

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 Judge Chang-ho Chung
6 Trial Hearing
7 Friday, 29 April 2016
8 (The hearing starts in open session at 9.34 a.m.)
9 THE COURT USHER: All rise.
10 The International Criminal Court is now in session.
11 Please be seated.
12 PRESIDING JUDGE FREMR: Good morning, everybody.
13 Court officer, please call the case.
14 THE COURT OFFICER: Thank you, Mr President.
15 The situation in the Democratic Republic of the Congo, in the case of The Prosecutor
16 versus Bosco Ntaganda, case reference ICC-01/04-02/06.
17 And for the record, we are in open session.
18 PRESIDING JUDGE FREMR: Thank you, court officer.
19 Now appearances starting with Prosecution.
20 MR IVERSON: Good morning, Mr President and your Honours. Appearing for the
21 Office of the Prosecutor today we have Marion Rabanit, associate trial lawyer;
22 Rens van der Werf, assistant trial lawyer; Claudine Umurungi, legal assistant;
23 Selam Yirgou, case manager; and myself, Eric Iverson, trial lawyer.
24 PRESIDING JUDGE FREMR: Thank you, Mr Iverson.
25 Defence, please.

1 MR BOURGON: (Interpretation) Good morning, Mr President. Good morning,
2 your Honours. Good morning to all those in the courtroom. Representing
3 Bosco Ntaganda, who is present with us this morning, we are Erik Cookson-Montin,
4 Ms Margaux Portier, Maître Dignité Bwiza, and myself, Stéphane Bourgon. Thank
5 you, Mr President.

6 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon.
7 Legal Representatives of Victims, please.

8 MS PELLET: (Interpretation) Thank you, Mr President. Former child soldiers are
9 represented by Mohamed Abdou and myself, Sarah Pellet, counsel at the OPCV.
10 Thank you.

11 MR SUPRUN: (Interpretation) Good morning, Mr President, your Honours.
12 Victims of the attacks are represented by the OPCV, Anne Grabowski, associate jurist,
13 and myself, Dmytro Suprun, counsel.

14 PRESIDING JUDGE FREMR: Thank you, Ms Pellet. Thank you Mr Suprun.
15 And duty counsel, please.

16 MR RAIMONDO: Good morning, Mr President. Good morning, your Honours.
17 Fabián Raimondo, legal adviser to the witness under Rule 74. Thank you.

18 PRESIDING JUDGE FREMR: Thank you, Mr Raimondo.

19 We should continue with cross-examination of Witness 907, but since Defence asked
20 to have a chance to approach the Chamber without presence of the witness, now,
21 Mr Bourgon, you have the floor.

22 MR BOURGON: Thank you, Mr President. I thought it would be best to address
23 the Chamber on the issue of timing without the witness being present.
24 Mr President, regarding timing, the time allotted for cross-examination, I would like
25 to make the following observations. The Office of the Prosecutor was initially -- or

1 initially requested 10 hours to do its examination-in-chief of Witness 0907.
2 Preparations for cross-examinations were made of course on this basis, that we would
3 be entitled to the same time as the Prosecution, which would be 10 hours.
4 The Chamber invited the Office of the Prosecutor to complete its cross-examination in
5 less time and suggested a timing of 8 hours. We responded in electronic
6 correspondence to the Chamber that if the Prosecution was able to do so, to complete
7 its examination-in-chief within 8 hours, that we would endeavour to do the same.
8 Now, my colleague did a very good job time-wise and he completed his
9 examination-in-chief in 7 hours and 29 minutes. As a first submission I submit,
10 Mr President, that the time which was allotted to Legal Representatives of Victims
11 should also be counted and they were given and to the best of my knowledge used
12 20 minutes, which would bring us, Mr President, to 7 hours and 49 minutes total for
13 the time that was used for examination-in-chief.
14 Mr President, I respectfully submit as a second argument that I did contribute
15 personally to the success of the Prosecution in bringing down the time if only, to
16 provide one example, by agreeing with my colleague just when he was about to finish
17 to go ahead and to listen to the audio tape from KBL without any arguments on this
18 side. On this basis, Mr President, I submit that I should be -- I would like to be
19 authorised to do at least 8 hours, which is what the Chamber had initially suggested
20 the Prosecution should do.
21 Now, based on the conduct of cross-examination so far, it is my submission that I
22 need a little more time to complete the cross-examination. For sure I will not be able
23 to cover everything I set out to do and I have no intention to try to do that. So far
24 I've used according to madam registrar 4 hours and 38 minutes. So if we look at
25 the -- on the basis of 8 hours, this would leave me 3 hours and 22 minutes to complete

