of coming and
8 going as though people were coming and going at a market.

9 PRESIDING JUDGE FREMR: But if I understood well, this question -- Mr Iverson
10 was mainly interested not in number of all people coming to Mandro but number of
11 recruits. Could you be more specific on that, at least to give us some rough
12 estimation on number of recruits?

13 THE WITNESS: (Interpretation) To my knowledge, not hundreds, thousands.
14 There were many of us. The pitch was very large and there were many huts. Only
15 the recruits would go there. And then there were the instructors as well. They
16 might go and walk about a bit. Whether you were male or female, if you went and
17 you crossed the last cross point, checkpoint, you were then a recruit. So no one can
18 say that there were just hundreds of us, no.

19 MR IVERSON:

20 Q. So if one were to visit the Kudja part of the camp during that time one would
21 see many, many people; is that a fair statement?

22 A. Yes, that's right. That is the truth because there were many of us.

23 Q. All right. I'd like to go back to ask a few more questions about Mr Ntaganda.
24 What did the recruits and others in the UPC call Mr Ntaganda, if you know?

25 A. All the recruits called him Afande, but some called him Afande -- or,

1 Afande Bosco or Mzee Bosco, but the instructors called him Tango Romeo. That was
2 his call sign. So the officers would call him Tango Romeo.

3 Q. And you have explained to a certain extent his role with regard to Mandro. I'd
4 just like to ask are you familiar with Mr Ntaganda's role within the broader
5 UPC/FPLC?

6 A. Yes, I certainly do know. He was the general chief of staff responsible for
7 operations within the FPLC. He was in charge of all the war operations.

8 Q. And do you know whether this entailed Mr Ntaganda planning operations,
9 military operations, within the UPC/FPLC?

10 A. With regards to the war operations he was chief of general staff and he was
11 responsible for the operations. He planned the war, he determined the arms which
12 had to go to the war, all these soldiers who had to go to war as well. He was the
13 person who was responsible, nobody else.

14 Q. Sir, you mentioned just now that he determined the arms which had to go to the
15 war. Can you explain how Mr Ntaganda did this, decide and get arms, weapons to
16 people in the war, if you know that?

17 A. Well, we had stocks of arms. We had arms dumps. We had arms dumps in
18 Mandro and also there was an arms dump with the -- there were different depots that
19 we had pretty much everywhere. Mongbwalu as well, where I worked as well.
20 And we also had weapons when there was war. You had to call him. He was the
21 person who had to say what type of weapon had to go to war. You couldn't go to
22 war without his approval. We had a lot of arms dumps. They were full of weapons
23 as well as ammunition. We had all types of weapons. Even in Tchomia we had
24 weapons. They came by air and they went through Tchomia.

25 Q. And who provided --

1 THE INTERPRETER: Went through Tchomia and Mongbwalu, corrects the
2 interpreter.

3 MR IVERSON:

4 Q. And who provided those arms for the arms depot? Who provided those
5 weapons?

6 A. The weapons came by plane. And they were brought by plane to Mandro.
7 And when they noted that the weapons were getting worse, then they -- it was
8 decided that -- to attack Tchomia in order to occupy the airport. And they attacked
9 Tchomia, they occupied the airport in Tchomia. And they occupied Tchomia airport
10 and that was where the arms were. They were transported on their heads. And
11 that's how we were able to build a dump where we could keep the weapons. And
12 while we were occupying the villages, we increased the number of dumps as well.
13 And when we occupied Mongbwalu, we built a dump as well. I don't know where
14 these weapons came from, but what I do know is that they came by plane. That's all
15 that I know. And they were air dropped.

16 Q. Sir, you mentioned that Mr Ntaganda was the person who had to say what type
17 of weapon had to go to war. Can you just explain to the Chamber what do you
18 mean by that? Did he have to make a personal decision on every weapon or
19 what -- that doesn't seem logical, so if you could just explain what you mean by he
20 was the person who had to say what type of weapon had to go to war.

21 A. In fact, we went to war with him, which was the case in Mongbwalu. There
22 was also a time where I went with him in Mwanga. We went through Mudzipela.
23 And there was another battle where they could deploy soldiers. And it was in that
24 case that, for example, they could send you to a battle without going there. And
25 they would say, "Don't be afraid, there is ammunition. There are weapons there.

