

Trial Hearing
WITNESS: DRC-OTP-P-0883

(Open Session)

ICC-01/04-02/06

1 International Criminal Court
2 Trial Chamber VI
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 - Courtroom 3
7 Wednesday, 30 November 2016
8 (The hearing starts in open session at 9.32 a.m.)
9 THE COURT USHER: [9:32:20] All rise.
10 The International Criminal Court is now in session.
11 Please be seated.
12 PRESIDING JUDGE FREMR: [9:33:09] Good morning, everybody.
13 Court officer, please call the case.
14 THE COURT OFFICER: [9:33:17] 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 We are in open session.
18 PRESIDING JUDGE FREMR: [9:33:32] Thank you, court officer.
19 Now appearances. Are there any changes compared to yesterday?
20 MS SOLANO: [9:33:38] None, your Honour.
21 PRESIDING JUDGE FREMR: [9:33:39] Thank you, Ms Solano.
22 Defence?
23 MS GRANDON: [9:33:44] (Interpretation) Good morning, your Honours. No,
24 no changes.
25 PRESIDING JUDGE FREMR: [9:33:48] Thank you, Ms Grandon.

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1 Legal Representatives of Victims, please.

2 MS PELLET: [9:33:54] (Interpretation) Thank you. No change for the former
3 child soldiers, your Honour.

4 MR SUPRUN: [9:34:00] (Interpretation) Good morning, your Honours. No
5 changes for the victims of the attacks.

6 PRESIDING JUDGE FREMR: [9:34:07] Thank you, Ms Pellet.

7 Thank you, Mr Suprun.

8 Madam Witness, good morning. Are you feeling okay today to continue with your
9 testimony?

10 WITNESS: DRC-OTP-P-0883 (On former oath)

11 (The witness speaks Lingala)

12 THE WITNESS: [9:34:26] (Interpretation) Good morning.

13 Yes, I feel fine.

14 PRESIDING JUDGE FREMR: [9:34:32] I'm glad to hear it.

15 Madam Witness, it's my duty to remind you two things: first one that you are still
16 under oath, which means that you have to speak truth and nothing but the truth and,
17 second one, that you should follow my yesterday guidance, especially about listening
18 carefully to questions, speak into the microphone, speaking clearly, speaking at slow
19 pace and also make pauses between the question and between your answer. But you
20 did it yesterday perfectly, so I would like to ask you, please, just continue in the same
21 way like yesterday and it will be perfect.

22 Do you understand?

23 THE WITNESS: [9:35:32] (Interpretation) Yes.

24 PRESIDING JUDGE FREMR: [9:35:36] And the last thing from my part, at the
25 moment normally we used to break after 90 minutes, but if you would feel unwell, we

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- 1 can even make break earlier. So in such a case let us know by raising your hand.
- 2 Now we can move to the testimony.
- 3 Ms Solano, do you want to proceed in open or in private session?
- 4 MS SOLANO: [9:36:05] Private session, please.
- 5 PRESIDING JUDGE FREMR: [9:36:08] Understandable.
- 6 Court officer, let's move into private session.
- 7 (Private session at 9.36 a.m.) *(Reclassified partially in public)
- 8 THE COURT OFFICER: [9:36:17] We are in private session, Mr President.
- 9 PRESIDING JUDGE FREMR: [9:36:29] Thank you, court officer.
- 10 Ms Solano, floor is yours.
- 11 MS SOLANO: [9:36:33] Thank you, your Honour.
- 12 QUESTIONED BY MS SOLANO: (Continuing)
- 13 Q. [9:36:37] Good morning, Madam. Can you hear me well?
- 14 A. [9:36:41] Yes, good morning.
- 15 Q. [9:36:44] I want to ask you some questions about the events you described
- 16 yesterday of 14 October 2002, that is your abduction. I'd like to start with a more
- 17 detailed description of where exactly you were when you encountered the six UPC
- 18 militia. Yesterday you told us that you were returning from school and you were at
- 19 the road (Redacted). Can you tell us
- 20 whether you were with other people or whether you were by yourself?
- 21 A. [9:37:52] I was not alone. I was with other children who came from
- 22 the -- from school. We were going home.
- 23 Q. [9:38:01] And how far was your home from your school?
- 24 A. [9:38:18] (Redacted)
- 25 (Redacted)

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1 Q. [9:38:40] (Redacted)

2 A. [9:38:57] (Redacted)

3 Q. [9:39:09] (Redacted)

4 A. [9:39:28] (Redacted)

5 (Redacted)

6 Q. [9:39:41] And just to be absolutely clear, which militias lived near that camp?

7 A. [9:40:04] I don't know the brand of the weapons they had, but they had
8 weapons.

9 Q. [9:40:20] The militia who lived at the camp, what group were they? Were
10 they UPC? Were they APC? Were they something else?

11 A. [9:40:57] On the militias' clothing it said "UPC".

12 Q. [9:41:08] I understand. My question is whether the militias who lived at
13 (Redacted) were UPC?

14 A. [9:41:29] Yes.

15 Q. [9:41:29] And you said that you were together with other children. What
16 ages were those children?

17 A. [9:41:53] Those children were the same age as myself. From looking at them,
18 they were about 12 years old.

19 Q. [9:42:09] (Redacted)

20 A. [9:42:14] (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [9:42:46] (Redacted)

24 A. [9:43:03] (Redacted)

25 (Redacted)

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1 Q. [9:43:34] (Redacted)

2 A. [9:43:54] (Redacted)

3 Q. [9:43:58] (Redacted)

4 A. [9:44:15] (Redacted)

5 Q. [9:44:25] You and the other children, how were you dressed? What clothes
6 were you wearing?

7 A. [9:44:47] The day when we were taken, when they were abducted, we wore
8 uniforms and they tore off those uniforms when they abducted us.

9 Q. [9:45:11] Do you mean school uniforms?

10 A. [9:45:25] Yes. When they stopped us, we were wearing school uniforms and,
11 when they took us to the camp, they gave us military uniforms.

12 Q. [9:45:46] You said the militia were armed and I want to ask you specifically,
13 the six militia who stopped you, were they armed?

14 A. [9:46:11] Yes, they had weapons.

15 Q. [9:46:18] What kind of weapons? You don't need to tell me the brand, but if
16 you can describe the weapons.

17 A. [9:46:36] They were long weapons that they were holding in their hands.

18 Q. [9:46:56] Did these militia say anything to you and the other children?

19 A. [9:47:18] Yes, they said that we were going to follow them to the camp and we
20 said, "No, we aren't going to go to the camp because we are school pupils." And
21 they said if we didn't accept to go with them, they would hit us with their rifles.

22 Q. [9:47:51] Did you go with the militia willingly or did you try to avoid going
23 with them?

24 A. [9:48:21] Well, to be perfectly frank, we refused, we refused and they took us
25 forcefully and they tore our clothes and all of our notebooks.

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1 Q. [9:48:40] What do you mean that they took you forcefully? Can you explain
2 that? Can you describe it?

3 A. [9:49:08] Well, forcefully, that means we had to do something that we didn't
4 want to do. They forced us to act against our own will.

5 Q. [9:49:27] How many children were you with when you were taken away by
6 the militia?

7 A. [9:49:52] There were many of us. Some of them, however, I didn't know.
8 (Redacted)

9 Q. [9:50:19] Did you try running away?

10 A. [9:50:33] I tried to run away, but at one point all of my clothes were torn apart
11 because they caught me.

12 Q. [9:50:53] (Redacted)

13 (Redacted)

14 (Redacted)

15 A. [9:51:25] (Redacted)

16 (Redacted)

17 Q. [9:51:50] (Redacted)

18 A. [9:52:18] (Redacted)

19 (Redacted)

20 (Redacted)

21 Q. [9:52:46] (Redacted)

22 A. [9:53:00] (Redacted)

23 Q. [9:53:06] (Redacted)

24 A. [9:53:18] There were a lot of children that I met there.

25 Q. [9:53:36] What were their ages?

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1 A. [9:53:51] Some of the children were my age, that is 12 years old. Others were
2 a bit older. They were about 17.

3 Q. [9:54:14] The ones who were about your age, were they boys or girls or both?

4 A. [9:54:39] Yes, there were boys and girls. We began talking because we were
5 sharing the same suffering and I found out that some of them were 12, some boys
6 were 12 and some girls were 12.

7 Q. [9:55:13] What language did you communicate with the other children in?

8 A. [9:55:25] We spoke Lingala.

9 Q. [9:55:41] How about the soldiers, what language did they speak?

10 A. [9:56:00] They also spoke Lingala outside and some of them in the house as
11 well spoke Lingala.

12 Q. [9:56:14] Did you hear them speak any other language apart from Lingala?

13 A. [9:56:42] Do you mean the soldiers?

14 Q. [9:56:44] Yes.

15 A. [9:56:53] They only spoke Lingala.

16 Q. [9:57:02] (Redacted)

17 MS SOLANO: (Redacted)

18 PRESIDING JUDGE FREMR: [9:57:24] (Redacted)

19 MS GRANDON: [9:57:25] (Redacted)

20 MS SOLANO: [9:57:35] (Redacted)

21 Q. [9:57:45] (Redacted)

22 (Redacted)

23 A. [9:58:10] (Redacted)

24 Q. [9:58:15] (Redacted)

25 A. [9:58:39] (Redacted)

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1 Q. [9:59:02] And are you able to indicate where exactly on this document it shows
2 the place where you were stopped?

3 MS SOLANO: [9:59:29] Can the witness please be provided with a pen. Thank
4 you.

5 PRESIDING JUDGE FREMR: [9:59:35] Court usher, please assist.

6 MS SOLANO: [9:59:48] I'm inquiring from the usher whether it's possible to put
7 the document on the Elmo so that we can see what the witness identifies. If she can
8 do it with a pen directly on the screen, that's even better.

9 THE WITNESS: [10:00:27] (Interpretation) Do you want me to show you the place
10 where I was?

11 MS SOLANO: [10:00:33]

12 Q. [10:00:34] Yes, please, if you can do that.

13 A. [10:00:54] Here. (Redacted)

14 (Redacted)

15 Q. [10:01:21] And I notice, Madam, that there are some words written on this
16 document. Do you know who wrote those words down?

17 A. [10:01:44] I did.

18 Q. [10:01:48] So where it says (Redacted) is that the location of the camp
19 that you were taken to?

20 A. [10:02:09] Yes.

21 Q. [10:02:11] And just below there, where it says (Redacted) is that (Redacted)
22 (Redacted) that you alluded to earlier?

23 A. [10:02:27] That's the road that goes towards (Redacted). I was speaking about
24 (Redacted).

25 Q. [10:02:44] And all the way on the other side of the document on the left it says

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1 (Redacted) above a drawing of a building. Is that, madam, your school?

2 A. [10:03:14] Yes.

3 PRESIDING JUDGE FREMR: [10:03:16] Ms Solano, I have some slight problem

4 with the way how you question the witness at the moment. I know that even

5 sometimes -- even those last three questions had -- maybe were not completely

6 leading but at least had some leading character. So I believe that in some cases it's

7 necessary to use these kind of questions. But I still believe that for the rest of the

8 sketch we can just ask what does it mean. Not just to say. Why not to ask her, (Redacted)

9 (Redacted), what does it mean, this building?" Or this part of the sketch. So please

10 change a bit the way how you are asking the witness, not just putting her expected

11 result of the question.

12 MS SOLANO: [10:04:01] Very well, your Honour.

13 Q. [10:04:07] Madam, in the middle of the drawing the words (Redacted) appear.

14 Can you explain what that is, please.

15 A. [10:04:30] Here where it's written (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. [10:05:09] And a few moments ago you referred to the village which is also

21 identified in the sketch. What village was that?

