

1 Wednesday, 21 December 2022

2 [Open session]

3 [The accused entered court]

4 [The witness entered court via videolink]

5 --- Upon commencing at 10.00 a.m.

6 JUDGE BONOMY: Good morning, everyone. Today we continue with
7 the examination of witness -- the cross-examination of Witness KAB070 and
8 that will be conducted, as yesterday, by Maître Altit.

9 Before we recommence your evidence, Witness, may I simply remind
10 you that is solemn declaration that you made at the beginning of your
11 evidence continues to apply to your evidence today until it's complete.

12 Do you understand that?

13 THE WITNESS: [Interpretation] [via videolink] I understood that.

14 JUDGE BONOMY: Thank you very much.

15 Maître Altit.

16 MR. ALTIT: [Interpretation] Thank you, Your Honour. Good
17 morning, Your Honour. Good morning, Your Honours.

18 WITNESS: KAB070 [Resumed]

19 [The witness testified through interpreter]

20 [The witness testified via videolink]

21 Cross-examination by Mr. Altit: [Continued]

22 Q. [Interpretation] And good morning, sir. So we shall now
23 continue.

24 I have -- my first question, sir, will be the following: From
25 your different statements, I understood that you had never seen

1 Félicien Kabuga in political rallies; is that correct?

2 A. This is correct.

3 Q. Okay. You said that you received some support twice from
4 Félicien Kabuga, and I will just quote what you said just to remind you.

5 When you spoke to the representative of the OTP not so long ago,
6 in November and December 2022, you just specified something and you said
7 that the first time Félicien Kabuga had supported you, giving 40.000
8 Rwandan francs, so used for the two minibuses, this is part of the
9 corrections you've made to what you said earlier on. And the second time
10 you said that he had given you 20.000 Rwandan francs.

11 The first question, sir. When you said "he gave us money," was
12 it to rent two minibuses? And, actually, I should ask you a question.
13 Was it for a political rally?

14 A. This is correct. That day, we had not been able to find a bus to
15 take us there.

16 Q. And it was in 1993; right?

17 A. This is correct.

18 Q. Okay. Your microphone, please, sir. Thank you.

19 My question is the following: I understand that he gave
20 Gerard Sehene for you, for your group, but what group was it? Was it the
21 Interahamwe's group, i.e., the dancers, or was it for the people
22 belonging to the MRND cell in Kimironko? Who got this money to go to the
23 political rally then?

24 A. It was for the dancers group. We had been waiting for a bus
25 which never came. The day before, we knew that there was no bus

1 available and we asked Kabuga for his support. Gerard went to see him to
2 share with him our problem and he gave us this money. And this is why he
3 gave us this amount of money, to support us.

4 Q. Thank you. And you said that Sehene, Gerard went to see him
5 because he knew him because he had sold a plot on which Félicien Kabuga
6 had built his house; is that correct?

7 A. I told you that he sold him the plot on which we were dancing.
8 Regarding the plot on which he had his house -- Kabuga had his house
9 built, he had bought it from Mushoti.

10 Q. Thank you. And if we understood what you said, Sehene, Gerard
11 was the person who could speak to Kabuga but the other Interahamwe people
12 had no access to Kabuga; is that right?

13 A. This is correct.

14 Q. Thank you. So the second time you said Félicien Kabuga gave
15 money to the Interahamwe, he gave them 20.000 Rwandan francs to buy beer.
16 That's what you said in your corrections, the corrections you made with
17 the representatives of the OTP not long ago.

18 So my first question: So this money to buy beer, when was
19 that -- when did that happen? Was it in 1993?

20 A. Yes, it was in 1993.

21 Q. Thank you. And my second question: How many beers can you buy
22 with 20.000 Rwandan francs? Do you understand what I'm trying to
23 understand?

24 A. I got your question. We did not use this money to drink in just
25 one day. We kept part of this money to use during the following days.

1 Q. Thank you. Can you still try to answer my question so that we
2 have an idea what this amount represents. At the time, how many beers
3 could you buy with 20.000 francs in Rwanda?

4 A. A lot of beer. At the time, a bottle of beer was not expensive.
5 So we were a group with more than 50 people and when we bought beer, we
6 invited other people to share the beer with us. So we bought beer and
7 lemonade.

8 Q. Thank you. So you were -- well, actually, a question was put to
9 you. Had Félicien Kabuga given your group something else apart from
10 these two times, and you answered he -- no other gift given.

11 So do we agree on that?

12 A. Yes, that's what I said.

13 Q. Okay.

14 Regarding the number of people who were part of this group of
15 dancers, you said, during your interview on December 14, you said that
16 you only needed two cars, two vehicles to be transported. How many
17 people did that represent?

18 First of all, do you remember you said that?

19 A. A minibus could take 18 people, but there could be 25 people in a
20 bus and we would be very tight.

21 Q. Thank you.

22 JUDGE BONOMO: What about on the outside of the bus?

23 THE WITNESS: [Interpretation] [via videolink] People were in the
24 back of the minibus and people were sitting one close to the other at the
25 rear of the bus, in the rear part of the bus.

1 JUDGE BONOMY: Thank you.

2 MR. ALTIT: [Interpretation]

3 Q. Sir, concerning the beer, during this same interview, you said
4 that you went to drink beer at the Adjutant Nsanzabaganwa -- let me
5 repronounce -- pronounce his name correctly, Nsanzabaganwa, and my
6 question is: Where was this drinking area?

7 A. This beer shop was inside the Groupement where we lived. And you
8 pronounce his name correctly. It is Nsanzabaganwa.

9 Q. Thank you. Is this where you used to go, you and the other
10 dancers, regularly to drink beer?

11 A. The people in our group did not have the financial means to do
12 so. I personally went to drink beer in this beer shop, but there were
13 people amongst us who did not have the financial means to go and drink
14 there in this bar. But some went to drink banana beer because they
15 did not have the money to go and drink in this beer bar, which was of a
16 higher standard.

17 Q. Thank you. And those who did not have money for that, where did
18 they go?

19 A. There was another bar belonging to someone called Habakurama and
20 when we wanted to drink banana beer, we used to go to his beer bar and we
21 could go there just to buy beer in this Habakurama bar.

22 Q. Thank you. Sir, for things to be clear, you said, during your
23 interview that since the day the plane of the president was shot down,
24 you had never seen Félicien Kabuga. Is this correct?