1 cross-examination.

2 Based on what the Chamber was able to see between the interaction between the
3 witness and myself, I respectfully ask a little more time to go to 4 hours instead of
4 3 hours and 22 minutes. I don't believe, Mr President, that this will cause prejudice
5 to anyone. I think it is in the interests of justice to do so and I think that this request
6 is quite limited.

7 Now, the last thing I'd like to say of course is last just to note that of course time was
8 required every time when I went to cross-examination, I stop every time asking for
9 the spelling of the names to ensure that the record was complete, which also did take
10 some time. For all these reasons, Mr President, I respectfully request to be allotted
11 4 hours today to complete my cross-examination, and I think that will allow us to
12 complete both re-exam, if any, and questions from the Judges.

13 Thank you, Mr President.

14 PRESIDING JUDGE FREMR: Thank you, Mr Bourgon.

15 Prosecution, any position on this issue?

16 MR IVERSON: Mr President, I understand that Defence counsel is asking for an
17 additional 4 hours. I guess I'm not sure --

18 PRESIDING JUDGE FREMR: Not additional 4 hours. He's asking for additional
19 38 minutes, in fact.

20 MR IVERSON: Additional, okay. Now it's clear to me. Our position would be
21 that he should be able to complete the cross-examination in the same amount of time
22 that we used for the direct examination. And I noticed yesterday there were a lot of
23 questions that go into minute detail. Some of those questions don't appear to be
24 entirely necessary. And again, I've said this before, it's not for the Prosecution to
25 suggest how Mr Bourgon, how Defence counsel should be cross-examining witnesses,

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1 it's not for the Prosecution to micromanage how he's asking questions, but my
2 observation is a lot of these questions going into minute detail and to minor collateral
3 matters that really are very of marginal relevance I think wastes a lot of time, and if he
4 were able to tighten that up, he would be able to finish in the allotted time. So our
5 position is he should be able to finish in 7 and a half hours.

6 PRESIDING JUDGE FREMR: Thank you.

7 We will deliberate during our morning break and we will deliver our oral ruling just
8 at the beginning of the second session today.

9 Now we will continue with cross-examination of our witness.

10 So, court usher, please bring witness into the courtroom.

11 (The witness enters the courtroom)

12 PRESIDING JUDGE FREMR: Good morning, Mr Witness.

13 WITNESS: DRC-OTP-P-0907 (On former oath)

14 (The witness speaks Swahili)

15 THE WITNESS: (Interpretation) Good morning.

16 PRESIDING JUDGE FREMR: How are you doing today?

17 THE WITNESS: (Interpretation) Somewhat fine.

18 PRESIDING JUDGE FREMR: Very well. So as I indicated yesterday, we will today
19 continue with cross-examination conducted by Defence. So again it's my duty to
20 remind you that you are still under oath, which means that you have to speak truth
21 and nothing but the truth. But I guess it's clear to you because it's not the first time
22 I am giving you this guidance.

23 So now, Mr Bourgon, you have the floor.

24 MR BOURGON: Thank you, Mr President.

25 QUESTIONED BY MR BOURGON: (Continuing)

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1 Q. Good morning, Witness.

2 A. Good morning.

3 MR BOURGON: I would like to begin this morning, and we can stay in open session,
4 Mr President, for this part of the cross-examination.