22 A. [10:05:38] The village represents the road which goes towards our locality.

23 Q. [10:05:50] Which locality is that?

24 A. [10:06:05] Where we live.

25 Q. [10:06:10] Do you remember on what occasion you wrote these words on this

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1 document?

2 A. [10:06:41] When I met the team of the Office of the Prosecutor.

3 Q. [10:06:52] There is a signature at the bottom of the page. Do you recognize it?

4 A. [10:07:15] Yes.

5 Q. [10:07:18] Whose signature is it?

6 A. [10:07:26] That's my signature.

7 MS SOLANO: [10:07:39] Your Honour, I note for the record that when I asked the
8 witness to indicate on the map where she had been -- where she had encountered the
9 UPC soldiers, she drew a red circle, and that's what the document in front of us
10 shows. I seek admission of the annotated version of the sketch, please.

11 PRESIDING JUDGE FREMR: [10:08:04] Ms Grandon, any objection?

12 MS GRANDON: [10:08:08] (Interpretation) No objection, your Honour.

13 PRESIDING JUDGE FREMR: [10:08:14] So this sketch annotated by red pen by
14 Madam Witness is admitted into evidence as a further Prosecution exhibit.

15 Ms Solano, please proceed.

16 MS SOLANO: [10:08:30] Thank you, your Honour.

17 The document can be removed from the screen.

18 Q. [10:08:35] Madam, can you describe the camp that you were taken to by the
19 UPC soldiers? What did it look like?

20 A. [10:08:47] Yes. In this camp there was a large house and another smaller
21 house.

22 Q. [10:09:23] What was the large house used for?

23 A. [10:09:38] The large house was an office for the troops.

24 Q. [10:09:53] How about the small house, what was it used for?

25 A. [10:10:10] The other small house was where we were held. It was in that

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1 house that we were held.

2 Q. [10:10:24] Who was in charge of this camp?

3 A. [10:10:48] The person in charge was Bosco Ntaganda.

4 Q. [10:11:04] Was Bosco Ntaganda present in that camp when you arrived?

5 A. [10:11:27] He wasn't present.

6 Q. [10:11:32] So what makes you say that he was in charge?

7 A. [10:11:59] When we went outside in the morning, the people who were there
8 said that their boss was Bosco Ntaganda.

9 Q. [10:12:28] And was there anybody present in the camp who was in charge of
10 the troops there?

11 A. [10:12:55] Yes. The commander was called (Redacted).

12 Q. [10:13:20] (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 A. [10:14:26] (Redacted)

17 Q. [10:14:37] When did you first meet this commander?

18 A. [10:15:02] It was 4 o'clock in the morning. We were told to go out, we took
19 showers and then we went to the assembly. And when we got to the assembly, we
20 met everybody.

21 Q. [10:15:19] And what happened during this assembly? Can you explain what
22 an assembly was?

23 A. [10:15:42] At this assembly, you were told to stand up and then they
24 distributed tasks to everybody. We weren't active at this point, and we were asked
25 to return to the house afterwards.

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1 Q. [10:16:18] And apart from you, who was asked to return to the house?

2 A. [10:16:31] The commander, it was the commander.

3 Q. [10:16:48] And what happened when you returned to the house?

4 A. [10:17:04] The first day when we arrived, there was fighting between us and
5 them. They were beating us and they threw water on us.

6 Q. [10:17:35] Who was beating you?

7 A. [10:17:45] The soldiers, they beat us.

8 Q. [10:17:55] What did they beat you with?

9 A. [10:18:10] They were beating us with plastic batons and they threw water over
10 us.

11 Q. [10:18:26] Did they explain why they were beating you and throwing water on
12 you?

13 A. [10:18:44] They said that they had also been recruited and at the time they
14 suffered the same thing. We were kadogo. As such, we also had to suffer such acts.

15 Q. [10:19:10] And what does that mean, "kadogo"?

16 A. [10:19:30] We were called kadogo because we were too young. We had to
17 help them carry out certain tasks like carrying ammunition and weapons. They took
18 us like their children.

19 Q. [10:19:51] How many kadogo were inside the house on the first day when you
20 were beaten?

21 A. [10:20:16] There were a lot of us.

22 Q. [10:20:26] And what happened, madam, after you received this beating? Did
23 you stay in the house? Did you leave the house? What happened?

24 A. [10:20:57] When they beat us, they also raped us. And they threatened us
25 with their rifles if we dared to resist them.

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1 Q. [10:21:13] Who raped you?

2 A. [10:21:32] The troops, the troops that were there, even the Commander
3 (Redacted) and the other soldiers who were there. There were a lot of them.

4 Q. [10:21:53] Can you repeat the name of the commander who raped you? Is it
5 the same person (Redacted) that you mentioned earlier?

6 A. [10:22:13] The commander was called (Redacted).

7 Q. [10:22:35] Is that a different person from (Redacted)?

8 A. [10:22:54] (Redacted) is the same person.

9 Q. [10:23:07] Madam, what do you mean when you say that (Redacted) and the
10 other soldiers raped you?

11 A. [10:23:30] I will describe the suffering that we were subjected to in this camp.
12 I will tell you about the acts that (Redacted) and other soldiers committed against us in
13 this camp.

14 Q. [10:24:00] Please go ahead.

15 A. [10:24:12] These acts of violence which we suffered in our bodies, this is how it
16 happened. When they wanted to do it, we could not refuse to sleep with them. If
17 we dared put up any resistance, they threatened us, saying that they would kill us.
18 Still until today I continue to suffer in my body. I suffer hugely from these acts still
19 today. If I find a husband, when he finds that I was in the militia, then this husband
20 would abandon me. Still today, two husbands have abandoned me. I stayed with
21 the children that I had with these husbands alone. Until today.

22 My life is still massively affected by it. (Redacted)

23 (Redacted) My life was

24 ruined. My life was ruined. I caught illnesses, diseases. This violence that I
25 suffered makes me suffer enormously. It's very difficult, very difficult for me.

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1 Q. [10:26:25] Madam, I'm sorry to ask you, and I wouldn't do so if it weren't
2 necessary, but can you explain what you mean that you could not refuse to sleep with
3 the commander and the soldiers?

4 A. [10:26:58] You couldn't refuse. If you -- if they wanted to rape you, you
5 couldn't refuse. They said they would kill you using their rifles.

6 Q. [10:27:22] Was there any contact between your body and their bodies, madam?

7 A. [10:27:41] Yes, a lot.

8 Q. [10:27:50] Can you please explain, madam, and I'm sorry to ask you but the
9 Judges need to hear it from you.

10 A. [10:28:18] They put their penis into my vagina (Redacted).
11 (Redacted)

12 Q. [10:28:49] How many times, approximately, did this happen to you while you
13 were at this camp (Redacted)?

14 A. [10:29:09] Since we were caught at 1 o'clock to 4 o'clock in the morning, I
15 underwent these acts.

16 Q. [10:29:45] What happened, if anything, to the other kadogos who were in the
17 same house as you?

18 A. [10:29:59] Each time I was raped I could hear other kadogos screaming. And
19 we couldn't help each other. Nobody could help.

20 Q. [10:30:29] Did you see these rapes occur of the other kadogos?

21 A. [10:30:52] Yes.

22 Q. [10:31:01] Madam, what happened after your first night at camp (Redacted)
23 when you were raped? Did you remain in the camp or did you go elsewhere?

24 A. [10:31:36] That day when they took us early in the morning, they gave us a few
25 military uniforms and they took us elsewhere.

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1 Q. [10:32:03] Can you describe the military uniforms?

2 A. [10:32:21] They were military uniforms, but they were like a skirt because they
3 were torn.

4 Q. [10:32:44] And what did you wear on your feet?

5 A. [10:33:01] They had given us torn-up shoes, worn shoes that they didn't want
6 anymore. That's what they gave us.

7 Q. [10:33:21] The commander and the soldiers who raped you, did you see them
8 again after that first night?

9 A. [10:33:53] Yes, I saw them, because we went to the other side and that's when
10 we learned that he was called (Redacted) because the other soldiers spoke to him
11 using that name.

12 Q. [10:34:27] What do you mean by "the other side"?

13 A. [10:34:44] They took us from where we were and took us to another camp.

14 Q. [10:35:05] And did that other camp have a name?

15 A. [10:35:23] Yes.

16 Q. [10:35:30] What's the name?

17 A. [10:35:43] It was called Bule, the camp. (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. [10:36:06] Why were you taken to camp Bule?

21 A. [10:36:33] They took us to camp Bule for training.

22 Q. [10:36:45] What kind of training?

23 A. [10:37:07] The training was as follows: We woke up in the morning, we
24 would wash and we would be taken outside for physical exercise. The exercise
25 included crawling. Another day we were given sticks that we had to carry.

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1 Q. [10:38:03] Why did you have to carry sticks?

2 A. [10:38:19] We were given those sticks during our training to teach us how to
3 carry a rifle.

4 Q. [10:38:29] What gave you this training?

5 A. [10:38:48] It was (Redacted).

6 Q. [10:39:07] Madam, how did you get from camp (Redacted) to camp Bule?

7 A. [10:39:34] (Redacted)

8 (Redacted)

9 Q. [10:39:58] Were you on foot or were you travelling on a vehicle?

10 A. [10:40:16] We went by vehicle. Sometimes they would drop us off at one
11 place and then they would come and pick us up and take us elsewhere until we got to
12 Bule.

13 Q. [10:40:40] What kind of vehicle were you transported on?

14 A. [10:41:06] It was a large vehicle. I think the brand was Tata.

15 Q. [10:41:18] Can you describe what the Tata looked like?

16 A. [10:41:40] It was a large green truck.

17 Q. [10:41:50] And in what part of the truck did you sit?

18 A. [10:42:10] We were seated in the vehicle.

19 Q. [10:42:20] Who was on the vehicle apart from you?

20 A. [10:42:35] In the vehicle there were only (Redacted)
21 (Redacted).

22 Q. [10:42:56] Do you know what had happened to the other kadogo who had
23 been with you at camp (Redacted)? Did they stay at the camp?

24 A. [10:43:25] When I left, I don't know what happened to those who stayed
25 behind.

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1 Q. [10:43:41] Was it your choice to go from camp (Redacted) to camp Bule?

2 A. [10:44:04] No. They came to me and told me we had to go to that particular
3 place.

4 Q. [10:44:26] Were these people, (Redacted), were they armed?

5 A. [10:44:44] Yes, they had weapons.

6 Q. [10:44:53] What kind of weapons?

7 A. [10:45:01] They had heavy weapons, but they were in the front of the truck and
8 we were in the back. They were in the cabin of the truck.

9 Q. [10:45:23] And who -- apart from you, who else was in the back of the truck?

10 A. [10:45:49] There were lots of other soldiers.

11 Q. [10:45:57] What ages were the soldiers in the back of the truck?

12 A. [10:46:15] They were old.

13 Q. [10:46:30] Can you describe what camp Bule looked like?

14 A. [10:46:39] Camp Bule was on a small hill.

15 Q. [10:47:07] Can you provide more details, madam? Was it an open space, a
16 closed space? Were there any buildings? Can you describe physically what it
17 looked like?

18 A. [10:47:33] Camp Bule had little houses and also some bigger houses that were
19 used by the soldiers. There were buildings made of canvas and it was on a small
20 hill.

21 Q. [10:48:02] What did the soldiers use the houses for?

22 A. [10:48:23] Well, some used those buildings for office work, and we were there
23 for training. And in the morning when we were told to go to a particular place, we
24 would take our rifles and we would go there. We took water with us, drinking
25 water, and food, rations. And each one had to carry his own things to go to one

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1 place or another.