25 A. This is correct.

1 Q. And you also said, and I quote, that no one saw him.

2 So no one else told you that he or she had seen Félicien Kabuga;
3 is this correct?

4 A. This is correct. And I even added that if someone told you that
5 he had seen him, that would be a lie.

6 Q. Thank you. And you added that his employees had remained. To
7 your knowledge, how many employees remained?

8 A. I personally saw three of them. I do not know where the others
9 were, but I saw three of them.

10 Q. Okay. And you said, speaking about Félicien Kabuga's employees,
11 and I add before April 6, you said that they were not part of the
12 Kimironko Interahamwe group. Do you remember saying that?

13 A. I remember. That's what I said.

14 Q. But later on you said after April 6, some - and you said three or
15 four of them - joined the Interahamwe group and the others were
16 scattered. Those who joined the Interahamwe group, do you keep saying
17 there were three or four of them or were there less than three or four?
18 Because you just said that you remember only three employees who stayed
19 in the house.

20 A. At the time the situation was very difficult, but I confirm that
21 I saw three of his employees.

22 Regarding those who joined the Interahamwe group, it's because
23 some of his employees just participated in the killings.

24 Q. Okay. But is it fair to say that three of his employees, to your
25 knowledge, joined the Interahamwe group and that others, but you don't

1 remember their names, just were scattered? Is it fair to say that?

2 A. Yes.

3 Q. Those who joined the Interahamwe group, do you remember their
4 names?

5 A. Even before, I did not know their names. They were not my
6 neighbours.

7 Q. Thank you. But if they joined the Interahamwe group, you could
8 either have met them, because they probably went to drink beer,
9 et cetera, or you could have heard about them. You don't remember their
10 names at all? Is that it?

11 A. At the time, life was very difficult. There were not enough
12 drinks for sale.

13 Q. Thank you. We have, in the file, a witness who talked about --
14 it's not very clear but probably it's a Tommy gun or a firearm placed on
15 Félicien Kabuga's plot. Does that ring a bell?

16 MR. ELDERKIN: [via videolink] Excuse me, Your Honours.

17 JUDGE BONOMY: Witness, just hold -- stop for the moment, please.

18 Yes, Mr. Elderkin.

19 MR. ELDERKIN: [via videolink] I'd appreciate as much reference as
20 Maître Altit has available but also a specific time period for the
21 supposed presence of this gun on the plot.

22 JUDGE BONOMY: Well, Maître Altit, can you help with that?

23 MR. ALTIT: [Interpretation] Yes, of course, Your Honour. It
24 is -- this is what KAB086 said.

25 The statement is not very clear and this is the reason why

1 I asked the question to this witness, to try to get to know more about
2 it, one way or the other.

3 JUDGE BONOMY: Now, KAB086 is a witness we have not heard.

4 MR. ELDERKIN: [via videolink] According to my information, this
5 isn't -- indeed, Your Honour, and I understand from my colleagues who
6 know that witness's evidence better than I do, that is not a
7 representation of her evidence.

8 MR. ALTIT: [Interpretation] Your Honour, I will give you the
9 reference for KAB086 in a minute.

10 Your Honour, two references: The first, page 27, R70 70243 in
11 the French version, 7 July 2011 statement; and the second reference --

12 JUDGE BONOMY: What is -- that is the witness's statement, is it?

13 MR. ALTIT: [Interpretation] That was during the special
14 deposition, the statement made there.

15 And the second reference, it's the witness statement of 5 July
16 and 9 October 2010, and this witness -- it's in English. I don't have
17 the French version. It's page 4, penultimate paragraph. [In English]
18 "There was a big gun placed by the military and manned by soldiers."

19 JUDGE BONOMY: Mr. Elderkin?

20 MR. ELDERKIN: [via videolink] Your Honours, I don't particularly
21 mind about the form for this, but I don't think that the evidence of
22 KAB086, those statements were notified for use during this
23 cross-examination.

24 That said, it would help to advance things either to hear the
25 specific words that are used supposedly by KAB086 or simply to pose the

1 question in a general manner without relying on the other person's
2 evidence.

3 JUDGE BONOMY: Yes. This is a problem that need not arise. This
4 is a problem that need not arise. The question is unobjectionable. The
5 only problem is that the foundation may not be accurate. So what this --
6 and, indeed, the best way of presenting it is to use the foundation and
7 get the answer.

8 But this points up again something that's arisen before, and that
9 is a failure to notify in advance the documents to which you may refer in
10 cross-examination. Mr. Elderkin is maintaining that notice of the use of
11 these documents was not given. So please bear that in mind for future
12 reference.

13 Meanwhile, you can ask the question without reference to the
14 quotations.

15 MR. ALTIT: [Interpretation] Very well, Your Honour.

16 Q. Witness, as far as you know, on the plot of Kabuga's house, was
17 there a machine gun, or certainly a piece of significant artillery that
18 was allegedly used by soldiers?

19 A. There was no gun at that place, and I lived in that locality.

20 Q. Thank you. When you left Kimironko, as far as you know, was
21 Kabuga's house still standing or had it been destroyed?

22 A. When I left Kimironko, his house was still standing.

23 Q. Thank you. I'm moving on to something else.

24 You said that you were sentenced to life by a Gacaca court.
25 First of all, do you have your legal file?

1 A. I do not have my legal file.

2 Q. Thank you. When you were sentenced, did you have counsel to
3 defend you?

4 A. No. And I was only questioned for one hour and then I was
5 sentenced to life imprisonment.

6 Q. You said that you had seven brothers and sisters; is that
7 correct?

8 A. Yes, but some are dead.

9 Q. When and where did they die?

10 A. They died at different moments. Some before 1994. My big
11 brother died the last in 1995.

12 THE INTERPRETER: Interpreter's correction, 1994.

13 MR. ALTIT: [Interpretation] Your Honour, this brings me to the
14 end of my cross-examination.

15 JUDGE BONOMO: Thank you.

16 MR. ALTIT: [Interpretation] Thank you.

17 JUDGE BONOMO: Thank you, Maître Altit.

18 Witness, Judge deGuzman has some questions for you.

19 Questioned by the Court:

20 JUDGE deGUZMAN: [Interpretation] Witness, if I have understood
21 correctly, you were sentenced for having been involved in the killing of
22 Sahaha and Kayijuka, but in your testimony you said that you were simply
23 present, which is not the same thing as having participated in.

24 So what exactly was your role in those crimes?

25 A. I could not do anything at that time. The Interahamwe were very

1 strong and there was nothing I could do to prevent them from committing
2 these killings. But while I was living there, and those people were
3 killed in my presence, I explained to the Gacaca court what the situation
4 was, and they said that because I was present I had to be sentenced, so
5 that is why I was sentenced to life imprisonment.