5 Q. I would like to begin by showing you a video which is simply another extract of
6 the same video we looked at yesterday. The number of the exhibit is

7 DRC-OTP-0082-0016. And I would like to take control so that we can play the video
8 from the defence side, and I would like to display for the witness or to play for the

9 witness the extract which begins at 33.54 to 37.45. And I do not require any sound to
10 be played. It's only the image I'm interested in.

11 So, Mr Witness, if the Court authorizes me, we will proceed.

12 PRESIDING JUDGE FREMR: Give us a second.

13 Prosecution, your position? Any objection to the use of this video?

14 MR IVERSON: No objection.

15 PRESIDING JUDGE FREMR: Very well.

16 So, court usher, court officer, then we can proceed as requested.

17 THE COURT OFFICER: Thank you, Mr President.

18 We need to know the level of confidentiality of the video, Mr Bourgon. And it will
19 be displayed on the evidence 2 channel.

20 MR BOURGON: To the best of my knowledge it is not a confidential exhibit, but
21 maybe my colleague from the Prosecution can correct me if I'm wrong. It is a --

22 PRESIDING JUDGE FREMR: Mr Iverson, can you confirm?

23 MR IVERSON: Can I have just a moment to confirm?

24 PRESIDING JUDGE FREMR: For sure.

25 MR IVERSON: Thank you.

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1 MR BOURGON: The video was displayed -- was played in public with other
2 witnesses. So I don't have the exact answer, but I understand it is important to
3 verify.

4 PRESIDING JUDGE FREMR: Thank you. But I would rather still wait for
5 confirmation from the Prosecution part.

6 MR IVERSON: Just one moment, your Honour, we'll have an answer for you.

7 (Counsel confer)

8 MR IVERSON: As always, it is not as simple as it seems. It is a confidential exhibit.
9 It was disclosed confidentially. That said, Defence counsel is absolutely correct, it
10 has been played publicly. It was played publicly also in the Lubanga proceedings.
11 So we would not object to it being played publicly.

12 PRESIDING JUDGE FREMR: Thank you very much, Mr Iverson. So it seems we
13 may proceed as requested.

14 MR BOURGON: Thank you, Mr President.

15 Q. So, Mr Witness, you will take a look at the screen before you and this short
16 extract of the video will be played and I would like you to examine closely what you
17 see.

18 (Viewing of the video excerpt)

19 MR BOURGON:

20 Q. Mr Witness, did you have a chance to examine this video, to watch the video?

21 A. Yes.

22 Q. And, sir, do you recall that this video was played to you when you were
23 interviewed by the Prosecution and when you provided your statement?

24 A. Yes, I remember.

25 MR BOURGON: For the record, Mr President, I note that in the statement of the

1 witness this video was played at the following place, DRC-OTP-2084-1435, and it
2 begins at line 372 on page 1447 until line 426 at page 1448, and it continues in a
3 second document, DRC-OTP-2084-1449, from line 1 at page 1450 to line 53 at
4 page 1451.

5 Q. Sir, do you recall that when you looked at this part of the video you offered no
6 comments regarding the location at which it was filmed?

7 A. I have not understood your question.

8 Q. I will say my question again. When this video was played to you during your
9 interview, you did not make any comment as to where it was filmed other than what
10 we looked at together yesterday.

11 A. I made some remarks and comments.

12 Q. Did you make some remarks on the location it was filmed for this particular
13 part of the video?

14 A. I said that the video was shot at the field near the school where we used to
15 assemble.

16 Q. Thank you, sir. I draw your attention and ask you to confirm that on the video
17 you saw the building in concrete?

18 A. Yes, I saw buildings in baked bricks.

19 Q. And, sir, I suggest to you that what you saw on this video, which is the same as
20 what you saw yesterday on the video, is the training camp at Mandro and that you
21 were not able to recognize the place as such; is that correct?