1 There are bombs." They would tell that to you. They would tell you that there was
2 no reason to be afraid of the enemy.

3 And before leaving for the battle, if they -- if you didn't want to go, there would be a
4 military parade and they would try and raise everybody's morale. They would say
5 how they were going to fight against the enemy, how they're going to defeat the
6 enemy. They would say that the enemy was weak. They would say how people
7 were armed. And it was in that way that it was possible to know that he was the
8 person who determined which weapons were going to be taken to war.

9 And when he went himself, he would tell you which weapons were going to be taken
10 to war in order to defeat the enemy. And they would tell you -- he would tell all the
11 commanders who were there. He would say you're going to take this weapon or
12 that weapon. "You take these weapons."

13 And the bureau would inform you with regards to the force or strength of the enemy.
14 They would tell you, for example, that the enemy had such a type of munitions, such
15 types of weapons and they would recommend what weapons should be taken into
16 battle.

17 And they estimated the enemy force that there was when they were sure of the enemy
18 forces. At that time, they would tell you what type of weapon you could take to the
19 battle. I hope that answers your question.

20 MR IVERSON: Mr President, could I ask that we briefly go into private session,
21 please. Thank you.

22 PRESIDING JUDGE FREMR: For sure.

23 Court officer, let's move into private session now.

24 (Private session at 10.39 a.m.)

25 (Redacted)

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16 (Open session at 10.41 a.m.)
17 THE COURT OFFICER: We are back in open session, Mr President.
18 PRESIDING JUDGE FREMR: Thank you, court officer.
19 Mr Iverson, you may proceed.
20 MR IVERSON:
21 Q. On page 23, line 22 of today's transcript I had asked you a question about the
22 number of recruits you would see when you would enter the Kudja camp. And in
23 your answer you mentioned children, and so I would like to focus on that issue and
24 I would like to ask you questions about that.
25 When you say there were children, what were these children doing at a military camp,

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1 military training camp?

2 A. They didn't have a choice at that time. There was no other refuge. Some
3 children were not able to find their parents. They didn't know where to go. And
4 that's how children, the elderly, all of us went to the training. We didn't have any
5 other choice. Whether it was us, whether it was the elderly, whether it was the
6 children. We were all in training.

7 Q. And when you say "children," I'd like you to tell the Judges exactly what you
8 mean by children. How old were these people?

9 A. There were lots of different children, different types. Some of them were 10, 12,
10 17, 16. They were all mixed up. I didn't ask each child what their age was, but if
11 you looked at these children, some were very young. There were children who were
12 maybe in fourth grade fifth, sixth grade in primary. You also had some who were 16
13 or 14 years old. I hope that you understand me well.

14 Q. Yes, I do. And for the very young children, as young as 10 and 12, how were
15 they able to pick up a weapon and train in a military way?

16 PRESIDING JUDGE FREMR: Mr Iverson, I think you jumped a bit, you know, too
17 far because I think you should start with, you know, that they were present at
18 military camp. But, you know, I would appreciate some question before putting that
19 one and also --

20 MR IVERSON: Sure, I understand, your Honour. If you just give me a moment.

21 PRESIDING JUDGE FREMR: It's a bit leading, not completely leading.

22 MR IVERSON: I'll rephrase, your Honour, if you just give me one moment, please.

23 PRESIDING JUDGE FREMR: Even a question whether they were trained with this
24 weapon would be fine.

25 MR IVERSON: Yes.

1 Q. Sir, in your answer on page 30, line 6 you just said, "we were all in training."

2 And his Honour is absolutely correct, I read maybe too much into that. Can you
3 explain what you mean by "training"?

4 A. When I speak about training what I mean by that is that at the training centre
5 we were with children and we were with the elderly. We didn't take into
6 consideration people's age. They often said that once we had been in the centre you
7 were no longer a child any more. There was a term that said that the child -- you're a
8 child with regard to your mother only. Once you go to the training centre a child
9 has to be trained as an adult. The child has to be trained in tactics, war tactics.
10 They have to do all the exercises which adults do. There was no difference between
11 a child and adult. There were sometimes when the children were even stronger than
12 the adults and it was the children who joined a lot more than adults.

13 Q. And, sir, what my question is driving at is whether the military training
14 involved any weapons handling. Did it?