6 JUDGE deGUZMAN: [Interpretation] We've heard a number of other
7 witnesses state that not only did you take part in those killings but in
8 other killings as well and that you were one of Mr. Kabuga's Interahamwe
9 and that you had received a firearm. I suppose that you're going to say
10 that those other witnesses were lying. Is that correct?

11 A. Those witnesses did not tell the truth.

12 As to the question of having a firearm, I can tell you that my
13 wife was a Tutsi and in 1994 I did purchase a firearm in order to protect
14 her.

15 JUDGE deGUZMAN: [Interpretation] In your opinion, why would those
16 other witnesses have lied?

17 A. Those witnesses lied because they were not telling the truth.
18 I have just told you the truth of what happened. It's as I just
19 said.

20 JUDGE deGUZMAN: [Interpretation] I'd like to know whether you
21 have any idea why, for what reason, those other witnesses lied.

22 A. I don't know why those witnesses lied about me, but they knew
23 that I was part of that group. I played a role within the party and
24 I think that they said what they said because of my position within the
25 party.

1 JUDGE deGUZMAN: [Interpretation] You said that your plea was not
2 taken into account. Can you explain to us why that was?

3 A. They did not accept what I said because everything that the
4 Interahamwe did, well, they said I had a unique hierarchical position
5 in relation to those Interahamwe and they said that I must be
6 responsible. I was at home all of the time because not only was my wife
7 a Tutsi but she had just given birth.

8 JUDGE deGUZMAN: [Interpretation] Is your wife still alive?

9 A. She died in 1994 when we were in exile. I went into exile with
10 her and she died there.

11 JUDGE deGUZMAN: [Interpretation] I'd like to put a question to
12 you concerning Mutabazi. You said he was a Tutsi, if I have understood
13 correctly, who took on the role of president of the Kabuga Interahamwe
14 after Hajabakiga. Is that correct?

15 A. That is correct.

16 JUDGE deGUZMAN: [Interpretation] Have I understood correctly that
17 during the killings at the start of April, it was Mutabazi who was the
18 president?

19 A. That is correct. He was the president.

20 JUDGE deGUZMAN: [Interpretation] Thank you.

21 There are other witnesses who told us it was Hajabakiga who was
22 the president during that period. Are you sure of what you're saying, or
23 might you be mistaken, or is there a reason why the others would not know
24 about the change?

25 A. I lived with those people. I knew the programmes. The witnesses

1 who told you that did not live with the group. They are people who
2 testified about things they had not experienced. I lived with the group
3 and I am telling you the truth.

4 JUDGE deGUZMAN: [Interpretation] My final question is as follows:
5 You said that before 6 April, there were no problems between the Hutu and
6 the Tutsi; is that correct.

7 A. That is correct.

8 JUDGE deGUZMAN: [Interpretation] So if the other witnesses
9 testified that the Hutu were already targeting the Tutsi, that is not
10 correct, according to you; is that right?

11 A. Perhaps those witnesses had other information. When
12 the president's plane was shot down, I went to have a drink with Alois
13 and the plane came down when we arrived at the house. And when I was at
14 the bar, I was with some of my colleagues. I don't know why they
15 testified as they did.

16 JUDGE deGUZMAN: [Interpretation] My question was to do with the
17 time before 6 April. But I have finished with my questions. Thank you.

18 JUDGE BONOMOY: Witness, are you aware of the distribution of
19 weapons, and by that I mean firearms, in the days following the plane
20 crash and that distribution being to members of the Interahamwe?

21 A. As I said, on the 8th, I saw those people with Rubaho guns but
22 I do not know who gave them those Rubaho guns, as I've explained before.

23 JUDGE BONOMOY: Thank you.

24 Now, re-examination, Mr. Elderkin?

25 MR. ELDERKIN: [via videolink] No, Your Honour.

1 JUDGE BONOMY: Thank you.

2 Well, Witness, that completes your evidence before the Trial
3 Chamber. Thank you for giving evidence and adhering very well, if I may
4 say, to the advice I gave you at the beginning to listen carefully to the
5 questions and answer them specifically.

6 The Trial Chamber will now adjourn while the court is rearranged
7 for the evidence of the next witness.

8 --- Recess taken at 10.42 a.m.

9 [The witness withdrew]

10 [The witness entered court via videolink]

11 --- On resuming at 11.03 a.m.

12 JUDGE BONOMY: Mr. Rashid.

13 MR. RASHID: [via videolink] Yes. Good morning, Your Honours.
14 The next witness is Witness KAB086.

15 JUDGE BONOMY: Thank you.

16 Good morning, Witness.

17 THE WITNESS: [Interpretation] [via videolink] Good morning,
18 Your Honour.

19 JUDGE BONOMY: May I ask you to stand, please, and make the
20 solemn declaration to speak the truth.

21 THE WITNESS: [Interpretation] [via videolink] I solemnly declare
22 that I will tell the truth, the whole truth, and nothing but the truth.

23 JUDGE BONOMY: Thank you. Please be seated.

24 WITNESS: KAB086

25 [The witness testified through interpreter]

1 [The witness testified via videolink]

2 THE WITNESS: [Interpretation] [via videolink] Thank you,
3 Your Honour.

4 JUDGE BONOMY: Just one word before we begin. The important
5 thing here is that you listen carefully to the question and answer the
6 question that is asked. Just confine what you say to answering each
7 specific question after it has been asked.

8 Can we rely on you to do that?

9 THE WITNESS: [Interpretation] [via videolink] Yes, of course,
10 Your Honour.

11 JUDGE BONOMY: Thank you very much.

12 The first counsel to ask you these questions will do so on behalf
13 of the Prosecution, and that is Mr. Rashid.

14 Mr. Rashid.

15 MR. RASHID: [via videolink] Good afternoon, Your Honours.

16 Examination by Mr. Rashid:

17 Q. Good afternoon, Witness.

18 MR. RASHID: [via videolink] Your Honours, could Rule 70 number
19 70920, the attestation form, please be brought up on the screen. This
20 is not for broadcast.

21 Q. While that happens, Witness, just to inform you that the Court
22 has ordered certain protective measures with respect to you and your
23 evidence here today. These include the use of a pseudonym, so all of us
24 in the courtroom during the public session will not refer to you by name
25 but, instead, by your pseudonym, which is KAB086.

1 Do you understand that?

2 A. Yes, I understand.

3 Q. Now, there is the second page of a document on the screen in
4 front of you. Do you see that and do you recognise your signature at the
5 bottom of this document, of this page?