22 A. What you are saying is a lie. That place is not the training centre. This is
23 another centre where I can see the offices and the school up the slope from
24 Chief Kahwa's residence. I know that area very well. But you are probably the one
25 mixing up things.

1 PRESIDING JUDGE FREMR: And, Mr Witness, I think you shouldn't say, even if
2 you disagree, that it's a lie. You'd rather say it's not true, because lie means that
3 somebody intentionally saying something which is not true, which we don't have any
4 at the moment, any proof of that. So if you don't agree, please say it's not true
5 according to your view, okay?

6 Mr Bourgon, please proceed.

7 MR BOURGON: Thank you, Mr President.

8 Q. Mr Witness, the video that was played for you, you were not present on that
9 occasion, were you?

10 A. Maybe I was there. But that is a place where we used to meet every day at the
11 centre. I might have been there. We used to have such assemblies at that place
12 regularly.

13 Q. I will come back with what the answer you provided to the Prosecution in your
14 statement. I don't have it right now. But I suggest to you, sir, that this event took
15 place in the latter part, later part of October. Are you aware of this? Does that
16 refresh your memory?

17 A. I no longer recall the dates, but those gatherings, it is possible that I took part in
18 them, or maybe not, but that is where we would have our parades and our gatherings.
19 I beg your pardon, I'm sorry about not remembering the dates. I've forgotten.

20 Q. Sir, on this video you did recognize Chief Kahwa; is that correct?

21 A. Yes, I saw Kisembo, Bosco, Baigani (phon), Américain, a journalist from Radio
22 Candip and other people. At first I saw -- well, when I first saw that video -- well,
23 here I saw some other people, more people this time, and what I recognize, the people
24 I recognize I have mentioned.

25 Q. Sir, I suggest to you that this area, which is the Mandro training camp, is the

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1 area where the weapons were dropped in Mandro at the end of July. Does that
2 refresh your memory?

3 A. If you drop off rifles at a place like this there will be accidents. The rifles were
4 dropped off more in the area of Kudja in the centre of the town.

5 Q. Sir, when you were asked about the Prosecution whether you were there on that
6 day, I quote from your statement, the number of the statement is DRC-OTP-2084-1435,
7 and the page is 1441 and you say:

8 "But on the day of the meeting, me, I was not there. I probably was in Tchomia."
9 Do you confirm this response, sir?

10 A. Yes, I can -- I confirm that point. The day that the Prosecution showed me the
11 video there was blood, but we don't see any blood here. This is completely different.
12 When I saw the video the first time --

13 THE INTERPRETER: Correction from the interpreter: The word used was not sang,
14 blood, the word used was sound, son.

15 PRESIDING JUDGE FREMR: Mr Iverson.

16 MR IVERSON: I would request that we go into private session, Mr President.

17 PRESIDING JUDGE FREMR: All right.

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

19 (Private session at 10.05 a.m.)

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21 (Redacted)

22 (Redacted)

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24 (Open session at 11.04 a.m.)

25 THE COURT OFFICER: We're in open session, Mr President.

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1 PRESIDING JUDGE FREMR: Thank you, court officer.

2 We are going to take 30-minute break, which means that we will reconvene 11.35.

3 THE COURT USHER: All rise.

4 (Recess taken at 11.05 a.m.)

5 (Upon resuming in open session at 11.35 a.m.)

6 THE COURT USHER: All rise.

7 Please be seated.

8 PRESIDING JUDGE FREMR: We will start with delivery of Chamber's oral ruling
9 on Defence request to be granted additional time.

10 We have considered all factors relevant for our decision. We considered submission
11 made by Defence and Prosecution and our decision is that the Defence is granted
12 8 hours for its cross-examination in total, which means 30 minutes more than
13 Prosecution.

14 So according our current measuring, Mr Bourgon, you still should have at your
15 disposal from this moment, 2 hours and 5 minutes.