2 Q. [10:49:08] And was there a person in charge of camp Bule?

3 A. [10:49:25] The person in charge was Bosco Ntaganda.

4 Q. [10:49:42] Was Bosco Ntaganda physically present at the camp when you
5 arrived?

6 A. [10:50:04] No, he wasn't there. I remember once the conflict was becoming
7 more intense and he came to Bule. They had us come out from where we were and
8 we welcomed them. His delegation was going to another place to get
9 reinforcements, to Djegu.

10 Q. [10:50:54] Who was part of his delegation?

11 A. [10:51:08] There was also Thomas Lubanga.

12 Q. [10:51:14] And who was he?

13 A. [10:51:27] He was his superior officer.

14 Q. [10:51:44] Do you mean that Thomas Lubanga was the superior officer of
15 Bosco Ntaganda?

16 A. [10:52:03] Yes. The person in charge of Bule camp was Bosco Ntaganda.

17 Q. [10:52:19] How do you know that Bosco Ntaganda was in charge of Bule
18 camp?

19 A. [10:52:52] One day when Commander (Redacted) had us come out in the
20 morning and (Redacted) told us that we were going to be welcoming a commander, a
21 high-ranking commander.

22 Q. [10:53:23] And how exactly did you welcome Bosco Ntaganda's delegation?

23 A. [10:53:46] In the morning we would go to the assembly and there other
24 soldiers would be lined up and we, the kados, were behind those soldiers and we
25 carried their weapons and their ammunition but also their drinking water. And

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1 when Bosco Ntaganda arrived, we welcomed him and his delegation was taken to the
2 camp and we followed. And we knew that on that day the person in charge of our
3 camp had arrived and we had better water and we even were given food, better food.
4 We were well-treated on those days.

5 Q. [10:55:09] How do you know that Bosco Ntaganda and his delegation were
6 headed for Djegu to get reinforcements?

7 A. [10:55:40] When he arrived he saluted everyone, and at that point when he
8 was talking to everyone he said, "The kadogos have to be well-treated. The soldiers
9 have to be well-treated. We're going to Djegu to get reinforcements to go and fight
10 in Largu."

11 Q. [10:56:15] Who said those words?

12 A. [10:56:31] It was during the assembly, it was our chief who spoke.

13 Q. [10:56:49] What was the name of that chief?

14 A. [10:57:00] Bosco Ntaganda.

15 Q. [10:57:07] And you said, madam, that Bosco Ntaganda said that the kadogos
16 had to be well-treated. Do you know whether Bosco Ntaganda knew that there were
17 kadogos there?

18 A. [10:57:43] Yes. Where the other officers were, from there he could see that
19 there were child soldiers, he could see them.

20 Q. [10:58:11] How long did Bosco Ntaganda's visit last?

21 A. [10:58:31] He arrived with his delegation, they were welcomed and then
22 afterwards he came, he was introduced to where we were. And when he finished
23 his visit, he went with the other officers to a house and from there they went to the
24 planned destination.

25 MS SOLANO: [10:59:22] Your Honour, I'm mindful of the time. I have one more

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1 question in this line.

2 PRESIDING JUDGE FREMR: [10:59:26] All right.

3 MS SOLANO: [10:59:28] Thank you.

4 Q. [10:59:30] Madam, apart from Bosco Ntaganda and Thomas Lubanga, who
5 else was a part of that delegation who came to visit camp Bule that day?

6 A. [11:00:01] There was also (Redacted).

7 MS SOLANO: [11:00:12] Thank you, your Honour. I'm happy to stop here if it
8 suits the Chamber.

9 PRESIDING JUDGE FREMR: [11:00:18] Yes, it's fine with the Chamber.

10 Now let's move into open session.

11 (Open session at 11 a.m.)

12 THE COURT OFFICER: [11:00:31] We're in open session, Mr President.

13 PRESIDING JUDGE FREMR: [11:00:38] Thank you, court officer.

14 So, Madam Witness, we will now break for 30 minutes.

15 So I would like first to ask court usher to assist Madam Witness to leave the
16 courtroom and then I would like to deal with one minor procedural issue.

17 (The witness stands down)

18 PRESIDING JUDGE FREMR: [11:01:27] This issue concerns the future part of
19 testimony.

20 Ms Solano, so far I was informed you used 1 hour, 42 minutes. You still have, you
21 should still have almost three hours for this witness. Frankly saying, in my personal
22 view you conducted this testimony or this examination very efficiently. You have
23 covered a lot of areas. Moreover, I also believe that especially those parts concerning
24 sexual violence allegedly committed to this witness probably will not be good to deal
25 in that way, so just to summarise that do you think that you will need almost

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1 three hours to complete the testimony? Because I have some doubts about that
2 whether it will be necessary.

3 MS SOLANO: [11:02:30] Your Honour, for the substantive part of the witness's
4 evidence, I would not require the full extent of time, but since I intend to deal with
5 some of the school records and I cannot predict how that will go, I am unable to
6 reassure the Chamber that I can do it in less time than I have been allotted.

7 PRESIDING JUDGE FREMR: [11:02:50] I am not asking you at the moment to
8 make some commitment that you will finish early, but I would like to strongly
9 encourage you, and I believe that you, especially you will be able to make it.

10 And so now we break and we will resume half past 11.

11 THE COURT USHER: [11:03:10] All rise.

12 (Recess taken at 11.03 a.m.)

13 (Upon resuming in open session at 11.31 a.m.)

14 THE COURT USHER: [11:31:33] All rise.

15 Please be seated.

16 PRESIDING JUDGE FREMR: [11:32:10] At the moment we are in open session and
17 we haven't invited Madam Witness yet since we would like to deliver the Chamber's
18 oral ruling in the different issue on the Defence issue.

19 Before doing that, Ms Solano, you anyway, I guess, you would like to continue
20 examination in the regime of private session.

21 MS SOLANO: [11:32:40] Your Honour, actually, I think I can ask some of my next
22 questions in open session.

23 PRESIDING JUDGE FREMR: [11:32:45] All right. I will take it into account.

24 Thank you. But at the moment, for the delivery of this decision, we have to move
25 into private session.

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1 Court officer, please.

2 (Private session at 11.32 a.m.) *(Reclassified partially in public)

3 THE COURT OFFICER: [11:33:01] We're in private session, Mr President.

4 PRESIDING JUDGE FREMR: [11:33:10] Thank you, court officer. And it's oral
5 ruling on Prosecution's request to apply redaction to Witness P-883's preparation note
6 and log.

7 On 25 November 2016, the Prosecution requested ex parte, Chamber and legal
8 representatives of former child soldiers only, via email authorisation to redact one
9 name from the witness preparation note and log relating to Witness P-883, also
10 contained in ex parte filing number 1662, as recently notified. The legal
11 representative of former child soldier supported the request.

12 The Chamber directed that the redacted version of the request be provided to
13 the Defence and subsequently shorten the deadline for any responses to
14 28 November 2016.

15 The Defence provided its response ex parte by way of email on 28 November 2016
16 opposing the request.

17 On 29 November 2016, upon invitation of the Chamber, the Registry and the legal
18 representative of former child soldiers provided their observations and supplemental
19 submissions respectively to the Chamber by email. The Chamber will not repeat the
20 submissions received, save to the extent necessary to address them in the reasoning
21 which follows, but will ensure that they will be placed on record.

22 At issue is the identity of (Redacted) who assisted Witness P-883 (Redacted)
23 (Redacted)

24 (Redacted)

25 (Redacted) That the identity of this individual is prima facie material to the preparation

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1 of the Defence does not appear to be disputed and the Defence elaborates upon such
2 materiality in its submissions. It is, however, submitted that her role as a contact
3 person may warrant retaining the redaction.

4 The Prosecution makes no specific submissions regarding any alleged risk arising
5 from disclosure.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 In such circumstances, it falls to the Chamber to carefully weigh the interest involved.

10 Having done so, the Chamber finds that the redaction to the preparation note may be
11 maintained. Due to the necessity of providing certain of the Chamber's reasoning
12 ex parte, the Chamber limits itself to only providing this outcome at this time.

13 The reasoning will be provided in written form with an ex parte and confidential
14 redacted version.

15 That concludes the Chamber's ruling.

16 And now we can move into open session and we can bring Madam Witness into the
17 courtroom.

18 Court usher, please assist.

19 (Open session at 11.37 a.m.)

20 THE COURT OFFICER: [11:37:35] We are in open session.

21 PRESIDING JUDGE FREMR: [11:37:38] Thank you, court officer.

22 (The witness enters the courtroom)

23 PRESIDING JUDGE FREMR: [11:38:20] And I also thank our guard for assistance.

24 Thank you.

25 Madam Witness, welcome back. Now Ms Solano, representing Prosecution, will

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1 continue with your examination.

2 Ms Solano, you have the floor.

3 MS SOLANO: [11:38:51] Thank you, your Honour.

4 Q. [11:38:55] Madam, when you arrived at Bule camp, did anyone write down your
5 name?

6 PRESIDING JUDGE FREMR: [11:39:17] And, Madam Witness, please be careful
7 because at the moment we are in open session, so Madam Witness, you shouldn't say
8 anything that could reveal your identity. And if you think that you should say
9 something like that, please just raise your hand and we will move into private session.

10 Do you understand?

11 THE WITNESS: [11:39:38] Oui.

12 PRESIDING JUDGE FREMR: [11:39:46] So please proceed.

13 THE WITNESS: [11:40:02] (Interpretation) Yes.

14 MS SOLANO: [11:40:07] I'm going to repeat my question because I am not sure if
15 you are responding to your --

16 PRESIDING JUDGE FREMR: [11:40:13] I got translation that Madam Witness said
17 "Yes."

18 MS SOLANO: Okay.

19 PRESIDING JUDGE FREMR: But it is up to you, Ms Solano.

20 MS SOLANO: [11:40:18] No, that's fine. Thank you, your Honour.

21 Q. [11:40:23] Madam, and who wrote down your name at camp Bule?

22 A. [11:40:39] At camp Bule, it was (Redacted).

23 Q. [11:40:47] And do you know for what purpose they wrote down your name?

24 A. [11:41:01] They said that they had noted our names to know if we were still
25 there or if we weren't and we had escaped.

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1 Q. [11:41:19] Was it possible to escape camp Bule?

2 A. [11:41:35] Yes, everywhere.

3 PRESIDING JUDGE FREMR: [11:41:37] I'm sorry to interrupt. I would like to put
4 additional question, Ms Solano.

5 Madam Witness, apart of your name, did they also write down any other details
6 concerning you?

7 THE WITNESS: [11:42:05] (Interpretation) They wrote our names so that we could
8 start with our military service.

9 PRESIDING JUDGE FREMR: [11:42:16] So should I understand that they wrote
10 down your names only, no other details?

11 THE WITNESS: [11:42:34] (Interpretation) No.

12 PRESIDING JUDGE FREMR: [11:42:35] Thank you. Ms Solano, please proceed.

13 MS SOLANO: [11:42:38] Thank you, your Honour.

14 Q. [11:42:41] Madam, and how was it possible to escape camp Bule? Was it an
15 open place? Was it possible to just run away?

16 A. [11:43:02] We were inside the camp and they, they followed behind at all times.
17 They would try to see if we were trying to flee. Everywhere where we were, they
18 were behind us with weapons.

19 Q. [11:43:23] And what would happen if you tried to flee?

20 A. [11:43:43] There were just threats that we suffered. Even to give us food, there
21 were things which were very hot. We were hungry, we had a lot of problems.
22 A lot of threats. And we experienced all these difficulties.

23 Q. [11:44:11] What were you threatened with should you try to flee?

24 A. [11:44:18] They threatened us and that would discourage you from fleeing.

25 Q. [11:44:44] Did they tell you what exactly would happen if you tried to flee?

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1 A. [11:44:59] Yes. They said if somebody tried to flee, they were going to kill that
2 person.