6 A. That's my signature.

7 Q. And the document -- so if we could please have assistance to also
8 put up the first page so the witness can see it -- lists the prior
9 evidence, as well as corrections and clarifications that you made here in
10 Arusha and a pseudonym sheet confirming your identity and two photographs
11 that you were shown.

12 Now, I'm going to ask you the following question: Having
13 reviewed your prior evidence in a language that you understand and made
14 some corrections and clarifications, can you confirm to the Chamber,
15 that, taken together, the statements and documents listed accurately
16 reflect your evidence and what you would say today, if examined?

17 A. I was shown these documents. I was given a read-out of the
18 contents of the documents cited.

19 Q. And just to confirm for the record that you would respond the
20 same way as what appears in the documents if you were being asked
21 questions today here in court.

22 A. Yes, I would answer these questions were they put to me again.

23 MR. RASHID: [via videolink] So, Your Honours, on this basis, the
24 Prosecution tenders four documents into evidence: Rule 70 number 70920,
25 which is the attestation form; Rule 70 number 70916, which is the

1 pseudonym sheet; Rule 70 number 70243, which is the special deposition
2 testimony of this witness, marked for identification as Exhibit P00265;
3 Rule 70 number 70919, which is the corrections and clarifications table
4 dated 16 December 2022; and two photographs, Rule 70 number 50893.1 and
5 50893.2, which are two still photographs taken from Rule 70 number 50893,
6 a video that was listed on the Prosecutor's exhibit list. All under
7 seal, except for the two photographs which may be admitted publicly for
8 the purposes of this trial.

9 JUDGE BONOMY: All of these documents will be admitted on the
10 basis on which you proposed to have them admitted, and the numbers
11 allocated will be circulated to you.

12 MR. RASHID: [via videolink] Thank you, Your Honours.

13 I am now at the stage where I would read the public summary of
14 this witness. Despite the best efforts of both parties --

15 JUDGE BONOMY: We assume you will read the resultant version.
16 Please proceed to do so.

17 MR. RASHID: [via videolink] Thank you, your Honours.

18 JUDGE BONOMY: And that includes the item on which there has not
19 been agreement.

20 MR. RASHID: [via videolink] Thank you very much, Your Honours.
21 I will now read the public summary of KAB086.

22 "KAB086, a Hutu, resided in Kimironko prior to and during the
23 genocide. She knew Kabuga was a member of the MRND party because Kabuga
24 put out the colours of the MRND around his house. Kabuga also recruited
25 followers for the MRND between 1990 and 1991.

1 "KAB086 saw the Interahamwe participating in war-like dance
2 training sessions in Kabuga's residence in 1992. During the training,
3 KAB086 heard them say, for example, and I quote, 'let us exterminate
4 them. Let us exterminate these Inkotanyi.' It was the Tutsis who had to
5 be exterminated. They also sang songs which talked about MRND ideology.
6 Some members of Kabuga's Interahamwe who participated in this dance
7 training included Modeste Ruzibiza, who was the president of Interahamwe
8 in Bibare, Gerard Sehene, Muhutu, Munyakazi, and Vincent Mugabonake.

9 "KAB086 was informed by Uwihoreye about a meeting that was called
10 at the roadblock near the lower fence of Kabuga's house after
11 the president's plane crash. Uwihoreye informed KAB086 that they were
12 asked to go and collect weapons from Kabuga's compound but he refused to
13 go.

14 "KAB086 saw Kabuga's Interahamwe being transported on board
15 vehicles to MRND rallies and then back to Kabuga's compound, and on two
16 occasions Kabuga organised receptions for them. KAB086 also states that
17 Kabuga provided the Interahamwe with uniforms because he was their
18 leader.

19 "KAB086 saw Kabuga at his house on two occasions in 1993 or early
20 in 1994 in the company of Interahamwe. These Interahamwe included
21 Ruzibiza, Sehene, Muhutu, Munyakazi, Gakuba, Rwakana, Kayibanda, Murenzi,
22 Emmanuel aka Huni, Muvunyi and Mugabonake. According to KAB086, the
23 training of Interahamwe continued until April 1994 and they seized their
24 guns and machetes in April 1994. KAB086 saw some of Kabuga's Interahamwe
25 with guns from April 1994. On 8 April 1994, Sehene, who was the leader

1 of Kabuga's Interahamwe, trained five Interahamwe on how to handle
2 weapons. These Interahamwe were Edmond, Nsengiyumva, Karemera, Rwakana,
3 and Muhutu.

4 "KAB086's evidence is that there were roadblocks near Kabuga's
5 house: one in front of the entrance to Kabuga's house, and another one
6 opposite the area known as Masoro. When KAB086 passed by the roadblock
7 in front of Kabuga's house, she saw the following of Kabuga's
8 Interahamwe: Ntambara, Buregeya and Musengamana manning it. She did not
9 know the other Interahamwe manning the roadblock.

10 "During the events, KAB086 was told of the killings by persons
11 who visited her and who knew the victims were their friends. KAB086 was
12 told about the killings of Tutsi families of Nyakana, Mugorenkabandi,
13 Rukara, Munyeshuli and Kalimwijabo, that occurred between 8 and 10 April
14 1994. KAB086 was told by her cousin that members of Kalimwijabo's
15 family, including his wife and three children, were intercepted at the
16 roadblock below Kabuga's complex at the road going towards Masoro. This
17 roadblock was manned by Kabuga's Interahamwe, namely Sehene, Muhutu,
18 Gakuba and Rwakana. KAB086 was also told by her cousin that the
19 Kalimwijabo family members were then taken away, killed and their bodies
20 thrown in a pit called Chez Conseiller. KAB086 learnt that the family of
21 Mugorenkabandi was handed over to Interahamwe by Sehene and Gakuba, who
22 were the brothers of Mugorenkabandi. Sehene also killed his son-in law
23 called Rwubusisi who had sought refuge at his home. Rwubusisi was killed
24 because he was a Tutsi.

25 "On the morning of 9 April 1994, KAB086 also heard Kabuga's

1 Interahamwe talking about the killings of Nyakana's family members that
2 happened the night before and that some of them should go and collect the
3 bodies and dump them in a pit latrine.

4 "KAB086's father was also targeted by Kabuga's Interahamwe led by
5 Sehene and Gakuba because he was accused of being an accomplice of
6 Tutsis. Her father, who had been arrested by Kabuga's Interahamwe, was
7 able to escape from them before they could kill him. KAB086's father
8 fled to Bumbogo where he sought refuge with his son-in-law, his daughter
9 and five children. However, he and all persons who were hiding with him
10 were subsequently found by the same Kabuga's Interahamwe who killed them
11 all."