16 Now we can continue with cross-examination of the witness.

17 MR BOURGON: Thank you, Mr President.

18 Q. Welcome back, Mr Witness.

19 A. Thank you.

20 Q. Before the break we were discussing events which, according to your testimony,
21 would have taken place in Nizi. Now, again in your testimony, if I understand you
22 correctly --

23 PRESIDING JUDGE FREMR: Mr Bourgon, I guess is there a need to move into
24 private? Nobody is --

25 MR BOURGON: Yes.

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1 PRESIDING JUDGE FREMR: -- from the public gallery but --

2 MR BOURGON: Yes, there is, Mr President, because we're talking -- yes.

3 PRESIDING JUDGE FREMR: All right.

4 Then let's move into private session, court officer, please.

5 (Private session at 11.38 a.m.)

6 (Redacted)

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7 (Open session at 1.00 p.m.)

8 THE COURT OFFICER: We're in open session, Mr President.

9 PRESIDING JUDGE FREMR: Thank you, court officer.

10 So according our measuring, Defence so far used 7 hours and 18 minutes, which
11 means that from the newly allotted time, which is 8 hours, you still have, Mr Bourgon,
12 at your disposal 42 minutes.

13 Now, one preliminary question to Prosecution. Mr Iverson, do you envisage any
14 demand for re-examination at this moment?

15 MR IVERSON: Right now I'm undecided. I think that there will be at least a few
16 questions, it's likely, but I'll have to see how it goes in the next session and in any case
17 it will be brief.

18 PRESIDING JUDGE FREMR: Brief is the main message. Okay.

19 MR IVERSON: Yes.

20 PRESIDING JUDGE FREMR: That's fine for the moment. So we break now and we
21 will reconvene half past 2.

22 THE COURT USHER: All rise.

23 (Recess taken at 1.01 p.m.)

24 (Upon resuming in open session at 2.31 p.m.)

25 THE COURT USHER: All rise.

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1 Please be seated.

2 PRESIDING JUDGE FREMR: Good afternoon, everybody. We understood that the
3 Prosecution would like to address the Chamber.

4 So if it's the case, Mr Iverson, you have the floor.

5 MR IVERSON: Yes, thank you for the floor, Mr President. I just wanted to make a
6 small but I think important clarification to something that was asked in the last
7 session. And I believe that this can be done in open session.

8 PRESIDING JUDGE FREMR: In open session. Okay then.

9 MR IVERSON: And the clarification is this: On page 40 of today's transcript,
10 lines 20 to 23, Defence counsel asked the witness: "I suggest that this attack which
11 you describe is nowhere to be found in the Prosecution's theory of the case or any
12 documents we have been provided with, simply never took place." At the time I
13 debated whether or not to object. I did not because I did not have -- I was not fully
14 armed with the information. And at this time I'm not objecting, I'm just simply -- I'd
15 like to make the clarification that assertion was actually incorrect. There have been
16 documents that have been disclosed referencing that attack, the name of the village
17 was Damblo, and I can provide references. One of the references is
18 DRC-OTP-2079-1693 at page 1714 lines 758 to 765, and that is the statement of
19 Witness 901, who also mentioned it in testimony at transcript 31, French version,
20 page 64, lines 11 through 13.

21 And then just one more reference, your Honours, in a -- not a trial witness, but a
22 witness -- Prosecution Witness 89 disclosed under Rule 77 mentioned those
23 same -- mentions those same attacks in Damblo, or attack, and that's at
24 DRC-OTP-0185-0497 at page 0511.

25 And I just wanted to make this clarification. And also a small request that if counsel

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1 could refrain from including extraneous information in questions and especially
2 where that extraneous information is incorrect, I think that it would lead to a better
3 evaluation of a witness's testimony because in some instances that extraneous
4 information could serve to create an impression on the witness's mind.