3 Q. [11:45:15] And to your knowledge did this ever occur?

4 A. [11:45:34] (Redacted)

5 (Redacted)

6 Q. [11:45:58] (Redacted)

7 A. [11:46:04] (Redacted)

8 Q. [11:46:09] (Redacted)

9 A. [11:46:30] (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [11:46:50] (Redacted)

13 A. [11:47:03] (Redacted)

14 (Redacted)

15 Q. [11:47:26] (Redacted)

16 (Redacted)

17 A. [11:47:46] (Redacted)

18 (Redacted)

19 Q. [11:48:13] Madam, how long did you stay at camp Bule?

20 A. [11:48:34] In camp Bule, it was a long time, it was a long time ago, I no longer
21 remember. I don't know how much or how many months we were there for.

22 Q. [11:49:02] You have mentioned that there were other kadogos at camp Bule, can
23 you tell us their ages?

24 A. [11:49:26] They said that they were between 12, 13, up to 17 years old.

25 Q. [11:49:52] And relative to your size, to your height, were they taller than you,

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1 shorter than you?

2 A. [11:50:12] Some were smaller. Others were the same size.

3 PRESIDING JUDGE FREMR: [11:50:27] Allow me additional question because this
4 issue of the height, you know, it's very popular among both parties.

5 Madam Witness, there were any kadogos older than you, for example, 17, that were
6 of the same height like you or even smaller than you?

7 THE WITNESS: [11:51:05] (Interpretation) I'm sorry, I didn't understand your
8 question.

9 PRESIDING JUDGE FREMR: [11:51:09] It's my fault. I will try to put it simpler.
10 You said, and the question was put to you about height of the other kadogos, you said
11 some of them were -- give me a second: "Some were smaller. Others were the same
12 size." And, for example, among those who were smaller than you, was anybody
13 from this group of small kadogos older than you, for example, 16, 17, but smaller than
14 you by height?

15 THE WITNESS: [11:52:13] (Interpretation) Some were taller than me. Others were
16 the same height. Others were smaller, a bit smaller than me.

17 PRESIDING JUDGE FREMR: [11:52:33] But still I am not sure that I was clear
18 enough. Maybe to put it this way: Those who were older than 15, some of them
19 was of the same height or even smaller than you?

20 THE WITNESS: [11:53:18] (Interpretation) Those who were taller were older. Some
21 had the same height, the ones who were the same age. There were also some who
22 were younger than that.

23 PRESIDING JUDGE FREMR: [11:53:37] Thank you, Madam Witness.

24 Ms Solano, please proceed.

25 MS SOLANO: [11:53:41] Thank you, your Honour.

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1 Q. [11:53:44] Madam, you mentioned that you had -- you received hot food. How
2 many times a day did you eat at camp Bule?

3 A. [11:54:06] We ate once.

4 Q. [11:54:12] What did you eat?

5 A. [11:54:22] Beans, a mix. A mix of beans and maize, which is called mbilibo.

6 Q. [11:54:45] And how was the mbilibo served?

7 A. [11:54:58] Because it was very hot, they took it in a spoon and put it in your
8 hands. It was very hot. If you dropped it, then it was finished for you, you were
9 going to be hungry all day.

10 Q. [11:55:15] Who prepared the food, who cooked?

11 A. [11:55:31] We did. We worked as a team. We took turns.

12 THE INTERPRETER: [11:55:44] Continues the Lingala interpreter.

13 MS SOLANO: [11:55:48]

14 Q. [11:55:49] How did the commanders communicate with each other?

15 A. [11:56:06] Between them they spoke Lingala.

16 Q. [11:56:13] And if they were not face to face, if they were far away from each
17 other, how did they communicate?

18 A. [11:56:36] They didn't have a lot of telephones at that time. We didn't see their
19 communication, because we were inside.

20 Q. [11:57:03] You have talked to us about one particular assembly on the day that
21 Bosco Ntaganda and Thomas Lubanga came to visit camp Bule, but I want to ask you
22 about the -- whether these assemblies took place also on other days?

23 A. [11:57:35] Yes. At that time it was just with the commander who came to give
24 us the orders which were to be executed.

25 Q. [11:57:55] Apart from giving you orders, what else happened at these

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1 assemblies?

2 A. [11:58:15] At that time they would divide us up into groups. They said,
3 "You are going to go with two or three kadogos and you will go somewhere." And
4 they would take somebody else who would be given two or three kadogos and you
5 would be sent to another place.

6 And before joining the ranks, we had to undergo training, the reason why we went
7 there. And afterwards they would say to us, "You are going to such and such
8 a place," even at night for patrols. So at 1700 hours they would call us and they
9 would do the same thing.

10 Q. [11:59:16] Did you go on patrols?

11 A. [11:59:30] Yes.

12 Q. [11:59:35] Describe what a patrol was like.

13 A. [11:59:53] A patrol happened this way: We left at around 5 p.m., and the group
14 would be together till about 6 p.m. It also began with a -- with walking, and if
15 someone were arrested at around 9 p.m., they would be asked whether they are not
16 a thief or whether they have a home. Now, if we found that this person had a house,
17 then we would escort that person to their house. But if we came to the conclusion
18 that the person was a thief or that the person had stolen something, we would then
19 keep him in our company as we walked around till 5 a.m. in the morning and then
20 take him back to the camp and file a report accordingly.

21 Q. [12:00:58] Who would you file a report with?

22 A. [12:01:17] In the morning at the time of the morning assembly, and after that
23 assembly we submitted the report. We even did so when we, we came back. That
24 report would be submitted to the chief in his office.

25 Q. [12:01:49] Was there any singing while you were in the UPC?

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1 A. [12:02:12] They taught us some songs, which we sang when we were running.

2 Q. [12:02:28] Do you remember the words of any of those songs?

3 A. [12:03:07] These were songs that were -- we were taught and they were
4 warm-up or warming-up songs.

5 Q. [12:03:30] Do you remember the words in the songs?

6 A. [12:04:04] Well, I do not remember many of the words. But when we went up
7 a mountain, for example, we could sing songs such as "Going up the mountain, going
8 up the mountain" and we would use such words in order to keep the morale high and
9 to be able to climb the mountain much more quickly.

10 Q. [12:04:51] Thank you.

11 MS SOLANO: Your Honour, may we move into private session, please?

12 PRESIDING JUDGE FREMR: [12:05:00] Certainly.

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

14 (Private session at 12.05 p.m.) *(Reclassified partially in public)

15 THE COURT OFFICER: [12:05:12] We are in private session, Mr President.

16 PRESIDING JUDGE FREMR: [12:05:16] Thank you, court officer.

17 Ms Solano, please proceed.

18 MS SOLANO: [12:05:20] Thank you, your Honour.

19 Q. [12:05:22] Madam, while you were at Bule camp, where did you sleep at night?

20 A. [12:05:54] We used to sleep in the area where a tarpaulin had been set up. That
21 is where we all spent the night.

22 Q. [12:06:10] Did the kadogos and the adults sleep in the same place or in different
23 places?

24 A. [12:06:37] The house was empty and everyone slept in that house.

25 Q. [12:06:46] How about the camp commanders, where did they sleep?

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1 A. [12:07:08] The commanders had their own house, and the other soldiers as well.

2 Q. [12:07:35] So to make sure I understand you, could you tell me again who was
3 sleeping in the house under the tarpaulin?

4 A. [12:08:03] It was us, the kadogos who had been forcibly abducted. We were the
5 ones who spent the night under the tarpaulins. The soldiers and the adults had their
6 own houses.

7 Q. [12:08:33] Madam, how did you know that the other kadogos had been forcibly
8 abducted?

9 A. [12:09:02] Well, they were taken away in much the same manner as we were,
10 where we had been.

11 Q. [12:09:17] How do you know that?

12 A. [12:09:39] Well, when they came, I did not have any clothes and they also came
13 without any clothes so they would use any torn clothings or rags that were in the
14 house where we were living.

15 Q. [12:10:10] Did you speak to the other kadogos about how they had come to be in
16 the UPC?

17 A. [12:10:36] Yes. When they came they would see us and would realise that we
18 were sharing the same suffering, the same kind of suffering, and they asked us how it
19 is that we came into this situation. And talking about it, they would then tell us how
20 they had been abducted. Some of them were not students but they had also been
21 abducted along the road.

22 Q. [12:11:24] You told us earlier today that you and some other kadogos were
23 raped at camp (Redacted). Do you know whether anybody was raped at camp Bule?

24 A. [12:12:04] What happened at camp (Redacted) was repeated at camp Bule.

25 Q. [12:12:19] Who was raped at camp Bule?

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1 A. [12:12:46] Apart from myself?

2 Q. [12:12:54] Please tell us about your rape at camp Bule, madam. Who raped
3 you?

4 A. [12:13:22] Many soldiers who used to live with us.

5 Q. [12:13:35] At what time in the day or night did these rapes occur?

6 A. [12:14:01] At any time. Whenever the leaders or chiefs were absent, well, you
7 see, the commanders stopped the soldiers from raping us, but they continued to do so
8 at any time. Sometimes a soldier would be sent to call us and they would tell us that
9 if we did not accept, they would shoot us. So they would come and take us
10 whenever they wanted.

11 Q. [12:14:54] In what part of the camp did these rapes occur?

12 A. [12:15:22] When we were inside or at the place of work of the soldier, anywhere,
13 whenever they wanted.

14 Q. [12:15:44] Madam, and do you remember how many times this happened to you
15 at camp Bule?

16 A. [12:16:13] I am not even able to count the number of times, because, you see,
17 whether you were sitting down or sleeping, anyone who wanted to do so could rape
18 you. So it is difficult to tell you how many times one was raped.

19 Q. [12:16:38] Do you know the names of any of the people who raped you?

20 A. [12:17:03] I do not know. But Commander (Redacted) said that no one should
21 touch me. And he gave me some torn clothes. So I was able to recognise him
22 because he too used to rape me on several occasions.

23 Q. [12:17:46] Was that still at camp Bule?

24 A. [12:18:07] I met him all the way back at (Redacted) and until we got to
25 Bule I still continued to meet him.

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1 Q. [12:18:26] You have mentioned a new location, madam, I believe, (Redacted)

2 (Redacted). What place was that?

3 A. [12:18:57] It was at camp (Redacted). It is called camp (Redacted)

4 (Redacted).

5 Q. [12:19:08] Do you know why Commander (Redacted) said that no one should

6 touch you?

7 A. [12:19:32] He wanted to be the only one to rape me.

8 Q. [12:19:47] And did the others obey him, did they stop touching you after that

9 point?

10 A. [12:20:09] No, they did not obey him. And I accused them on several occasions.

11 They had been forbidden from touching me, but they continued to do so.

12 Q. [12:20:27] Who did you accuse them with?

13 A. [12:20:52] I accused (Redacted) and another commander who was there whose

14 name was (Redacted).

15 Q. [12:21:22] Had Commander (Redacted) also raped you?

16 A. [12:21:38] No, he didn't do anything.

17 Q. [12:21:46] So was it Commander (Redacted) that you told that you were being raped?

18 Did I understand you properly?

19 A. [12:22:02] Yes.

20 Q. [12:22:11] And did (Redacted) or anybody else, did they do something about the fact

21 that you had been raped?

22 A. [12:22:41] Yes. They punished (Redacted), he was beaten. But in spite of that

23 he came back and did the same thing.

24 Q. [12:23:04] Do you remember, madam, whether after (Redacted) was punished,

25 he raped you more than once?

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1 A. [12:23:33] He raped me several times. You see, we used to go to other camps
2 with him and he would still rape me.