15 A. There were different stages in training. First of all, when you arrived at the
16 training centre, first of all, you had to take off the clothes that you were wearing.
17 You had dirty clothes which were messy and you had to undergo a sort of baptism,
18 and then you were asked to roll in the mud. And after this baptism you joined the
19 recruits and it was at that time that you became a recruit.
20 On the first day, the first lesson that one learned as a recruit was marching in military
21 fashion, how to march, how to turn left, right, and you had to show that you
22 understood and could do military marching towards 10 o'clock in the morning. And
23 also you had to get up very early in the morning in order to do that. And at 4 o'clock
24 there would be a rally or an assembly.
25 And when people noticed that people had escaped in the first thing to say were the

1 marching -- well, military marching, there were people who were soldiers. They
2 sang, they sang military songs which was called "morale". There was instructors
3 who taught these songs to us and you had to march. We were divided into different
4 groups in order to carry out military exercises which were called drills.

5 And after marching, towards 10 o'clock then we put together and dismounted the
6 weapons and we -- AK-47s, for example, SMGs. You had to know how to take apart
7 a weapon quickly, and once -- when it was blocked, for example, in a war situation,
8 you had to know how to take it apart, and then you were given exercises in order to
9 reassemble it.

10 And when we were able to show mastery of the drills, when we were -- show that we
11 mastered how to use weapons as well, then you went on to the next stage.

12 Now, the next stage was fighting techniques where you had to crawl. There was a
13 wood which was -- there was wood which was used, which was cut into the shape of
14 a weapon, and we used those pieces of wood to practice fighting techniques with.

15 And you would be shown how to behave, what position you had to be in. People
16 told you to lie down, to get up, you were shown all sorts of different combat
17 techniques.

18 And after, there was a following stage and that was the baptism. After the fighting
19 techniques towards the end of the training, we finished with another baptism and
20 people trained you in communication. You also had to dig large trenches. We dug
21 trenches in a circular shape. You had to shoot. You needed endurance. You
22 couldn't lift your head up. You had to crawl while you were firing at the same time.

23 So you had -- well, that was the last baptism that we had. You had to show
24 endurance and after it I think at that time you were given a weapon and you were
25 given combat uniform. You had military boots, you had a weapon, and on that day

1 Bosco came to send the -- send off the soldiers and he would tell them, "You go to this
2 centre, that centre." When he arrived on the last day of the training, he had to be
3 there. In Mandro or Mongbwalu -- if it was in Mongbwalu at that time the sector
4 commander was responsible for that, but if it was in Mandro, he had to be there and
5 the person who gave the weapons and the military uniform.

6 But also you could leave training and if there was an attack by the enemy, even going
7 through this baptism you could go directly to the fighting, to the combat. And by
8 way of example, I went to fight even before finishing training. People said the
9 enemy is coming to such and such a place, well, you had to stop the training and you
10 had to go directly into combat and it's in this combat that you will take part in the
11 field and that will make you hardened.

12 And with regards to the battlefield, well, there was a reduced number sometimes, but
13 then recruits could be called upon who had already had training in combat
14 techniques. And that's the reason why certain recruits didn't finish training.

15 Q. Well, thank you. I think that that is a very comprehensive answer that gives a
16 lot of background and is helpful. I would just like to ask a few follow-up questions
17 based on your answer.

18 Now, how were the smallest of the children, the 10 and 12-year-olds, able to keep up
19 with the adults in this gruelling training?

20 A. These kadogo, they would told, "If you leave this training centre, where are you
21 going to go?" So once you've been in the training centre, there were no means of
22 escaping. And if you were caught trying to escape, automatically you would be
23 killed.

24 So even if the training was hard, you had to deal with it right to the very end. If you
25 wanted to escape, you had to do it after training, not during the training. You were

1 always told during training that the day in which you tried to escape you're going to
2 be shot at. You should never desert even if the training is very hard.

3 These kadogo were easily integrated apart from the fact they had difficulties carrying
4 weapons because the weapons were heavy and the uniforms, well, they were too big.
5 And sometimes it was difficult for them to carry the weapons because they were very
6 heavy. But they did manage to get through the training. The problem was wearing
7 boots, military uniform, as well as the weapon, it was very heavy and the uniforms
8 were very heavy for them, and that's the -- they were too big. And with regard to
9 the training, they adapted and sometimes they were better than the adults.