12 That is the end of the public summary for Witness KAB086 and,
13 Your Honours, I have no questions for this witness.

14 JUDGE BONOMO: Thank you, Mr. Rashid.

15 Now, Witness, you will now be asked questions by counsel for the
16 Defence of Mr. Kabuga, and that is Maître Altit. Please answer the
17 questions in the way I invited you to at the beginning.

18 Maître Altit.

19 MR. ALTIT: [Interpretation] Thank you, Your Honour.

20 Cross-examination by Mr. Altit:

21 Q. Good morning, Witness.

22 A. Good morning, sir.

23 Q. My name is Emmanuel Altit and I am Félicien Kabuga's counsel.
24 I will be asking you questions and I would be grateful if you could
25 answer precisely and concisely. Do you agree?

1 A. Yes, I agree. I will follow your instructions.

2 Q. Thank you. Firstly, let me remind you to switch off your
3 microphone when you have finished speaking and I'm talking, and I will do
4 the same when I have finished speaking.

5 A. Yes, I will do that.

6 Q. So, Ma'am, in your testimony on 7 July 2011, and that's on page 5
7 of the French version of your statement, you say on line 10, and I quote,
8 "our two residences," and you're talking about your residence and that of
9 Félicien Kabuga "were separated by a distance of about 100 meters." End
10 of quotation.

11 So, first question: Do you still live there in this house?

12 A. No, we have moved to another place.

13 Q. Okay. Do you live on a hill or do you live in a city?

14 A. I live in the district of Gasabo, which is still in the same
15 city.

16 Q. Okay. I ask this question because it was mentioned that you are
17 a farmer. I believe that if you live in Kigali, you're not -- no more a
18 farmer; right?

19 A. At the time, I was working as a farmer.

20 Q. And what do you do now?

21 A. Right now, I am sick and, therefore, I spend my time at home.

22 Q. Let's go back to your house.

23 Can you tell us where was your house located in relation to
24 Félicien Kabuga's house? Did I get it correctly, was Félicien Kabuga's
25 house located on a hill and your house was at the bottom of this hill; is

1 that correct?

2 A. No, it wasn't a hill. It was on a flat plot. It is true that
3 our residence was downhill compared to Kabuga's house.

4 Q. Okay. But if it's downhill, it means that there are sort of
5 hills, so should I understand that Kabuga's house was located higher than
6 your house?

7 A. Yes, this is correct. Our house was downhill, and uphill you had
8 Kabuga's house.

9 Q. Okay. So his residence was located on a hill; right?

10 A. No. I'm just telling you that it was not a hill. It was a flat
11 place, but it is true if you talk about the position of both residences,
12 Kabuga's house was higher than ours, higher than our house.

13 Q. Okay. What kind of house was yours? Was it made of bricks or
14 was it made of -- were the walls made of mud, mud blocks? Can you tell
15 us? Can you describe your house?

16 A. Our house was covered with 24 tiles, iron tiles, and the walls
17 were wooden walls. That's what I can say regarding our house.

18 Q. Okay. How many windows were there in your house?

19 A. Four windows.

20 Q. Okay. And how many of you were living in this house?

21 A. Three people used to live there: myself, my mother, and my
22 mother's grandson.

23 Q. Thank you. You talked about a banana grove. If I got you
24 correctly, you owned the banana grove. Where was this banana grove
25 located in relation to your house?

1 A. Actually, the house was located in the banana grove, if I may say
2 that.

3 Q. Okay. You talked about dance training in your testimony, that's
4 what you'd said, for the Interahamwes, and you said that they trained on
5 a plot where children used to play football.

6 Do you remember that?

7 A. Yes, I remember, because at the time children used to play
8 football there.

9 Q. I now would like to know where this plot is located in relation
10 to Félicien Kabuga's house. You said that Félicien Kabuga's house was
11 fenced and that there were fences around the house.

12 Did I get it correctly?

13 A. Yes. Kabuga's house -- there was a fence around Kabuga's house,
14 and downhill there was another plot where he had built a house. But
15 there was also an area, an open space, where people trained, the people
16 we talked about.

17 Q. And that's my question. In this play area where children used to
18 play football or where the Interahamwes used to dance, if I get it
19 correctly, this plot is not in the closed area but it is located
20 somewhere else; is that correct?

21 A. It's outside the fences, but this plot was not closed with
22 fences.

23 Q. My question is where was this plot located in relation to the
24 enclosure? Was it 30 metres, 40 metres from this closed plot and
25 in relation to the fences surrounding Félicien Kabuga's house?

1 A. Actually, this property belonged to Kabuga but the whole area
2 was not fenced. What was fenced was where his residence was located, but
3 the plot was bigger and not surrounded by fences.

4 Q. Okay. I'm just trying to ask you a question. Was this open plot
5 far from the house? Was there space, some space between this plot and
6 the house?

7 A. Both were close. They were not far from each other.

8 Q. Were they close to each other or was there a space, some space
9 between both?

10 A. The two plots were separated by fences.

11 Q. That's very clear now. Thank you. Thank you, Madam.

12 I would like to ask you a question on your ethnical belonging or
13 your ethnical group.

14 On your statement of 11 July 2011, you say that you were accused
15 of being Tutsis dressed as Hutus. Do you consider yourself as being a
16 Tutsi or a Hutu?

17 A. I'm Hutu and my father is a Hutu.

18 Q. Okay. But you told us -- in 2011, you explained that
19 Interahamwes had come and threatened you and they even tried to kill your
20 father. Why did they threaten you and why did they try to kill your
21 father?

22 A. The reason was that my father and others did not leave with
23 Interahamwe to kill people.

24 Q. Okay. So that was a reason to kill him?

25 A. Yes. Because in such cases, they considered you as an

1 accomplice.

2 Q. You explained that when the killings started, you stayed at home,
3 and you even stated that everybody stayed at home. But you also added
4 that they were -- you were wanted. You, personally, you were wanted.

5 What was the reason why you were wanted?

6 A. That was the reason I just mentioned, because they considered us
7 as accomplices.

8 Q. Okay. So you remained hidden in your house; is this correct?

9 A. Yes, that's it. We stayed at home.

10 Q. Did I get you correctly? Did you stay up to 1 May, did you stay
11 hidden in your house?

12 A. This is correct.

13 Q. Okay. And then where did you go after that?

14 Let me ask the question again. After 1 May, where did you go,
15 Madam?

16 A. As the Inkotanyi had taken the area, we went where the airport
17 was. That's where we took refuge.

18 Q. Okay. You said that you went to where the PRF was -- RPF, sorry,
19 was, or was it just the opposite, you went on the opposite side?