3 Q. [12:23:54] What other camps did you used to go to with him?

4 A. [12:24:19] We left camp (Redacted) for camp Bule. And then we were separated
5 during the fighting in Largu.

6 Q. [12:24:47] Did you experience any physical difficulties while you were at camp
7 Bule as a result of these rapes?

8 A. [12:25:22] Yes. The pain, the pain is still there even to this day. I have taken
9 some medication, but I have never been healed. During the fighting in Largu I still
10 continued to have this suffering or this pain. Since we were kadosgos, I used to carry
11 some ammunition. I used to help the senior soldiers by carrying some ammunition.

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted), I continued to have pain, even though I received some treatment.

19 The pain has never left me. So I remained there to receive treatment and it is then
20 that they found out that I was pregnant. (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [12:28:26] (Redacted)

24 A. [12:28:52] When I went to (Redacted) I was transported there for treatment.

25 However, the pain from the rape continued. The doctor said that I was pregnant

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1 and therefore could not engage in fighting. (Redacted)

2 (Redacted)

3 Q. [12:29:36] Madam, while you were pregnant, what were your daily activities?

4 A. [12:29:55] We were at the camp. In the morning, I got up and I presented
5 myself, as I did before.

6 Q. [12:30:16] And what happened after that point of the day, after you presented
7 yourself?

8 A. [12:30:39] If we were chosen to go to prepare food, that's what we did. If we
9 were asked to do physical exercise, that's what we did. If we had to go somewhere
10 where there were events, that's what we would do.

11 Q. [12:31:04] What kind of events did you attend while you were pregnant?

12 A. [12:31:27] If, for example, there was a battle that broke out somewhere or if there
13 were cases of theft which were pointed out, then we would go there in order to see
14 what had happened and report on it.

15 Q. [12:31:43] Did you personally do these things while you were pregnant? Did
16 you go into battle while you were pregnant?

17 A. [12:32:05] Yes. But at that time I didn't know that I was pregnant. (Redacted)
18 (Redacted), when I was examined, when I was treated, it was at that time that they
19 saw that I was pregnant.

20 Q. [12:32:35] And after you learned that you were pregnant, did you go on patrol?

21 A. [12:32:55] Yes. We went, but I saw that things weren't going in the right
22 direction so I left the area. (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 Q. [12:34:23] (Redacted)

6 A. [12:34:40] Yes. (Redacted)

7 THE INTERPRETER: [12:34:58] (Redacted)

8 (Redacted)

9 MS SOLANO: [12:35:06]

10 Q. [12:35:06] (Redacted)

11 (Redacted)

12 (Redacted)

13 A. [12:35:38] (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. [12:36:23] Madam, I would like to go back in time a little bit to what happened

18 in the place that you mentioned, Largu. Can you explain what happened there.

19 A. [12:36:48] There was a battle that took place in Largu between the APC and the

20 UPC and also with the FNI. We were asked to intervene to provide support.

21 We went there and we supported the group. As I was on the front line, I transported

22 cartridges, ammunition. (Redacted)

23 (Redacted)

24 THE INTERPRETER: [12:37:33] (Redacted)

25 THE WITNESS: [12:37:35] (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 MS SOLANO: [12:38:46]

6 Q. [12:38:46] When did the operation in Largu take place?

7 A. [12:39:02] This operation, well, I had left the area in 2003, it was 23 March 2003.

8 Q. [12:39:15] (Redacted)

9 A. [12:39:31] (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [12:40:01] That day, was the FNI on the side of the APC or on the side of the

13 UPC?

14 A. [12:40:37] The FNI attacked the UPC troops.

15 Q. [12:40:55] (Redacted), can you describe how the

16 operation unfolded. What was the first thing that happened when you got there?

17 A. [12:41:42] We were asked to go do Largu. We went to the camp. When we

18 arrived there, bullets were being shot. We were told "Return to the other side," and

19 we went. But on that date (Redacted), we were face to face or we

20 were opposite each other. (Redacted)

21 (Redacted)

22 Q. [12:42:34] Who asked you to go to Largu and who did you go there with?

23 A. [12:42:55] All our group, we all went. Only some troops stayed, a small

24 number.

25 Q. [12:43:10] And who told you to go there?

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- 1 A. [12:43:33] It was (Redacted).
- 2 Q. [12:43:45] Apart from participating in this shooting, did the UPC do anything
- 3 else in Largu?
- 4 A. [12:44:11] We were in the bush and other events didn't occur.
- 5 Q. [12:44:22] Were there any people living in Largu?
- 6 A. [12:44:35] Yes. When we arrived the battle had already started. We didn't
- 7 know the place or the area, so it was difficult to know if there were people living
- 8 there.
- 9 Q. [12:45:06] Did you see any houses?
- 10 A. [12:45:25] There were houses, but we didn't take the road where there were
- 11 houses. We went on a bush path.
- 12 Q. [12:45:57] I would like to show you a photograph.
- 13 MS SOLANO: Can the court officer please display DRC-OTP-2075-1005, and that is
- 14 document 13 on the Prosecution's list of evidence.
- 15 THE COURT OFFICER: [12:46:40] The redacted or unredacted version, please?
- 16 MS SOLANO: [12:46:49] Unredacted. Thank you.
- 17 THE COURT OFFICER: [12:46:52] Thank you.
- 18 MS SOLANO: [12:47:24]
- 19 Q. [12:47:25] Madam, do you recognise what this photograph shows?
- 20 A. [12:47:38] Yes, I recognise this photograph.
- 21 Q. [12:47:44] What does it show?
- 22 A. [12:47:58] (Redacted)
- 23 Q. [12:48:10] (Redacted)
- 24 A. [12:48:23] (Redacted)
- 25 (Redacted)

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1 Q. [12:48:38] Do you know when this photograph was taken?

2 A. [12:48:55] Yes, I remember, but I don't have the date now.

3 Q. [12:49:02] Do you remember the circumstances? Do you remember who took
4 this photograph?

5 A. [12:49:25] It must have been officials from the Office of the Prosecutor.

6 MS SOLANO: [12:49:36] Your Honour, I seek admission of the photograph.

7 PRESIDING JUDGE FREMR: [12:49:39] Defence, any objection?

8 MS GRANDON: [12:49:44] (Interpretation) No objection, your Honour.

9 PRESIDING JUDGE FREMR: [12:49:46] So this photograph is admitted into
10 evidence as a further Prosecution exhibit.

11 Ms Solano, please proceed.

12 MS SOLANO: [12:49:56] Thank you, your Honour.

13 Q. [12:49:59] You've told us just a little while ago about the fact that you continued
14 to be raped at camp Bule. To your knowledge, were any of the other women at
15 camp Bule also raped?

16 A. [12:50:36] You know, we were living in the same house. Everybody endured
17 suffering, all the girls were raped as well.

18 Q. [12:50:54] Do you know the ages of the girls who were raped?

19 A. [12:51:18] I can't know their ages. I suffered. I wasn't concerned with the fate
20 of the others.

21 Q. [12:51:34] Were you raped after you learned that you were pregnant, or did the
22 rapes stop once you learned that you were pregnant?

23 A. [12:52:06] (Redacted)

24 (Redacted)

25 (Redacted)

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1 Q. [12:52:49] (Redacted)

2 A. [12:53:09] (Redacted)

3 (Redacted)

4 (Redacted)

5 Q. [12:53:42] (Redacted)

6 A. [12:54:02] (Redacted)

7 (Redacted)

8 Q. [12:54:36] (Redacted)

9 A. [12:54:59] (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [12:55:33] (Redacted)

13 A. [12:55:49] (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. [12:56:25] (Redacted)

18 A. [12:56:41] (Redacted)

19 (Redacted)

20 (Redacted)

21 Q. [12:56:58] Who had destroyed everything, do you know?

22 A. [12:57:19] It was during the clashes between the UPC and the APC.

23 MS SOLANO: [12:57:50] Your Honour, I have no more questions in this line of

24 questioning. I am mindful of the time, I seek guidance as to whether I should stop

25 now.

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- 1 PRESIDING JUDGE FREMR: [12:58:01] All right. Do you have some vision about
2 the rest of your testimony concerning the time?
- 3 MS SOLANO: [12:58:05] Your Honour, for what I intend to do with some witnesses
4 it has gone incredibly quickly, but my sense is that no less than half an hour.
- 5 PRESIDING JUDGE FREMR: [12:58:18] All right.
6 Now let's move into open session.
- 7 (Open session at 12.58 p.m.)
- 8 THE COURT OFFICER: [12:58:29] Open session, we are in open session.
- 9 PRESIDING JUDGE FREMR: [12:58:42] Thank you.
- 10 So as concerns update on timing, Ms Solano, you have used roughly three hours,
11 I think three hours and maybe one minute.
- 12 And now we break, so Madam Witness, thank you again for patiently responding all
13 the questions put to you. We will now break for 90 minutes and we will continue at
14 half past 2 with the rest of examination conducted by Prosecution.
- 15 THE COURT USHER: [12:59:16] All rise.
- 16 (Recess taken at 12.59 p.m.)
- 17 (Upon resuming in open session at 2.31 p.m.)
- 18 THE COURT USHER: [14:31:11] All rise.
- 19 Please be seated.
- 20 PRESIDING JUDGE FREMR: [14:31:53] Good afternoon, everybody. Good
21 afternoon, Madam Witness. We will directly continue with the rest of your
22 examination by Prosecution.
- 23 And Ms Solano, do you want to proceed in open or in private session?
- 24 MS SOLANO: [14:32:11] Private session, please.
- 25 PRESIDING JUDGE FREMR: [14:32:13] All right.

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

2 (Private session at 2.32 p.m.) *(Reclassified partially in public)

3 THE COURT OFFICER: [14:32:28] We are in private session, Mr President.

4 PRESIDING JUDGE FREMR: [14:32:31] Thank you, court officer. Ms Solano,
5 please proceed.

6 MS SOLANO: [14:32:36] Thank you, your Honour.

7 Q. [14:32:41] Madam, do you know on what date you left the UPC?

8 A. [14:33:12] Yes.

9 Q. [14:33:16] And what date was that?

10 A. [14:33:33] I left the UPC on 23 May 2003.

11 Q. [14:33:45] And how do you remember that date?

12 A. [14:34:14] I remember that date because of the examinations that I underwent on
13 that date.

14 Q. [14:34:27] What examinations do you mean?

15 A. [14:34:48] Medical examinations whereby they sought to determine my state of
16 health.

17 Q. [14:35:02] Are these the examinations you talked about earlier that you -- the
18 (Redacted)

19 (Redacted)

20 A. [14:35:25] Yes, that examination, as well as examining my pregnancy.

21 Q. [14:35:46] Madam, earlier today I asked you whether the rapes had continued
22 after you were pregnant, and I believe you told me that that was so. But I now
23 understand you to be saying that the day you learnt you were pregnant, you left the
24 UPC; is that correct?

25 A. [14:36:26] No, that is not correct. What I said is that during the war I was taken

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1 (Redacted). Then they found out that I was pregnant (Redacted)

2 (Redacted).

3 Q. [14:37:05] And once they found out that you were pregnant (Redacted)

4 (Redacted), did you leave the UPC immediately on the same day, or did you leave the
5 UPC at a later time?

6 A. [14:37:42] What I said is that I left around 5 p.m. on 23 May 2003. (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [14:38:17] Madam, earlier today when I asked you the date of the operation at
10 Largu, I believe you said that the operation had taken place on 23 March 2003. Do
11 you remember saying that?

12 A. [14:38:51] Please?

13 Q. [14:38:53] Let me repeat that. I asked you earlier today about the date of the
14 fighting at Largu, and according to the transcript, you said, "This operation, well,
15 I had left the area in 2003. It was 2000 -- it was 23 March 2003." (Redacted)

16 (Redacted)

17 (Redacted)

18 Do you remember saying that?

19 A. No. Maybe you did not quite understand. I do not know the date on which
20 those clashes took place, but I know the date -- I only know the date on which I left
21 those clashes, and I said it was on 23 March 2003.