10 Q. Are there -- and I know you said that the -- some of these children passed the
11 training. Were there other children who didn't pass the training, and by children I'm
12 talking about the very young ones, the 10 and 12-year-olds?

13 A. I never saw the case of a child who hadn't succeeded in training. I just know
14 that there were some children who finished training and they were taken to
15 Kisembo's HQ and then they became bodyguards because they weren't able to go into
16 combat. I never saw a child who didn't finish the training and who went home. No.
17 I saw some who finished the training and they were sent to Kisembo's place where
18 they became bodyguards and that's where there were lots of young people.
19 I think there was a whole platoon of children who were with the chief of general staff,
20 and when the chief took pity on them because they weren't able to go into combat, he
21 took them home and that's why there were a lot at his house. And for others, other
22 children, they were sent as bodyguards to commanders of the military authorities.
23 But I never saw any who were not able to do the training.

24 Q. And you mentioned that -- my next question was where these children went,
25 and you already answered that in most part with the bodyguard answer. Were there

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1 any of these children, these 10 and 12-year-olds, who went directly into the fighting?
2 You mentioned on page 34, line 3 that some of the recruits would go directly to the
3 fighting. So what I'm interested in is whether these young children went directly to
4 the fighting, if you know.

5 A. Some of them would go into combat, others were bodyguards. There were
6 children who were selected to go into combat. And still now there are some who
7 fought and some I went into combat with, we fought together. There were others
8 who were bodyguards as well and they could also go into combat. Because even if
9 you are a bodyguard, you also have to go into combat. And there are others who
10 would also get lost in the battlefield. I know others who went to fight next to the
11 commanders and they fell into the water. There were problems.
12 When we were defeated the kadogo couldn't run with the weapons and uniforms, but
13 of course they could fight. And they were clairvoyant. There are problems. Well,
14 when we were defeated, the children found it difficult to flee because of the military
15 uniform they were wearing and also because of the very heavy weapons they were
16 carrying. We had -- we were with children in the battles in Komanda as well and in
17 Mongbwalu.

18 Q. All right. Thank you, sir. I'd like to ask the Chamber now that we go to the
19 30-minute break. Thank you, sir.

20 Thank you, your Honours.

21 PRESIDING JUDGE FREMR: All right. So we break now for 30 minutes which
22 means that we will reconvene at half past 11.

23 THE COURT USHER: All rise.

24 (Recess taken at 11.01 a.m.)

25 (Upon resuming in open session 11.31 a.m.)

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1 THE COURT USHER: All rise.

2 Please be seated.

3 PRESIDING JUDGE FREMR: Sorry, I didn't switch on.

4 So we will now proceed with testimony with examination-in-chief.

5 Mr Iverson, could we remain in open session? It's up to the character of your
6 questions.

7 MR IVERSON: Well, your Honour, I was going to ask for private session, and
8 I think I will because I think that my next set of questions will tend to reveal the
9 identity of the witness.

10 PRESIDING JUDGE FREMR: All right. And we appreciated, the Chamber
11 appreciated you were able to accumulate questions and it allowed us to remain in
12 public session for a relatively long time.

13 So now let's move into private session.

14 (Private session at 11.32 a.m.)

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16 (Recess taken at 1 p.m.)
17 (Upon resuming in open session at 2.31 p.m.)
18 THE COURT USHER: All rise.
19 Please be seated.
20 PRESIDING JUDGE FREMR: Good afternoon, everybody. I guess nothing
21 prevents us from continuation in examination-in-chief of Witness 907.
22 So, Mr Iverson, you have the floor.
23 MR IVERSON: Thank you, Mr President. And for the time being I'd like to request
24 that we stay in open session. I believe that --
25 PRESIDING JUDGE FREMR: Okay. But I can see Mr Bourgon on his feet.

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1 Mr Bourgon.

2 MR BOURGON: I apologise, Mr President. I just wanted to note for the record that
3 Ms Margaux Portier is no longer in the courtroom. So she stayed -- she will not be
4 joining us this afternoon. I'm sorry to interrupt. Thank you.