20 A. We left with a whole bunch of people. The Inkotanyis were
21 shelling us and so did the Interahamwes, so we went with a large group of
22 people.

23 JUDGE BONOMO: The English interpretation of the witness's answer
24 was that "we went where the airport was. That's where we took refuge."

25 Now, is that different from what you have heard?

1 MR. ALTIT: [Interpretation] No, Your Honour, this is what
2 I heard.

3 Q. So in July 2011 when you were interviewed and cross-examined, the
4 counsel who cross -- who interviewed you told you that in a previous
5 statement you had said that you could move around freely in the
6 surroundings because, as you were a Hutu, you could go left and right.
7 And you said that the person who had taken your statement had made a
8 mistake. And you even said that you did not say that you could go out
9 because you were wanted.

10 For things to be clear, Madam, today you're telling us that you
11 stayed hidden after the shooting down of the plane of the president on
12 1May -- up to 1 May, and you said -- or you say that, despite the
13 difficulties, you were able to move around and go left and right.

14 So what is it that you're telling us? Is it the first one or the
15 second one?

16 MR. RASHID: [via videolink] Your Honour, before she answers the
17 question --

18 JUDGE BONOMY: Witness, please wait until we deal with this
19 intervention.

20 Yes, Mr. Rashid.

21 MR. RASHID: [via videolink] Your Honour, I found the question
22 quite contradictory to itself. What is Mr. Altit's point? If he could
23 just explain that because the way I've understood it, the witness -- and
24 this shouldn't be interpreted to the witness, of course.

25 JUDGE BONOMY: Well, Mr. Rashid, the question is perfectly clear

1 to me, so I don't think this is a productive route for you to follow.

2 MR. RASHID: [via videolink] Well, Your Honour, I think it
3 misstates what she said previously in trying to contort it to make it
4 sound like the original statement she gave to the investigators in 2010
5 is evidence she stuck to. I think that's where the problem is.

6 JUDGE BONOMY: I disagree with you that the way in which this is
7 formulated is misleading, and I will allow the question to be answered.

8 THE WITNESS: [Interpretation] [via videolink] Which question?

9 MR. ALTIT: [Interpretation]

10 Q. The question I asked you, Madam. In July 2011, you remember that
11 you were examined and cross-examined. The counsel leading the
12 cross-examination told you that --

13 JUDGE BONOMY: Maître Altit, you're going a very long journey for
14 what, in fact, is a very simple matter. You allege two contradictory
15 statements. Why don't you just put them?

16 MR. ALTIT: [Interpretation] You're absolutely right, Your Honour.
17 I was trying to, at the same time, answer what my colleague has said, but
18 that's not useful.

19 Q. So, Madam, in 2010 you said that you were free to move around
20 your house. And in 2011 you said that you were not able to move around
21 freely, that you had to stay at home, hidden at home, up to your
22 departure, or up to the moment you fled, and we know that this happened
23 on 1 May.

24 So which version is correct? Were you allowed to move around
25 freely and --

1 JUDGE BONOMY: Mr. Rashid, what is the problem?

2 MR. RASHID: [via videolink] The problem is, Your Honour,
3 Mr. Altit is relying on a written statement the witness gave to
4 investigators in 2010 to formulate a contradiction of an issue she
5 corrected when she was under oath in 2011, which is consistent with what
6 she is saying today. That's the problem.

7 JUDGE BONOMY: And --

8 MR. RASHID: [via videolink] And that witness statement is not in
9 evidence. What is in evidence here is her evidence from 2011 from the
10 special depositions.

11 If there's a contradiction there, between what she said there and
12 here, he can raise that. That's legitimate.

13 JUDGE BONOMY: And why can't he raise a contradiction between a
14 previous statement and the one that you happen to have produced in court?

15 MR. RASHID: [via videolink] Because her evidence in this Chamber,
16 what is now an exhibit, which is her direct examination, is her telling
17 the cross-examining counsel during that, that whatever was written by the
18 investigator is wrong, "I never left my house," which is exactly
19 consistent with what she is saying today.

20 JUDGE BONOMY: And why can't she be challenged on that
21 distinction? I do not understand your objection. Any prior inconsistent
22 statement that happens to be in the hands of the Defence can be put to
23 the witness no matter how many times she says that the version she's
24 given in your statement today is the true one.

25 I do not understand this objection.

1 So, Maître Altit, you would help the situation if you could make
2 this simple. And, by the way, it sounds to me as though this is another
3 document that has not been intimated to the Prosecution in advance of
4 your cross-examination, or has it?

5 MR. ALTIT: [Interpretation] Your Honour, things are even simpler
6 than that. I'm putting questions on the testimony, and it's in that
7 context that there are the contradictory positions. So it is on the
8 basis of the testimony that I am putting these questions. Because in
9 that course, the witness gave a certain number of answers and I am
10 seeking clarification of what she said. So, in a certain way, the
11 testimony has made it possible for us to go beyond the statement.

12 JUDGE BONOMY: Well, my understanding of what you're asking here
13 is about two statements made on different occasions, one being different
14 from the other. Is that correct?

15 MR. ALTIT: [Interpretation] Yes, it's correct.

16 JUDGE BONOMY: And one of them -- one of them, the first one,
17 I think, the earlier one, was not intimated as a document that might be
18 relied upon in your cross-examination.

19 MR. ALTIT: [Interpretation] It was read, I think, in its entirety
20 by the cross-examiner and it's on the basis of what was read by that and
21 the record of the case of what happened in July 2011 that I am now
22 putting questions.

23 JUDGE BONOMY: Well, the problem is possibly created by the fact
24 that the two items that you're relying on are presently contained in one
25 document, which the witness has maintained is her true evidence, and she

1 has refuted the first of the propositions that you put.

2 But, as I see it, what you're actually asking is why she gave a
3 different version on the later occasion. And that is a question I will
4 allow you to put to her: Which is the correct version?

5 MR. RASHID: [via videolink] And, Your Honour, if that is the
6 case, then we request that counsel read out the whole passage in which
7 that counsel originally asked the witness the questions and her
8 responses, and then ask her whatever he wants to ask her. It's only fair
9 to the witness.

10 JUDGE BONOMO: I, again, do not see the point you're making,
11 Mr. Rashid.

12 Maître Altit, make this simple, please.

13 MR. ALTIT: [Interpretation] Yes, Your Honour.

14 Q. Madam, to make sure we're understanding each other, there
15 have been fluctuations in your statements. My question is very simple.
16 There's the attack against the plane on 7 April, your flight on 1 May
17 1994. Between the two, could you leave your home, walk around freely,
18 move about, or did you remain at home where you hid yourself?