5 And that's all I have. Thank you, your Honours.

6 PRESIDING JUDGE FREMR: Thank you, Mr Iverson. I will for sure -- maybe first,
7 Mr Bourgon, please take the floor.

8 MR BOURGON: Thank you, Mr President. My colleague did approach me during
9 the lunch break to say that he would make this submission, to which of course I was
10 not opposed. The question was put to the witness that it was not in the Prosecution's
11 theory of the case or in the updated Document Containing the Charges, although I
12 did not mention this. So that was the gist of the question, to which was added the
13 fact that we -- no documents were disclosed.

14 Now, to the best of our knowledge, until my colleague made these corrections, we
15 had two documents mentioning events in Damblo, one coming from the witness and
16 one coming from his wife. We will of course verify these documents.

17 And I always make a point of building a question on something what was of course
18 bona fide information in our possession before I put a question to the witness. So if
19 in this case I went further, I invited my colleague by all means to address the topic
20 with the Chamber because that should not be done. Thank you, Mr President.

21 PRESIDING JUDGE FREMR: Thank you.

22 Mr Iverson, any need for further reaction? I don't think so.

23 MR IVERSON: No. Thank you, Mr President.

24 PRESIDING JUDGE FREMR: And I can just confirm that I think we all are at the
25 same page and the fact if any party is referring to any extraneous fact, it should be

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1 really correct. I believe that sometimes it can occur that by error a party is referring
2 to a fact which is not fully correct, but what I think is self-evident and clear that you
3 for sure have to avoid any attempt to refer to facts that are not correct intentionally.

4 Now, court usher, please bring our witness into the courtroom.

5 (The witness enters the courtroom)

6 PRESIDING JUDGE FREMR: Good afternoon, Mr Witness. We will continue with
7 your testimony. Are you feeling okay?

8 THE WITNESS: (Interpretation) I feel fine.

9 PRESIDING JUDGE FREMR: Very well then. So now I'm giving floor to Defence.
10 Mr Bourgon, you have for the conclusion of cross-examination last 42 minutes. So
11 the floor is yours.

12 MR BOURGON: Thank you, Mr President.

13 Q. Welcome back, Mr Witness. Just before the --

14 A. Thank you.

15 PRESIDING JUDGE FREMR: Mr Bourgon, my usual question, could we remain in
16 open session or in the interests of protection of this protected witness, should we
17 move into private session?

18 MR BOURGON: It's safer to go into private session, Mr President.

19 PRESIDING JUDGE FREMR: All right.

20 Then, court officer, let's move into private session.

21 (Private session at 2.39 p.m.)

22 (Redacted)

23 (Redacted)

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- 25 (Open session at 3.22 p.m.)

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- 1 THE COURT OFFICER: We're in open session, Mr President.
- 2 PRESIDING JUDGE FREMR: Thank you, court officer.
- 3 Now, Mr Iverson, any need for re-examination?
- 4 MR IVERSON: Briefly, yes, Mr President.
- 5 PRESIDING JUDGE FREMR: How much time you are requesting to be granted to
- 6 you?
- 7 MR IVERSON: Approximately 10 minutes.
- 8 PRESIDING JUDGE FREMR: 10 minutes is fine. Okay. Please proceed.
- 9 MR IVERSON: I'd ask to go into private session, please.
- 10 PRESIDING JUDGE FREMR: All right. Sorry, just announcement to the public
- 11 gallery: Because this witness is protected witness, he was given guarantee that his
- 12 identity will not be revealed and since the counsel is intending to put questions that
- 13 might reveal his identity, that we -- that means that we have to move into private
- 14 session to meet this guarantee.
- 15 So now, court officer, let's move into private session.
- 16 (Private session at 3.24 p.m.)
- 17 (Redacted)
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10 (Open session at 3.42 p.m.)

11 THE COURT OFFICER: We're in open session, Mr President.

12 PRESIDING JUDGE FREMR: Thank you.

13 Now, Mr Witness, I would also like to put to you a few additional questions. I will

14 try to put those questions in a way that would allow us to remain in open session

15 because, in fact, I am mostly interested in some general issues, not issues concerning

16 just you, but rather issues concerning UPC or FPLC as a whole. So please try to

17 answer them in this way, but if you would feel a need to respond in a way that would

18 cover or include some of your personal details that might reveal your identity, just

19 raise your hand and we will move into private session. Is it clear to you?