5 PRESIDING JUDGE FREMR: Very well. Thank you very much, Mr Bourgon, for
6 keeping transcript precise, especially as concerns appearances.

7 Mr Iverson, please.

8 MR IVERSON: Thank you, your Honour.

9 Q. Sir, we're in open session, so I would just ask that you be mindful of that fact.
10 And if there is any answer that you intend to give that would tend to reveal your
11 identity, just let the Presiding Judge know and we can move into private session. Do
12 you understand, sir?

13 A. Yes, I understand.

14 Q. Sir, do you know if there were any other PMFs within the UPC/FPLC who, like
15 Mave, were raped within -- from people within the forces, UPC/FPLC?

16 A. Yes, other PMFs were raped, but they were older, not as young as Mave. Some
17 of them -- well, there were several PMFs within the FPLC.

18 Q. Sir, do you know any of the names of other PMFs who like you say were raped
19 in the UPC/FPLC?

20 PRESIDING JUDGE FREMR: Sorry to interrupt you, Mr Iverson. I just checked the
21 situation by my colleague, we have no transcript at the moment.

22 Court officer.

23 So let's wait for a while. I was told that there was some effort to fix it.

24 (Pause in proceedings)

25 PRESIDING JUDGE FREMR: So not yet?

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1 So we will break because we can't just sit here and look. We will be in our
2 deliberation room and please call us back as soon as it will be ready for continuation.

3 THE COURT USHER: All rise.

4 (Recess taken at 2.37 p.m.)

5 (Upon resuming in open session 3.06 p.m.)

6 THE COURT USHER: All rise.

7 Please be seated.

8 PRESIDING JUDGE FREMR: Good afternoon again. It seems at the moment we do
9 have real transcript. We are sorry about that because the Chamber is pushing
10 counsels to be efficient as much as possible, not to waste any minute and now we lost
11 40 minutes by these technical shortcomings. So hopefully it will not repeat.
12 So we will continue with examination-in-chief.

13 Mr Iverson, you have the floor.

14 MR IVERSON: Thank you, your Honour. And I see that nothing that I said in the
15 beginning from 2.30 onward was recorded in the transcript, so I think best would be
16 is I'll just start from the top.

17 PRESIDING JUDGE FREMR: I fully agree.

18 MR IVERSON: And I'd like to ask that we stay in open session for the time being.

19 Q. Sir, so I'll repeat my question to you. Do you know whether there were any
20 other PMFs in the UPC/FPLC like Mave who were raped by UPC/FPLC members?

21 A. Yes, I know some PMFs who used to work with some commanders. Some of
22 them, most of them were bodyguards and if you want, I can give them -- I can give
23 you their names.

24 We were at Chief Kisémbó's headquarters. There was one PMF known as mère
25 Malu, but I've forgotten the names of the others.

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1 Then there was Caroline and Jeannine at Bosco's headquarters. I've forgotten the
2 names of the others.

3 Now, at Safari's there was one known as Macho, but I've forgotten the names of the
4 others.

5 At the battalion commander's place there were also some PMFs.

6 THE INTERPRETER: From the Swahili booth, Mr President: The interpreter did
7 not hear the last name mentioned by the witness.

8 THE WITNESS: (Interpretation) Most of the bodyguards were PMFs, those who
9 were working with the commanders, most of them were PMFs.

10 PRESIDING JUDGE FREMR: Mr Witness, we got message from the interpreters
11 because you were a bit fast again, they haven't captured the last name of the PMF you
12 have mentioned. Could you kindly repeat the last name if you remember.

13 THE WITNESS: (Interpretation) Yes. I said that at Kisembo's headquarters there
14 was a PMF known as mère Malu. And I have forgotten the names of the others.

15 At Bosco's headquarters there was Caroline and Jeannine. And I have forgotten the
16 names of the others.

17 Then at Safari's headquarters there was Macho. And I have forgotten the other
18 names. We also had another PMF whose name was Jeannine.

19 In Mabanga there were also other PMFs and they were bodyguards to the
20 commander.

21 PRESIDING JUDGE FREMR: Thank you very much, Mr Witness.

22 MR IVERSON:

23 Q. And could you explain to the Chamber, to the extent that PMFs were treated
24 differently than male UPC/FPLC soldiers, could you explain if they were treated
25 differently, and if so, in what ways?