19 A. I was not hiding inside my house. I made sure that I didn't
20 leave the environs around my home, but I was not inside the house for the
21 whole time but I stayed close by. Looking for things to do, looking for
22 food, amongst other things.

23 Q. Thank you. Your evidence contains a number of elements
24 concerning different attacks, and I'll recall them very quickly: that
25 against the Nyakana family, Leopold Nyakana; that against Mugorenkabandi;

1 the attack against the Kalimwijabo family; and that against the Rukara
2 family.

3 Have I correctly pronounced the names, Witness?

4 A. Yes. You spoke about another name. It's Rukara, but that's not
5 what I heard.

6 Q. Yes, indeed, it's Rukara that's been pointed out to me.
7 Thank you.

8 Is it correct to say, Witness, that for all of those attacks, you
9 simply repeated what you'd heard from third parties? In other words, for
10 all of those attacks, is it correct to say that you did not see anything
11 conclusive with your own eyes; is that correct?

12 A. Yes. I was not present when those events occurred, so obviously
13 I heard it from third parties.

14 Q. Okay. Including your cousin, and I'll try to pronounce the name
15 correctly.

16 MR. ALTIT: [Interpretation] But perhaps the Prosecutor would like
17 me to do this in private session.

18 JUDGE BONOMY: Mr. Rashid.

19 MR. RASHID: [via videolink] To respect our court order, it might
20 make sense.

21 JUDGE BONOMY: Private session.

22 [Private session]

23 (redacted)

24 (redacted)

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Page 32 redacted. Private session.

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16 [Open session]

17 THE REGISTRAR: We are now in open session, Your Honours.

18 MR. ALTIT: [Interpretation] Thank you, Your Honour.

19 Q. Witness, you were saying that they were dancing, the Interahamwe
20 were dancing to war-like songs, and you even said there was a song where
21 there was the question of exterminating their enemy.

22 Exterminating who? Could you tell us?

23 A. They were war-like songs that they had composed themselves, so
24 when they were talking about extermination, they meant the Inkotanyi and
25 the Tutsis living in Rwanda.

1 Q. Thank you. Among the dancers, do you know whether there were any
2 Tutsis?

3 A. There were Tutsis who joined the Interahamwe, but when war broke
4 out, those Tutsis were no longer members of the group.

5 Q. Okay. I have the following question: Did you hear any Tutsi
6 dancers singing that there should be extermination of Tutsis?

7 A. Well, all of them came together and apparently they weren't
8 bothered.

9 Q. So you are testifying, it's your evidence to say that the Tutsi
10 dancers found it normal to sing songs calling for the extermination of
11 Tutsis; is that correct?

12 MR. RASHID: [via videolink] Objection, Your Honour. The question
13 seeks the opinion of the witness as to why these Tutsi dancers were
14 singing these songs. I don't think she can be in the head of those
15 people and give this answer.

16 JUDGE BONOMO: Well, before I deal with that. Witness, you
17 said -- just give me a minute until I find it. Yes.

18 You said that there were Tutsis who joined the Interahamwe but
19 when war broke out, these Tutsis were no longer members of the group.

20 What do you mean by "when war broke out"? What time are you
21 referring to.

22 THE WITNESS: [Interpretation] [via videolink] You're asking a
23 number of questions to me. I didn't say much as regards those events.
24 You've got all of this in my statement, and when you put other questions
25 to me, refer to the statement that I have made. I have made them and

1 there's a summary.

2 JUDGE BONOMY: You misunderstand me. You've just given an
3 answer, and I'm not being in any way critical of your answer. I just
4 want to clarify it. You have said that when war -- well, you said there
5 were Tutsis who joined the Interahamwe but when war broke out, those
6 Tutsis were no longer members of the group.

7 Now, what is the point in time you're referring to when you say
8 "when war broke out"?

9 THE WITNESS: [Interpretation] [via videolink] At the time, there
10 were Tutsis who had ID cards where it said they were Hutu, but in 1994
11 when war broke out, those Tutsis were rejected. I've given information,
12 but I --

13 JUDGE BONOMY: Let me try again.

14 THE WITNESS: [Interpretation] [via videolink] I don't recall
15 having said that.

16 JUDGE BONOMY: Well, you've said it today. It's your words I'm
17 using. All I want to know, and I'll try and make it simpler, is whether,
18 when you say or refer to "when war broke out," you're talking about
19 before the plane crash or after the plane crash.

20 THE WITNESS: [Interpretation] [via videolink] It's after the
21 plane crash. Before that, they were always together, joining together in
22 the same training sessions.

23 JUDGE BONOMY: Thank you for that answer.

24 Now, Maître Altit, the question that's been objected to can
25 simply be rephrased by simply asking whether it was normal for Tutsi

1 dancers to sing songs calling for the extermination of Tutsis.

2 MR. ALTIT: [Interpretation] Yes, Your Honour, and I'll
3 reformulate it immediately.

4 Q. So, Madam, was it normal for Tutsi dancers to sing songs calling
5 for the extermination of Tutsis?

6 A. Well, given that they had new ID cards that now said they were
7 Hutu, they could dance and sing to those songs.

8 Q. How do you know that they had been issued new ID cards, that they
9 had changed ID cards?

10 A. Well, you are asking me questions on things that I did not
11 explain before. When I was asked questions before, I did not talk about
12 this.

13 Q. Well, then, this is the right time to answer that question,
14 Ma'am.

15 A. Well, you know, when you were tall and people looked at you, they
16 might have said, "Ah, that's a Tutsi that has changed ID cards" or, if
17 you were short, "That's a Hutu that has changed ID card."

18 Q. Excuse me. I'll interrupt you a second. Please, I do apologise.
19 The question is simple: How do you know that those Tutsi dancers that we
20 are specifically referring to were carrying Hutu ID cards?

21 A. When people notice that Hutus had just one, then some people
22 noticed that Tutsis had just changed ID cards. That's what I heard from
23 my parents and from other people.

24 Q. Yes, but that's a general comment. Do you understand? I want to
25 know about those dancers that you're saying were Tutsis with Hutu ID

1 cards. How do you know that? Specifically in relation to those dancers
2 we're talking about.

3 A. Those people were my neighbours.

4 Q. So that is your testimony, that you heard it said that all Tutsi
5 dancers that you're talking about, part of the Interahamwe group, were
6 carrying Hutu ID cards; is that correct?

7 A. Well, it's not many people. Perhaps three people.

8 Q. So we can move on to another topic. So you said it, I think it's
9 clear enough, but I will ask the question because it's important for us
10 to understand what you mean.