22 Q. [14:40:19] Very well. And just to make sure that we're absolutely clear, on
23 23 March you left the clashes (Redacted); is that right?

24 A. [14:40:46] On the 23rd I left Largu, (Redacted).

25 (Redacted)

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1 Q. [14:41:17] (Redacted)

2 A. [14:41:38] (Redacted)

3 (Redacted)

4 (Redacted)

5 Q. [14:41:58] (Redacted)

6 (Redacted)

7 A. [14:42:23] (Redacted)

8 (Redacted)

9 Q. [14:42:54] (Redacted)

10 (Redacted)

11 A. [14:43:31] (Redacted)

12 Q. [14:43:36] Very well. Yesterday when I asked you how you knew that you
13 were born on (Redacted), you said that where you were born, at the hospital, you
14 get a birth certificate. Have you at any point had such a birth certificate?

15 A. [14:44:31] The medical certificate, when I was born, it was in the keeping of my
16 parents, that certificate. During the war, houses were burnt down and the certificate
17 was also burnt in the house. Now, when I went to school, I knew what my date of
18 birth was. My parents had told me that I was born at (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. [14:45:54] (Redacted)

23 A. [14:46:20] (Redacted)

24 Q. [14:46:24] (Redacted)

25 A. [14:46:43] (Redacted)

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1 Q. [14:51:58] I'd like to show you a document. It is document number 10 on the
2 Prosecution's list and it's (Redacted).

3 PRESIDING JUDGE FREMR: [14:52:47] Which tab is it, Ms Solano?

4 MS SOLANO: [14:52:53] Your Honour, I believe it's tab 10.

5 PRESIDING JUDGE FREMR: [14:52:56] I will believe too.

6 MS SOLANO: [14:52:57]

7 Q. [14:53:16] Can you look at this document, madam, on the screen and tell me
8 whether you recognize it?

9 A. [14:53:47] Yes, that's the document we were talking about.

10 Q. [14:53:52] Are you able to read it? And if you're not, I will read some of the
11 information to you.

12 A. [14:54:05] I am not able to read.

13 Q. [14:54:21] Madam, this document says that it is a "certificat de naissance," which
14 certifies that (Redacted)

15 (Redacted) Is

16 that information correct?

17 A. Yes, that is correct.

18 MS SOLANO: [14:55:20] Your Honour, I seek admission of this document.

19 PRESIDING JUDGE FREMR: [14:55:22] Ms Grandon, any objection?

20 MS GRANDON: [14:55:26] (Interpretation) No objection, Mr President.

21 PRESIDING JUDGE FREMR: [14:55:29] So this document is admitted into evidence
22 as a further Prosecution exhibit.

23 Ms Solano, please proceed.

24 MS SOLANO: [14:55:38] Thank you, your Honour.

25 Q. [14:55:42] Madam, do you have any other records of your birth? Do you have

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1 any other official documents that provide the date on which you were born?

2 A. [14:56:20] No, I do not have any other documents.

3 Q. [14:56:34] Do you remember applying to participate as a victim in these
4 proceedings?

5 A. [14:56:51] Yes.

6 Q. [14:56:57] And do you remember whether, when you applied to be -- participate
7 as a victim in these proceedings, you completed a form?

8 A. Well, there was no document. Before, we received a small booklet which was
9 lost during the war, and for now we have no other document.

10 Q. [14:57:51] What was this small booklet that was lost during the war?

11 A. [14:58:21] They gave us a booklet so that when there was a roll call, one could be
12 found. But everything was lost during the war.

13 Q. [14:58:51] And did that booklet contain a date of birth for you?

14 A. [14:59:16] Only the work that we did was entered or written in that booklet. It
15 contained information about our duties.

16 Q. [14:59:38] And who entered the information in that booklet?

17 A. [15:00:05] The booklet I am talking about was used as an attendance sheet at the
18 camp. It had nothing to do with -- with this case. But the date of birth was only
19 entered on the attestation or certificate.

20 Q. [15:00:41] And now I believe you're talking about the certificate from the
21 hospital, or am I wrong?

22 A. [15:01:00] Yes.

23 Q. [15:01:09] Madam, are you registered to vote in your country?

24 A. [15:01:36] What vote are you talking about?

25 Q. [15:01:39] In the elections.

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1 A. [15:01:46] Yes.

2 Q. [15:01:51] And do you have any documents that show that you're registered to
3 vote?

4 A. [15:02:12] Yes, I have a card. I have a registration card.

5 Q. [15:02:25] And do you know when you obtained that card?

6 A. [15:02:42] I don't remember the date.

7 Q. [15:02:45] Do you remember the year?

8 A. [15:02:59] I don't remember any more, but I know that the year exists. Well, the
9 year is indicated on the card.

10 Q. [15:03:17] And do you know whether this card contains a date of birth?

11 A. [15:03:34] Yes, it's on it.

12 Q. [15:03:43] And do you know how that date of birth came to find itself on the
13 card?

14 A. [15:04:15] As regards the date of birth, I did not indicate it. It was my parents
15 who knew well my date of birth.

16 Q. [15:04:41] I would like to show you a document.

17 And can the court officer please display document DRC-OTP-2078-2736. It's a
18 document at tab 8 of the Prosecution's list.

19 Can it be enlarged somewhat, please. Without cutting out -- yes, thank you.

20 Q. [15:05:49] Madam, please look at this document and tell me whether you
21 recognize it.

22 A. [15:06:11] I do recognize it.

23 Q. [15:06:14] What is it?

24 A. [15:06:24] It's my voter's card.

25 Q. [15:06:33] I will read out to you some of the information on this card. Please

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1 pay attention so that you can tell me whether it is correct. This is a voter's card for

2 (Redacted)

3 (Redacted)

4 Is that information correct?

5 A. [15:07:23] Yes.

6 Q. [15:07:26] There is a date at the bottom of the card, it's a date of issue and it says

7 17 June 2011. Does that date mean anything to you, 17 June 2011?

8 A. [15:08:11] Well, I can see that here, but it's not very clear on the card.

9 Q. Based on your recollection --

10 PRESIDING JUDGE FREMR: [15:08:40] Sorry, hold on, Ms Solano, please.

11 Ms Grandon.

12 MS GRANDON: [15:08:44] (Interpretation) Would it be possible perhaps to enlarge

13 the part where you can see the date? I read May and not June.

14 PRESIDING JUDGE FREMR: [15:09:00] Yes.

15 MS SOLANO: [15:09:01] That might -- yes, I think that's correct. I'm grateful to the

16 Defence for that --

17 PRESIDING JUDGE FREMR: [15:09:05] Thank you, Ms Grandon.

18 MS SOLANO: [15:09:07] -- correction. Clearly, you have better eyesight than I do.

19 Q. [15:09:13] Madam, based on what you remember about the time when you

20 obtained this card, does it make sense to you that you obtained it *on 17 May 2011?

21 A. [15:09:39] Yes. This is the voting card.

22 Q. [15:09:43] Yes.

23 A. [15:09:57] Yes, I got it, but I don't remember the date when I got it, but it must be

24 the date that's mentioned here.

25 MS SOLANO: [15:10:14] Thank you, your Honour. I seek to tender this document

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1 into evidence.

2 PRESIDING JUDGE FREMR: [15:10:18] Ms Grandon, any objection?

3 MS GRANDON: [15:10:22] Non, Monsieur le Président.

4 PRESIDING JUDGE FREMR: [15:10:24] This document then is admitted into

5 evidence as a further Prosecution exhibit.

6 Ms Solano, please proceed.

7 MS SOLANO: [15:10:31] Thank you, your Honour.

8 Q. [15:10:32] Madam, is there an état civil office in (Redacted), to your knowledge?

9 A. [15:10:57] Yes.

10 Q. [15:10:57] Have you ever visited it?

11 A. [15:11:11] Yes.

12 Q. [15:11:12] For what purpose?

13 A. [15:11:16] When I got my birth certificate, they told me that I had to go to the

14 état civil with it, because the information written on the birth certificate had to be

15 transcribed on to the records of the état civil, and that's why I went there. So they

16 wrote that and afterwards I went home with my certificate, my birth certificate, that I

17 sent to the Office of the Prosecutor.

18 Q. I would like to show you a document, it's (Redacted). And that's at

19 tab 11.

20 Do you recognise this document, madam?

21 A. [15:13:25] Yes, I recognise it.

22 Q. [15:13:26] What is it?

23 A. [15:13:40] It's a birth certificate.

24 Q. [15:13:47] I will read to you some of the information on this document and ask

25 you to please let me know whether it's correct:

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 Is that information correct?
- 7 A. [15:15:39] Yes, it's correct.
- 8 Q. [15:15:40] (Redacted)
- 9 (Redacted)
- 10 A. [15:16:08] (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 Q. [15:17:02] Madam, it says further on this document just above the signature that
- 15 the document was issued in (Redacted). Does that date correspond to
- 16 the date when you went to the état civil to obtain this document?
- 17 A. [15:17:32] Yes.
- 18 MS SOLANO: [15:17:32] Your Honour, I seek admission of the document.
- 19 PRESIDING JUDGE FREMR: [15:17:35] Ms Grandon, Defence position?
- 20 MS GRANDON: [15:17:37] (Interpretation) No objection, your Honour.
- 21 PRESIDING JUDGE FREMR: [15:17:39] So this document is admitted into evidence
- 22 as a further Prosecution exhibit.
- 23 Ms Solano, please proceed.
- 24 MS SOLANO: [15:17:50] Thank you, your Honour.
- 25 Q. [15:17:52] Madam, I'm now going to change to a different topic. Do you feel

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1 well? Are you able to continue?

2 A. Well, let's finish.

3 PRESIDING JUDGE FREMR: [15:18:17] I would support that, yes. So, Ms Solano,
4 how much time do you need to conclude?

5 MS SOLANO: [15:18:23] I have to go to the school records, and I do have a few more
6 questions after the school records, your Honour. So I do think I'll need my full -- I
7 think I have --

8 PRESIDING JUDGE FREMR: [15:18:34] Madam Witness, I know that you suffered
9 some headache this morning. You know, our plan is we would like to stick on, to
10 continue for roughly one hour more. Do you think that some short break would
11 help you to continue for the next hour?

12 THE WITNESS: [15:19:24] (Interpretation) Let's continue.

13 PRESIDING JUDGE FREMR: Thank you very much, Madam Witness, we appreciate
14 it.

15 So Ms Solano, please proceed.

16 MS SOLANO: [15:19:33]

17 Q. [15:19:33] Madam, my next questions are about your schooling, about the years
18 that you spent in school at the (Redacted) school. You said several things about your
19 schooling yesterday, and for the Defence I'll be referring to the English real-time
20 transcript from page 118, line 1, as well as to an excerpt from page 111, line 22.

21 Madam, yesterday you said you were abducted in the year 2002 when you were
22 12 years old and you were in the sixth level primary. Do you remember that?

23 A. [15:20:35] Yes.

24 Q. [15:20:38] You said you were six years old when you first went to school. Do
25 you remember that?

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1 A. [15:20:59] Yes.

2 Q. [15:21:01] And you also said that you were in that class since 1996. Do you
3 remember that?

4 A. [15:21:23] Yes.

5 Q. [15:21:30] According to the transcript of yesterday's hearing, you also
6 mentioned the year 2006. According to the transcript, you said that you were -- that
7 you attended (Redacted) school as a child until you were in sixth level primary since
8 2006. So I just want to make sure that we understood you properly yesterday when
9 you referred to the year 2006. Can you tell us what happened in 2006?