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1 A. The PMFs were treated in the same way as the male soldiers. There was no
2 distinction between them, between the male soldiers and the PMFs. All of them
3 received or had to abide by the same military code. When it came to battle, all had
4 to go to battle. Even working for the commanders, it was the same. Punishment
5 was the same. There was no distinction between PMFs and male soldiers. They
6 were all treated in the same way, in the same manner.

7 Q. Can you describe to the Chamber whether any of the PMF soldiers were
8 characterised as wives?

9 A. Yes, some of them were transformed into commanders' wives. Commander at
10 Dhego, Makundi (phon) took one of the PMFs for his second wife and he took her
11 into his house.

12 In Nizi two commanders fought over mère Malu and after that mère Malu was
13 transferred to Mabanga. Then one commander also slapped a soldier because he
14 was going after mère Malu and then he was transferred to another location.

15 Now, soldiers also wanted to go out with the PMFs because they may have gone out
16 to find women outside, and if that didn't happen, then they would fall back on the
17 PMFs.

18 Then there were other commanders who got married to the PMFs. Some of them fell
19 in love with the PMFs.

20 Q. And are you aware --

21 PRESIDING JUDGE FREMR: Sorry, sorry, Mr Iverson. Mr Bourgon is on his feet.
22 Mr Bourgon.

23 MR BOURGON: Thank you, Mr President. I'm not sure if I can make this objection
24 in the presence of the witness or if he can just take off his earphones. I'm not sure.
25 I believe he doesn't speak English, but I just want to make sure.

1 PRESIDING JUDGE FREMR: So now you may proceed.

2 MR BOURGON: Thank you very much, Mr President. The questions presently
3 being put to the witness are questions which are -- concern the UPC kind of at large
4 and the witness is providing all kinds of information coming from different units,
5 different commanders, different places. Mr President, it will be -- in order for this
6 evidence to have any probative value, it is necessary to have at least the source, the
7 basis on which he can provide this information to the Chamber.

8 In particular, when the witness has established since the beginning that he was
9 basically an escort, he is very low level, if I may use this expression, in the food chain,
10 and suddenly he comes here and he's giving a lot of information about the various
11 commanders and we don't know where this information comes from. Is it hearsay?
12 Was he told this information? Did he see it? At least to have some kind of basis so
13 that we don't waste the time of the Court. Thank you, Mr President.

14 PRESIDING JUDGE FREMR: Just before I give floor back to you, I have to join a bit
15 Mr Bourgon's comment that, you know, the fact as he mentioned really could have
16 big impact on the probative value of this part of testimony. So please have it in
17 mind.

18 MR IVERSON: I will, your Honour. And of course how he learned certain
19 information is also important for my questions, obviously for the Chamber's
20 determination of the truth, and so whenever I see an opportunity, I'll endeavour to do
21 that.

22 I just want to provide one little caveat is someone's position in life doesn't always
23 determine what they are able to observe and so I don't think there are any hard and
24 fast rules with where someone in the hierarchy could have obtained certain
25 information or not, but I think it's a case-by-case analysis.

1 PRESIDING JUDGE FREMR: All right.

2 So please provide Mr Witness with his headphones again and we may proceed.

3 MR IVERSON:

4 Q. Sir, in order for the Judges to evaluate your evidence best, it's best if you can
5 explain how you learned of certain information. So I'd like to ask you how did you
6 know these facts that, for instance, Mave was raped and that she was a PMF, and
7 other facts that you've testified to regarding the PMFs? If you could explain to the
8 Chamber how you know about that, it would help them to evaluate your evidence.

9 MR IVERSON: And I think it's probably best that I ask that we move into private
10 session for this.

11 PRESIDING JUDGE FREMR: Yes, you are right.

12 Let's move into private session.

13 (Private session at 3.20 p.m.)

14 (Redacted)

15 (Redacted)

16 (Redacted)

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15 (Open session at 3.26 p.m.)

16 THE COURT OFFICER: We are now in open session.

17 PRESIDING JUDGE FREMR: Thank you, court officer.

18 Mr Iverson, please proceed.

19 MR IVERSON:

20 Q. Sir, are you aware whether the accused, Mr Ntaganda, had escorts as a
21 commander?

22 A. Yes, he did.

23 Q. And are you aware what was the size of his escort entourage or unit?

24 A. There was a company commander, so there was an entire company there. All
25 chiefs of staff had bodyguards which added up to a company.