20 THE WITNESS: (Interpretation) Yes, I have understood you, your Honour.

21 PRESIDING JUDGE FREMR: Very good. The first question, in fact, is rather

22 clarification. During your testimony you referred to Damblo or Damblo village.

23 Just to be clear is that the same location as Dala Damblo?

24 THE WITNESS: (Interpretation) I'm talking about Damblo.

25 PRESIDING JUDGE FREMR: And we don't have map here, but maybe just to try

1 specify location of this village, could you just estimate how far is Damblo from
2 Mongbwalu?

3 THE WITNESS: (Interpretation) Damblo Mongbwalu, that's 14 kilometres if you
4 take the airport road.

5 PRESIDING JUDGE FREMR: And to be more specific, if you want to get from
6 Damblo to Mongbwalu, is there any village between them on the road?

7 THE WITNESS: (Interpretation) From Damblo to Mongbwalu there is one
8 plantation called Okondima (phon). I don't know whether there are people who live
9 there. It is a large farm where palm trees are grown. And the place is still referred
10 to as Muchanga.

11 PRESIDING JUDGE FREMR: Very well, Mr Witness. My second area concerns
12 Rwandan instructors because, according my notes, you said that you started your
13 training in one place, then you move to another one, started from T, you know what
14 location I have on my mind, and on the second location you underwent some training.
15 According you, there were also, as you said, I'm quoting "instructors from Rwanda."
16 Do you know anything more about these instructors? For example, whether they
17 were or were not part of the UPC?

18 THE WITNESS: (Interpretation) They came just to train soldiers in fighting
19 techniques or how to fight -- well, how to perform guerilla or urban warfare. They
20 came from the border between Rwanda and --

21 THE INTERPRETER: Inaudible.

22 THE WITNESS: (Interpretation) They taught us how to throw grenades and that
23 sort of thing when engaging in guerilla warfare.

24 THE INTERPRETER: Interpreter correction: In the previous reply the witness
25 mentioned that the farm was owned by Mr Okondima.

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1 PRESIDING JUDGE FREMR: So in my understanding they were not subordinated
2 to UPC commanders, those Rwandan -- or, instructors from Rwanda?

3 THE WITNESS: (Interpretation) No, they did not come under UPC orders, they
4 were just sent to teach us various techniques so as to attack Bunia. Once we had
5 regained Bunia they all left.

6 PRESIDING JUDGE FREMR: All right. My third issue concerning recruitment.
7 And as I said, I'm just interested in the general description of this process. Was
8 anybody from those who conducted this recruitment interested in personal details of
9 recruits? Was any list of recruits made? Do you have any knowledge of that?

10 THE WITNESS: (Interpretation) Yes. There was no list. You didn't even call
11 people's names out. There were so many of us. There was no document to check
12 people coming and going. It was not really known who had started or ended
13 training. No registers or logs were kept. There really was not a lot of structure or
14 organisation when it came to attendance.

15 PRESIDING JUDGE FREMR: So nobody during this process asked you to give your
16 name, or date of birth, or your address?

17 THE WITNESS: (Interpretation) Not at all. No one asked us where we were from
18 or how old we were, nothing along those lines.

19 PRESIDING JUDGE FREMR: All right. And my last area. I think on Tuesday,
20 Tuesday you said, (Redacted). And
21 shortly after that you also said Commander Roy was in charge of public relations,
22 means coordinating activities between traders, gold miners and so on to obtain
23 supplies of food.

24 Could you be a bit more specific about those public relations? Those traders and
25 gold miners, they provided something to the UPC?