10 A. Well, I started my studies in 1996 until 2002.

11 Q. [15:23:11] Madam, do you remember the names of the teachers who taught you
12 at the (Redacted) school?

13 A. [15:23:37] Yes, I do remember some of them.

14 Q. [15:23:45] Please give us their names.

15 A. [15:24:01] You mean starting from the first year?

16 Q. [15:24:03] Yes.

17 A. [15:24:15] Okay. In the first year, it was (Redacted), the teacher. And the second
18 year, it was (Redacted), the teacher. In the third year, my teacher was (Redacted). And in
19 the fourth year, (Redacted) was my teacher. And in the fifth year, my teacher was (Redacted).
20 And the sixth year, the teacher was (Redacted).

21 Q. [15:25:18] Did (Redacted) have any other names?

22 A. [15:25:31] I don't know any other name.

23 Q. [15:25:33] And how is it that you remember their names?

24 A. [15:25:49] I remember because those were the different classes that I took and
25 they were very good teachers. They taught me well.

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1 Q. [15:26:11] Do you know whether any records exist from the time when you were
2 a student at (Redacted), any school records?

3 A. [15:26:46] I beg your pardon, I didn't understand your question.

4 Q. [15:26:51] Did you ever see any records from your school, any school reports or
5 school bulletins?

6 A. [15:27:14] Yes, those bulletins do exist. In fact, they still exist in the school
7 records. You can find all of that at the school.

8 Q. [15:27:30] And how do you know that those records are at the school?

9 A. [15:27:49] I know because what I suffered through, I went -- afterwards I went to
10 the Office of the Prosecutor and they asked me where I had gone to school. And so I
11 wanted to go to the school, to find out whether these records existed. And I went
12 there and I checked and they were able to find my reports, my school reports, from
13 the third and fourth year. And, in fact, they said that the reason we can't find the
14 others is because of the war.

15 Q. [15:28:41] Who did you speak to at the school?

16 A. [15:28:53] Well, when I got there, I saw the director of the school who was in his
17 office.

18 Q. [15:29:11] And did you see your school reports for the third and the fourth
19 years?

20 A. [15:29:26] Yes. He asked me some questions and he asked me, "What year did
21 you go to school?" And I told him 1996. So he started checking through his
22 documents and he found the reports from the third and fourth year and he gave them
23 to me. I was able to look at them with my own eyes. As regards the others that he
24 couldn't find, he said it was most likely because of the war that those documents had
25 been lost, but for sure what is true is that I did study in that school.

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1 Q. [15:30:15] (Redacted)

2 A. [15:30:29] (Redacted)

3 (Redacted)

4 (Redacted)

5 Q. [15:30:50] (Redacted)

6 A. [15:31:17] (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [15:31:38] With what name were you registered in these records?

10 A. [15:32:06] The records bear the name (Redacted).

11 Q. [15:32:20] And do you remember what other information about you appears on
12 those two records that you saw?

13 A. [15:32:27] No, I don't remember.

14 MS SOLANO: [15:33:02] Your Honour, I would like to show a document to the
15 witness. It is (Redacted), and it's the document listed at tab 16 of the
16 Prosecution's list.

17 PRESIDING JUDGE FREMR: [15:33:35] In the meantime, Madam Witness, I am
18 worrying about you. You are not drinking at all. I can't order it to you, but don't
19 want you to take a glass of water? Because I really think it could assist you a bit to
20 improve your current condition. Water intake is very important. Just a
21 recommendation.

22 All right, let's continue.

23 MS SOLANO: [15:34:24] Thank you, your Honour. And could the court officer,
24 would it be possible to display the first and second pages of these documents
25 alongside each other? For the record, the page on the right should be (Redacted). And

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1 there we have it.

2 Q. [15:35:08] Madam, can you see this document in front of you?

3 A. [15:35:21] Yes, I can see them.

4 Q. [15:35:30] Does this look like a document you have seen before?

5 A. [15:35:50] No, I have not seen this document yet.

6 Q. [15:35:58] I'm going to read to you what the document says at the very top,

7 across the top of the page on the left and the page on the right. There are columns in

8 this document and so for each column I'm going to read to you the name of the

9 column as well as the information that appears on the very last entry of the two

10 pages.

11 I think we might need to not zoom in because I'm going to be reading from the top

12 and the bottom.

13 So I will read across the top first. The first column is called "number" and the last

14 entry on the page is (Redacted)

15 The next column says "nom et postnoms" and at the bottom it says (Redacted)

16 (Redacted)

17 The next column is the sex and at the bottom there is an "F".

18 And the next column is called "lieu et date/nais" and at the bottom it says (Redacted)

19 (Redacted)

20 And the next column is called "Nation" and at the bottom it says "Congolaise".

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Speaks English) Do you recognise this information, madam, as pertaining to you?

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- 1 A. [15:38:49] No, I was not aware of this.
- 2 Q. [15:38:57] Is the information I read to you correct?
- 3 A. [15:39:19] Yes.
- 4 Q. [15:39:19] Does that include the date (Redacted)?
- 5 A. [15:39:54] When it comes to that date, I wonder how it has managed to coincide
- 6 with the line on which my name is written.
- 7 Q. [15:40:16] Is the date correct?
- 8 A. [15:40:32] No, that is not my date of birth, no.
- 9 Q. [15:40:40] (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 A. [15:41:42] (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 Q. [15:42:02] (Redacted)
- 18 PRESIDING JUDGE FREMR: [15:42:16] (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 THE WITNESS: [15:43:04] (Interpretation) (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 MS SOLANO: [15:43:37]

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1 Q. [15:43:38] (Redacted)

2 (Redacted)

3 (Redacted)

4 A. [15:44:17] (Redacted)

5 (Redacted)

6 (Redacted)

7 Q. [15:44:45] Thank you, madam, I'd like to show you another document.

8 MS SOLANO: And can the court officer please show the document at tab 18 of the

9 Prosecution's list? It's DRC-OTP-2098-0574, at page 0575. And page 0576, if they

10 could be displayed alongside each other, please.

11 So the page on the right should be 0576.

12 Q. [15:46:28] Now, madam, do the two pages that I'm showing you look like a

13 document you have seen before?

14 A. [15:46:54] I have never seen this document previously.

15 Q. [15:47:00] Madam, according to what it says on this document, this is a

16 (Interpretation) order of merits of annual results (Speaks English) for the year (Redacted)

17 (Redacted)

18 (Redacted). And according to the document, the teacher in charge of this class

19 was called (Redacted).

20 Does that name say anything to you, (Redacted)?

21 A. [15:48:16] No, I do not know that.

22 Q. [15:48:29] And in this document, Madam, your name appears as (Redacted)

23 (Redacted)

24 (Redacted)

25 A. [15:49:06] (Redacted)

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1 MS SOLANO: [15:49:34] Can we please move to the document at tab 26,

2 DRC-OTP-2098-0795. And I just need to show the first page, please.

3 Q. [15:50:30] Madam, I will read to you what this document says. It is a document

4 from the (Redacted). The teacher

5 is (Redacted), and the document is the (Interpretation) results for the third term.

6 (Speaks English) And your name appears as (Redacted).

7 A. [15:51:38] I do not understand this document.

8 PRESIDING JUDGE FREMR: [15:51:40] Ms Grandon.

9 MS GRANDON: [15:51:41] (Interpretation) The manner in which the question was

10 put suggests to the witness that she is the one who is actually mentioned in the

11 document, because it is put to her that her name appears on the register or record.

12 Well, all what we see on the record is that somebody called (Redacted),

13 that name appears on the record. So maybe the question could be put in a different

14 and more appropriate manner.

15 PRESIDING JUDGE FREMR: [15:52:22] Ms Solano.

16 MS SOLANO: [15:52:23] Your Honour, I don't really think I am going to have many

17 other ways of doing this, but I can ask the witness one question.

18 PRESIDING JUDGE FREMR: [15:52:31] Please.

19 MS SOLANO: [15:52:32]

20 Q. [15:52:32] Madam, in the (Redacted) years that you were a student at the Mamba school,

21 did you know any other student to go by the name (Redacted)?

22 A. [15:53:04] No, I didn't know anyone else. I started in (Redacted), whereas the school

23 year mentioned here is (Redacted).

24 PRESIDING JUDGE FREMR: [15:53:36] Ms Solano, gentle caveat, you still have ten

25 minutes. And please do not rely on my generosity, I will be merciless.

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1 MS SOLANO: [15:53:51] Thank you, your Honour, I am duly warned.

2 Can the court officer please display DRC-OTP-2098-0732 and that's a document at
3 tab -- sorry, 0726 at tab 24. I need to show page 0732.

4 Q. [15:54:45] Madam, and this is a rapport annual from the (Redacted)
5 (Redacted), and the name (Redacted)
6 appears on the page that is in front of you.

7 Can you comment, Madam, on what this document suggests, which is that you were
8 (Redacted)?

9 A. [15:55:59] Now, this document, what I can say about it is that I am rather
10 surprised to be looking at these documents and to note that they have come all the
11 way to the Court.

12 MS SOLANO: [15:56:24] And can we please show DRC-OTP-2098-0669. It's a
13 document at tab 23. And I just need the first page.

14 Q. [15:57:06] And this document, madam, is a palmarès annuel from the (Redacted)
15 (Redacted). And the name
16 (Redacted) appears on this page.

17 Now, can you comment, madam, on what this document suggests, which is that in
18 (Redacted) you were enrolled in school at the (Redacted)?

19 A. [15:58:08] What I can say is that there must be a lot of confusion in these
20 documents, and the person who issued them really, I do not know what that person's
21 intention must have been. Yes, because I have read the documents and I wonder
22 why all these changes have been made.

23 MS SOLANO: [15:58:51] Your Honour, may I have a moment to consult, please?

24 PRESIDING JUDGE FREMR: [15:58:55] Go ahead, yes.

25 (Consul confers)

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- 1 MS SOLANO: [15:59:05] Thank you.
- 2 Q. [15:59:07] (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 A. [15:59:46] (Redacted)
- 8 Q. [16:00:02] (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 A. [16:00:35] (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 Q. [16:01:09] (Redacted)
- 15 A. [16:01:29] (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 alive. (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 Q. [16:02:54] Thank you, madam. I have no more questions.
- 25 MS SOLANO: [16:02:56] Thank you, your Honour.

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1 PRESIDING JUDGE FREMR: [16:02:58] All right. Now let's move into open
2 session.

3 (Open session at 4.03 p.m.)

4 THE COURT OFFICER: [16:03:16] We are in open session, Mr President.

5 PRESIDING JUDGE FREMR: [16:03:19] Thank you, court officer.

6 So examination-in-chief has been concluded by Ms Solano. Now, I have in my hands
7 a request made by Legal Representative of former child soldiers, Ms Pellet, in which
8 she specified five areas she would like to question Madam Witness on.

9 But, Ms Pellet, it's not your fault, but if I look at those areas, in my view, in fact, with
10 all of them Ms Solano thoroughly dealt with. But do you think you can find some
11 questions that would not be repetitive?

12 MS PELLET: [16:04:11] (Interpretation) Thank you, your Honour. Given the
13 questions put forward by the OTP and the answers that were given, I have relatively
14 few questions, but I do have a few regarding reparations. In keeping with your
15 directives on the conduct of proceedings, I would like to ask a number of questions on
16 that matter. That is, in fact, an additional theme to add to my request.