1 Q. And did you know the names of any of the personnel who served as escorts
2 within this company for Mr Ntaganda?

3 A. Yes. I know the commander and his staff. I can give you some names.

4 Bataga, for example, was one of the leaders of the bodyguards. Then there was also
5 Sembo, who was also one of the leaders of the bodyguards. Then there was Burufu,
6 who was also one of them. Then there was Kiza, who was a commander. Busha
7 was also IDC. He used to work for Safari before moving to Bosco. There were
8 other commanders, other soldiers whose names I no longer remember, but then we
9 had Jeannine and Caroline as well.

10 MR IVERSON: It looks like the transcript may have frozen again. Well, I'm seeing
11 it move right now, so I think it was just a temporary glitch.

12 Q. What -- if you know, what was the ethnic composition of the recruits in Mandro?
13 Which ethnicities did the recruits hail from?

14 A. Most of the recruits in Mandro, I would say 80 percent or even 90 percent of
15 them, were people from Hema north and the Hema south communities. About
16 90 percent, Hema north or Hema south. They were the ones who made up the
17 group. And there were other ethnic groups such as the Lulu, the Bira; they were in
18 the minority. Most of the people were from the Hema north or the Hema south
19 communities.

20 MR IVERSON: Just a clarification for the transcript. On page 9, line 1 -- or line 2,
21 actually, it says IDC. I believe the witness said ADC, but I will ask him.

22 Q. You say that Busha was an IDC or an ADC? If you could clarify.

23 A. He was an ADC.

24 Q. Thank you. That clarifies the matter.

25 Just a few questions about Bahema north and Bahema south. Do the Bahema north

1 speak the same mother tongue as the Bahema south?

2 A. The people from Hema north and Hema south don't speak the same language.

3 The people in Hema south community speak a dialect of Hema. The Hema north

4 people speak the Lendu language, which is also called Gegere, but it is related to the

5 Lendu. But it's called Gegere, so often the people are called Gegere too. That's the

6 language they speak.

7 Q. And Gegere or Kilendu, was that the same language that the Lendu spoke, the

8 enemy?

9 A. Gegere did not exist. All those people spoke Lendu, the Lendu language.

10 That is the language spoken from the people from the Hema north community.

11 They're referred to as the Gegere. Their tribe is referred to as the Gegere. It's the

12 same language. There are few differences in terms of the accent, but it's the same

13 language.

14 Q. And what I'm curious to know, sir, is did that ever cause any confusion on any

15 battlefield where the Bahema south speaking Kihema and the Bahema north speaking

16 Lendu, the language of the adversary, did that create any confusion? Were there any

17 friendly fire incidents because of that?

18 A. Well, you're talking about confusion when we were fighting the enemy or when

19 they were amongst ourselves? Are you talking about confusion within a group of

20 soldiers, the soldiers, or in relation to the Lendu people?

21 Q. So my question is in relation to military operation on the battlefield, was there

22 ever any confusion because of the fact that Bahema north spoke the same language as

23 the Lendu?

24 A. There was some confusion amongst the groups, us soldiers, because most of our

25 commanders were from the Hema south community, they were the ones who led the

1 war, but using the Swahili language. Most of the people from Hema north did not
2 understand Swahili, they only spoke the Lendu language and that led to a lot of
3 confusion. When we would go to the front people from the Hema north did not
4 understand the commands very well because they had had the training in Bule and
5 their area and the training there was given in the Lendu language.

6 Once they got there and were mixed with us, they didn't understand the commands
7 that were issued in Swahili. And sometimes we would have problems amongst
8 ourselves. For example, they might say "get down, get up" and people would not
9 understand.

10 But amongst the Lendu and the Hema north, well, there was no problem telling them
11 apart because of their appearance. You could tell that one was a Lendu person, one
12 was a Gegere person.

13 Q. And so how were you able to distinguish then, you say appearance, could you
14 explain what in someone's appearance would let you know that they were either
15 Gegere or Lendu?

16 A. Well, they are recognized by two characteristics. First of all, their way of
17 speaking. Gegere people have an accent and they speak very slowly, very softly
18 with a low accent. But the Hema people speak quickly.