1 THE WITNESS: (Interpretation) Yes, they would collect and what they called the
2 money for the war effort. A certain amount was set and each shop had -- each house
3 had to provide some money. The butcher shops would give us 2 kilos of meat.
4 Each butchery would give us two kilos of meat. The gold miners had to pay a
5 certain amount, that they had to pay each week. They could either provide money
6 or goods in kind. So we would collect the money from all the people, all the local
7 people.

8 PRESIDING JUDGE FREMR: So please correct me if I'm wrong, does it mean then
9 the UPC did not pay for food supplies for any supply she got from the local people?

10 THE WITNESS: (Interpretation) No. It was the people who were helping the
11 members of the UPC and the officers. They were collecting for the UPC.

12 PRESIDING JUDGE FREMR: Fine. And my very last question as concerns
13 weapons, if you know, I don't know whether you have any knowledge of that, did the
14 UPC paid for weapons?

15 THE WITNESS: (Interpretation) The weapons came in large numbers. We never
16 saw any bills. I don't know whether they were paid for or not. Weapons would
17 come in by plane. I don't know who paid for the weapons.

18 PRESIDING JUDGE FREMR: All right.

19 Do my colleagues have any questions.

20 Judge Chung, please.

21 JUDGE CHUNG: Thank you.

22 Mr Witness, during your testimony you mentioned a couple of times the term
23 "Bureau", "Bureau", or "Bureau 2". So can you explain more the function or
24 responsibility of Bureau 2 without mentioning your personal experience?

25 THE WITNESS: (Interpretation) Bureau 2 was the intelligence service. That's

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1 what we referred to as the Bureau 2. It was led by a G2. And their work was to
2 find out information about the enemy, where the enemy was positioned, whether
3 enemies had infiltrated our forces, what kind of weapons they had, what their plans
4 were, just to keep an eye the enemy movements. That is what the Bureau would do.
5 Bureau 2 would provide the report to the headquarters. All the new information
6 received by the Bureau would be forwarded to the general headquarters.

7 PRESIDING JUDGE FREMR: Okay. So there are no further questions to you,
8 Mr Witness. So it allows me to say that it concludes your testimony. I can imagine
9 that because you spent quite a long time with us that it was demanding and even
10 tiring experience, but I would like to thank you very much because we firmly believe
11 that your testimony will assist us in our effort to find the truth.

12 So thank you very much. And now we wish you safe journey home, Mr Witness.

13 And now court officer, court usher, Mr Witness may be escorted out of the courtroom.

14 THE WITNESS: (Interpretation) Thank you.

15 (The witness is excused)

16 PRESIDING JUDGE FREMR: Before we conclude and before I will remind you the
17 program for next week, any further requests for the floor?

18 Mr Iverson, please.

19 MR IVERSON: No, Mr President.

20 PRESIDING JUDGE FREMR: Defence?

21 MR BOURGON: No, Mr President.

22 PRESIDING JUDGE FREMR: I also don't see any reaction from Legal
23 Representatives. All right.

24 Sorry, I also forgot to thank very much Mr Raimondo. Mr Raimondo, thank you
25 very much that you assist us in our effort for all those four days. Thank you very

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(Open Session)

ICC-01/04-02/06

1 much.

2 And I, as usually, would like to remind you that we will continue on Monday since
3 the witness, 887, is still, I understood, under process of familiarisation, but she should
4 be ready on Monday, so we will continue in the same mode like this week for -- sorry,
5 five-hour regime starting with 9.30 to 11, 11.30 to 1 and then 2.30 to 4.30.

6 So now Court is adjourned -- sorry, one important additional remark. And as to this
7 witness, probably it has already been communicated by email but, anyway I would
8 like to highlight that, according to Chamber, we, according our opinion, and we
9 strongly encourage Prosecution to follow our guidance, the upcoming witness, 887,
10 her testimony should be, in our view, completed in four hours.

11 And now Court is adjourned.

12 THE COURT USHER: All rise.

13 (The hearing ends in open session at 3.59 p.m.)