17 PRESIDING JUDGE FREMR: [16:04:45] Ms Grandon, your position?

18 MS GRANDON: [16:04:48] (Interpretation) No objection, your Honour.

19 PRESIDING JUDGE FREMR: [16:04:51] You are granted ten minutes, Ms Pellet.
20 Please go ahead.

21 QUESTIONED BY MS PELLET: [16:04:58] (Interpretation)

22 Q. [16:05:02] Good afternoon, Madam Witness.

23 A. [16:05:05] Good afternoon.

24 MS PELLET: [16:05:07] I would like to go into private session, your Honour.

25 PRESIDING JUDGE FREMR: [16:05:12] Certainly.

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

2 (Private session at 4.05 p.m.) *(Reclassified partially in public)

3 THE COURT OFFICER: [16:05:24] We are in private session.

4 PRESIDING JUDGE FREMR: [16:05:26] Thank you.

5 Ms Pellet, please proceed.

6 MS PELLET: [16:05:29] Thank you, your Honour.

7 Q. [16:05:32] Good afternoon, Madam Witness. For the purposes of the transcript,

8 we have already met. I am your legal representative in this trial because you were

9 admitted as a participating victim. I have just a few questions to ask you that won't

10 be very long.

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 A. [16:06:34] (Redacted)

16 (Redacted)

17 Q. [16:06:46] (Redacted)

18 (Redacted)

19 A. (Redacted)

20 Q. [16:07:01] (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 A. [16:07:51] (Redacted)

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1 A. [16:11:49] (Redacted)

2 Q. [16:11:55] (Redacted)

3 A. [16:12:07] (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 Q. [16:12:49] (Redacted)

9 A. [16:13:03] (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 Q. [16:14:55] Thank you, Madam Witness. One last question: How do you
22 imagine your future as of today?

23 A. [16:15:12] My future is compromised. Yesterday I was asked questions about

24 my studies. I cried because I realised that if I had been able to continue going to

25 school, perhaps my life would be different. Even to get a job as a guard, you have to

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1 have a diploma. And when someone asked me to read a document, I need to have
2 someone help me, and for the rest of my life it will be like that. I don't know what to
3 say.

4 MS PELLET: [16:15:59] (Interpretation) Thank you very much, Madam Witness.
5 Your Honour, I have no further questions.

6 PRESIDING JUDGE FREMR: [16:16:05] Fine. And now we can move to Defence.
7 I know we still have 12 minutes, but I think because our schedule is relatively tight it
8 would be better to start even with the very beginning of your cross-examination.
9 So, Ms Grandon, please take the floor.

10 And in the meantime, Madam Witness, it's just last ten minutes. Now you will be
11 cross-examined by Ms Grandon, who represents Defence. And it's my duty also to
12 remind you that since this Court is governed by the principle of fair trial, which also
13 includes that both parties should be treated equally, so please respond to questions
14 put to you by Defence in the same way like you responded to questions put to you by
15 Prosecution and Legal Representative.

16 All right. So just the last ten minutes and you can then take some rest and we will
17 continue tomorrow. Is it okay with you, Madam Witness? Can you continue for
18 the last 10 minutes?

19 THE INTERPRETER: [16:17:33] Could the witness be asked to repeat her response?
20 The interpreters did not hear.

21 PRESIDING JUDGE FREMR: [16:17:38] Madam Witness, we are sorry, could you
22 repeat your answer because it was not again captured by the interpreters.

23 THE WITNESS: [16:18:01] (Interpretation) Yes, we can continue for the last ten
24 minutes.

25 PRESIDING JUDGE FREMR: [16:18:08] Thank you very much, Madam Witness.

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1 Ms Grandon, do you want to remain in private session, or can we move into open?

2 MS GRANDON: [16:18:19] Private session, Mr President.

3 PRESIDING JUDGE FREMR: [16:18:37] My question was whether we should remain
4 in the regime of private session or whether we can remain into open. It's up to you.

5 MS GRANDON: [16:18:48] We can stay in private.

6 PRESIDING JUDGE FREMR: [16:18:50] All right, so please go ahead.

7 QUESTIONED BY MS GRANDON: (Interpretation)

8 Q. [16:19:05] Good afternoon, Madam.

9 A. Good afternoon. Thank you.

10 Q. [16:19:14] My name is Chloé Grandon. I'm going to be asking you questions
11 today on behalf of the Defence of Bosco Ntaganda. If my question is not clear, feel
12 free to ask me to clarify or repeat the question. And as the Presiding Judge and my
13 colleague have just requested, please do listen carefully to my question before you
14 begin to answer. Have you understood that?

15 A. [16:19:57] Yes.

16 Q. [16:20:00] Before I ask you a few questions about the story that you have told us,
17 I would like to explain that in these proceedings all of the various meetings that you
18 had with the representatives of the Office of the Prosecutor or the Office of Public
19 Counsel for Victims led to the drafting of documents that contain your statements
20 both to the OTP and the OPCV, and those documents have been given to us.

21 PRESIDING JUDGE FREMR: [16:20:45] Sorry, Ms Grandon.

22 Ms Pellet.

23 MS PELLET: [16:20:49] (Interpretation) To avoid that there be any confusion in the
24 mind of the witness, the meetings referred to as meetings with the representatives of
25 the victims, in fact, there were no documents drafted and no documents were given to

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1 the Defence. That is as regards the meetings with the OPCV.

2 PRESIDING JUDGE FREMR: [16:21:20] All right.

3 Ms Grandon.

4 MS GRANDON: [16:21:23] (Interpretation) I have a question for clarification on that
5 topic, but perhaps we could ask the witness to remove her headsets.

6 PRESIDING JUDGE FREMR: [16:21:38] Madam assistant, could you just take off
7 headphones for a while?

8 Madam Witness, we will just take off your headphones just for a second. Thank
9 you.

10 Ms Grandon.

11 MS GRANDON: [16:22:00] (Interpretation) I thought that I had understood, based
12 on the exchanges that took place last week and up until Monday, that someone, a
13 person from the OPCV, had been in contact with the witness and that it was that
14 person who was present when the VPRS forms were filled in and that's why I referred
15 to a meeting with the repetitive of the OPCV.

16 PRESIDING JUDGE FREMR: [16:22:35] Could you clarify that, Ms Pellet, please?

17 MS PELLET: [16:22:40] (Interpretation) Thank you, your Honour. I'm not telling
18 you anything that is not already known, which is that a discussion between a lawyer
19 and his or her client are of a privileged nature and confidential and, therefore, there's
20 no report drafted on such discussions. When, however, the victim was filling in the
21 form, she was not as of yet a victim accepted as such and therefore that was not my
22 responsibility. The only documents that resulted at that point were the request for
23 participation, the application for participation.

24 PRESIDING JUDGE FREMR: [16:23:25] Ms Grandon, is it sufficient for you?

25 MS GRANDON: [16:23:32] (Interpretation) Well, in that case, should I refer to -- well,

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1 I'd like to distinguish between the various meetings that have taken place, on the one
2 hand with the OTP, on the other hand for the application. Perhaps I should refer to
3 the VPRS. Is VPRS something that the witness will understand?

4 PRESIDING JUDGE FREMR: [16:23:54] I have some doubts about that.

5 Ms Solano.

6 MS SOLANO: [16:23:56] Your Honour, may I just suggest that just as we have done
7 with other witnesses in the past, when the Defence needs to go to that area, they just
8 refer to the fact that the witness applied to participate as a victim in these proceedings
9 and that she completed some forms, because perhaps that would be enough. And it
10 will avoid the problems that the legal representative has just flagged.

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 PRESIDING JUDGE FREMR: [16:24:50] Ms Grandon, I think, yes, I can just confirm
18 what just now Ms Solano said, and I believe that you will be careful enough not to
19 touch the issue concerning our decision on redaction.

20 MS GRANDON: [16:25:08] (Interpretation) Yes, of course, your Honour.

21 PRESIDING JUDGE FREMR: [16:25:14] As concerns these, you know, legal
22 distinctions which are clear to us, distinction between Prosecutor, Legal
23 Representative, you have to take into account that it may not be clear to
24 Madam Witness, so please adjust as we even decided, adjust the way of questioning
25 to the capability of Madam Witness.

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1 Please, go ahead.

2 MS GRANDON: [16:25:36] (Interpretation) Could we ask the witness to put her
3 headset back on, please.

4 PRESIDING JUDGE FREMR: [16:25:42] Madam assistant, could you assist with
5 headphones? Thank you.

6 And Madam Witness, please remain patient. Last five minutes and you will be free.

7 MS GRANDON: [16:26:05] (Interpretation)

8 Q. [16:26:05] I'm going to repeat my question and if it isn't clear, please do let me
9 know.

10 Amongst all of the documents that were given to me by the Office of the Prosecutor
11 there are two documents which state that you filled in an application to participate as
12 a victim, the first on 19 May 2011 and the second in November and December of 2013.
13 The Office of the Prosecutor has told me that those documents were re-read to you
14 last week when you were preparing for this testimony.

15 Do you remember that someone re-read that application form to you?

16 A. [16:27:23] Yes.

17 Q. [16:27:36] I would like to draw your attention to the first form, the first
18 application, dated May 19, 2011. This is at tab 6 in the file, DRC-OTP-2079-1430.

19 I am going to read what is stated in this application form on page 1440, 1440. The
20 text is in French, and I'm quoting:

21 "The day of my recruitment on October 14, 2002, at night in (Redacted) I slept with
22 Commander (Redacted), who had become my partner during the two months. But
23 when he was absent during the day and at night, 2 or 3 militiamen slept with me
24 (they were all from the APC)."

25 In this application form you explain that it's the APC and not the UPC that recruited

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1 you; is that correct?

2 A. [16:29:58] It was the UPC.

3 Q. [16:30:41] I'm going to continue quoting the text:

4 "After the attacks between the APC and the UPC in (Redacted), the UPC, who had won the
5 battle, had retrieved some of the militiamen from the APC, including amongst others
6 Commander (Redacted), with whom I was living."

7 You confirmed in this sentence, didn't you, that it was the APC and not the UPC that
8 recruited you *in October of 2002?

9 A. [16:31:35] It was the UPC. There had been battles between the APC and the
10 UPC.

11 PRESIDING JUDGE FREMR: [16:31:49] Madam Witness, do you have any
12 explanation how the abbreviation APC got to this application?

13 THE WITNESS: [16:32:20] (Interpretation) I don't know.

14 PRESIDING JUDGE FREMR: [16:32:23] Ms Grandon, please proceed, but you
15 should wrap up in a short time because we are even three minutes after our schedule.
16 So if you want to put one or two questions just to at least conclude.

17 MS GRANDON: [16:32:37] (Interpretation) It will take more than two or three
18 questions to complete this topic, your Honour.

19 PRESIDING JUDGE FREMR: [16:32:44] So then I'm sorry, I will have to interrupt
20 you and we will continue tomorrow.

21 So now let's move into open session.

22 (Open session at 4.32 p.m.)

23 THE COURT OFFICER: [16:33:05] We are in open session, Mr President.

24 PRESIDING JUDGE FREMR: [16:33:08] Thank you.

25 Madam Witness, I would like to thank you very much that you were so brave and in

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1 spite of your health troubles you remained patient and you answered all questions
2 put to you. If your health problems will be maintained, please ask people from
3 VWU, so people that are taking care of you, and they will assist you and will try to
4 solve this problem.

5 Otherwise, we will continue tomorrow, 9.30, and it's my duty, legal duty, to remind
6 you that in the meantime, you must not discuss your testimony with anybody else.

7 Have you understand that, Madam Witness?

8 THE WITNESS: [16:34:20] (Interpretation) Yes, I've understood.

9 PRESIDING JUDGE FREMR: [16:34:22] So take some rest and we will now adjourn
10 and continue tomorrow, 9.30.

11 THE COURT USHER: [16:34:29] All rise.

12 (The hearing ends in open session at 4.34 p.m.)

13 RECLASSIFICATION REPORT

14 Pursuant to the Trial Chamber VI's Order, ICC-01/04-02/06-1887, dated 4 May 2017,
15 the public reclassified and lesser redacted version of this transcript is filed in the case.