19 So you -- the first difference was the way of speaking. That's how you could
20 distinguish between a Gegere person and a Lendu person. You see, the accents are
21 different. The Gegere people speak very slowly, whereas the Lendu people speak in
22 a brutal fashion and quickly.

23 The second difference is their appearance. Gegere people are large people, whereas
24 the Lendu are short, small with a very short nose. So I can easily tell the difference
25 between a Gegere person and a Lendu person, although those two groups do speak

1 the same language. All the same, I can distinguish between them; first of all because
2 of the accent and then secondly by their appearance.

3 Q. All right. I would like to move on to a slightly different topic. If you could
4 tell the Chamber what types of weapons that you and others within the UPC/FPLC
5 were trained in.

6 A. We had several different kinds of weapons. First of all we began with SMGs,
7 AK-47s. Each soldier had his individual weapon, his individual AK-47.
8 After that, there were other kinds of weapons. If you were sturdy, you might be
9 given a G2 kind of weapon. It's a weapon with a chain band. Those were
10 individual weapons.

11 Then there were commanders who had pistols. Some officers had pistols, but
12 usually they were reserved for the higher ranking officers.

13 What is more, there were support weaponry, weapons. Amongst these weapons we
14 had RPGs or rocket launchers that could be used with shells. Other than the RPGs,
15 we had the 60 mortars. We also called them 60s for short. They were medium from
16 size. Then there were 80 mortars and 120 mortars. There were several kinds of
17 mortars.

18 There was also a weapon called the recoilless. Sans recul in French, recoilless. That
19 weapon could also shoot shells.

20 Then we had B10s. It was a support weapon that could shoot shells.

21 We had rocket launchers. That was the kind of weapon that could be used with a
22 series of shells in a chain. We could also use the chain with large bullets.

23 We had anti -- we had landmines, both for tanks and for personnel. Those were the
24 various weapons we could use to set traps in the field.

25 And finally, during the final attacks, we were given grenades and they were shaped

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1 kind of like pineapples and you could throw them. We used them during the last
2 attack.

3 So there you have it. Those are the various weapons that we had at our disposal.

4 MR IVERSON: Mr President, I'd like for my next series of questions to move into
5 private session, please.

6 PRESIDING JUDGE FREMR: Certainly.

7 Court officer, let's move into private session.

8 (Private session at 3.43 p.m.)

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23 (Redacted)

24 (Open session at 4.05 p.m.)

25 THE COURT OFFICER: Now it's open session, Mr President.

1 PRESIDING JUDGE FREMR: Mr Witness, it depends. If you will just describe
2 operation of the UPC during the attack and if you would remain in I would say
3 general level, not saying anything about your own involvement, then we can remain
4 in open session, but whether you and I am ready to do it. If you rather put also your
5 own involvement in this description, then it would be safer to move into private
6 session. So it depends.

7 THE WITNESS: (Interpretation) I would prefer that we remain in private session,
8 maybe go to open session later on, because I might be identified.

9 PRESIDING JUDGE FREMR: All right. We fully can accept --

10 THE WITNESS: (Interpretation) I don't know if you --

11 PRESIDING JUDGE FREMR: -- your preference.

12 THE WITNESS: (Interpretation) -- understand me. I would rather we remain in
13 private session.

14 PRESIDING JUDGE FREMR: All right. Then we will respect your preference. So
15 let's return back into private session.

16 (Private session at 4.06 p.m.)

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7 (Open session at 4.31 p.m.)

8 THE COURT OFFICER: We are now in open session, Mr President.

9 PRESIDING JUDGE FREMR: Thank you, court officer.

10 So, Mr Witness, we finish your testimony for today. We will continue tomorrow 9.30.

11 So I would like to thank you that you responded all those questions put to you today.

12 And it's my duty again to remind you that in the meantime till tomorrow you must

13 not discuss your testimony with anybody else, with one exception and that is your

14 lawyer, Mr Raimondo. Okay?

15 THE WITNESS: Okay.

16 PRESIDING JUDGE FREMR: Have you understood?

17 So thank you very much. Otherwise we will break and we will continue tomorrow

18 9.30.

19 Now court is adjourned.

20 THE COURT USHER: All rise.

21 (The hearing ends in open session at 4.32 p.m.)