11 You said that right up until President Habyarimana's plane crash,
12 the dancers would get training to learn how to dance and sing, and it is
13 only after that that they got weapons. And I think you said that they
14 had weapons starting only 9 April; is that correct? Could you please
15 answer precisely.

16 A. No. What you're saying is not exact. That's not what's written
17 in my statement.

18 Q. All right. So let me read what you said.

19 So, Madam Witness, on 7 July 2011, you stated, and it's on
20 page 23 of the French version, line 16. Let me quote you in French.

21 THE INTERPRETER: Says Mr. Altit.

22 MR. ALTIT: [Interpretation]

23 Q. You said, these are your words:

24 "During that period, they would train as dancers. It's only
25 during the war that they took up machetes. There was no fighting during

1 the training."

2 Do you remember having said that?

3 A. I said that those people took part in the animation sessions and
4 danced, and that in 1994 those persons started picking up weapons and
5 machetes and to train, they would hack or aim at banana tree trunks.

6 Q. All right. But we agree that that is after 6 or 7 April 1994,
7 i.e., the attack against Mr. Habyarimana's airplane?

8 THE INTERPRETER: The answer was not heard by the interpreter.

9 THE WITNESS: [Interpretation] [via videolink] In 1994, that's
10 when those people started the training.

11 THE INTERPRETER: And there was an interruption because the
12 witness was speaking off microphone; therefore, a large portion was
13 missed by the interpreters.

14 MR. ALTIT: [Interpretation] Perhaps I can restate my question and
15 then the witness can answer again.

16 Q. Here's the question. I have understood what you've said. So
17 you're saying that they took up arms and so on. Was that after the
18 attack against the president's airplane, after 6 April 1994, what you're
19 referring to?

20 A. Those people were expecting war, but they picked up their weapons
21 as early as March. They were already training, shooting with their
22 weapons, but without bullets.

23 Q. Thank you. So let me read to you what you were saying in 2011.
24 It's slightly a different version. Page 23 French version. We can start
25 at line 23 in the French version, or, more precisely, line 18. The

1 question from the interviewer is interesting. It says, line 18, page 23
2 of the French version, 7 July 2011 statement. So the interviewer asked
3 the following question:

4 "Must the Chamber understand that training received before
5 6 April that simply consisted in learning how to dance with whistles and
6 drums had nothing to do with the training received by those same people
7 after 6 April?"

8 And your answer was, I quote:

9 "Those Interahamwe only trained for one day and when the war
10 broke out, they picked up machetes, knives, slashers. That military
11 training lasted only one day. We could see them with weapons and they
12 were aiming at banana tree trunks."

13 The interview -- that was the end of the quote.

14 The interviewer then asks you when, he wanted more information:

15 "When did that training actually take place?"

16 And you answered:

17 "That was on the 8th; therefore, 8 April."

18 Those who had machetes, according to your words, you said,
19 started to use them, and it's only as of the 8th that they started
20 shooting in the air and aiming at banana tree trunks.

21 JUDGE BONOMY: Time for a question, Maître Altit.

22 MR. ALTIT: [Interpretation] Yes. I'm about to finish.

23 Q. "So starting on the 9th, 9 April, they started to attack people."

24 That's the end of my quote.

25 So that's what you stated. Today you are saying something else.

1 Let's start with this: When did people start being attacked?
2 Was it before 6 April, after 6 April, was it on the 8th, was it on
3 9 April?

4 Can you please answer that question.

5 A. On the 8th and the 9th.

6 THE INTERPRETER: Correction. Answer: On the 8th and the 9th.

7 MR. ALTIT: [Interpretation]

8 Q. Thank you. That's very clear.

9 Second question: When. When did these Interahamwe take up arms?
10 Was it before the 6th, after the 6th, on the 8th, on 9 April?

11 A. On the 6th, the weapons were already loaded. Before that, there
12 were no bullets, no ammunition in the magazines of those weapons.

13 Q. That's not what you stated in July 2011, Ma'am. So which is the
14 correct version? Is it today's or that of July 2011?

15 A. Well, those statements were to be read together.

16 JUDGE BONOMO: I can't see the proper basis for that question.

17 The question in the interview on 7 July is:

18 "Is it therefore correct to say the training they did before
19 6 April could not have been training for anything which they did
20 subsequently?"

21 And the answer was:

22 "... and when the war broke out they took up machetes."

23 And we now know what she means by the war breaking out. So
24 I don't see the contradiction you're trying to identify.

25 MR. ALTIT: [Interpretation] I understand, Your Honour.

1 JUDGE BONOMY: Now, Maître Altit, if there's more questions on
2 this, please complete them, if you can, and then we will have to conclude
3 until tomorrow. I assume you have more cross-examination.

4 MR. ALTIT: [Interpretation] Well, if all goes well, Your Honour,
5 I think I can be done in ten minutes.

6 JUDGE BONOMY: I think, bearing in mind the possibility of
7 judicial questions and also re-examination, we have to stop now, but
8 I won't prevent you asking what you want to ask to clarify this
9 particular issue. If you're finished on this issue, then we can conclude
10 for the day.

11 MR. ALTIT: [Interpretation] I do have a question on this point.

12 Q. So, Madam Witness, you understand that we are seeking to
13 understand what happened during those days, so it's important for us. So
14 you said in July 2011, page 22 of the French version of your statement,
15 line 24. You said -- I'll quote your words in French:

16 "I didn't see any equipment during that time. It is only during
17 the war that I saw Interahamwe with equipment. But during that time,
18 I could see drums and whistles."

19 So what did you mean by "equipment"? How are we to understand
20 the word "equipment" here?

21 A. I was referring to implements. I was not given an opportunity to
22 explain, but these were firearms and machetes.

23 Q. Thank you.

24 MR. ALTIT: [Interpretation] Your Honour, I've finished on this
25 topic.

1 JUDGE BONOMO: Thank you.

2 Now, Witness, it is not going to be possible to complete your
3 evidence today, and we shall require to continue hearing your evidence
4 tomorrow. That will be at 10.00, and your evidence will be completed
5 tomorrow.

6 Meanwhile, it is vital that between now and then you have no
7 discussion with anyone at all about any of the evidence in this case.

8 Do you understand that?

9 THE WITNESS: [Interpretation] [via videolink] Yes, I understand.

10 JUDGE BONOMO: Thank you very much. I am grateful to you for
11 that indication.

12 The Trial Chamber will now adjourn until 10.00 a.m. tomorrow.

13 --- Whereupon the hearing adjourned at 12.19 p.m.

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