

1 Thursday, 23 February 2023

2 [Open session]

3 [The accused appeared via videolink]

4 [The witness takes the stand via videolink]

5 --- Upon commencing at 9.58 a.m.

6 JUDGE BONOMO: Good morning, everyone.

7 It's with great sadness that the Trial Chamber commence the
8 proceedings today by expressing its heart-felt condolences to the family,
9 colleagues and friends of Ms. Chantal Niyonkuru, a valued Mechanism staff
10 member, and her daughter, Ms. Leila Saadou, who both died in a car
11 accident last week. Ms. Niyonkuru's dedication and exemplary
12 contributions first to the United Nations International Criminal Tribunal
13 for Rwanda and subsequently to this Mechanism have been widely
14 acknowledged.

15 The Trial Chamber would also like to recognise her material
16 contributions to this particular trial. Ms. Niyonkuru, a Witness Support
17 Assistant, facilitated the timely and efficient presentation of witness
18 evidence in this case, and played a critical role in the pursuit of
19 justice.

20 The Trial Chamber also take this opportunity to address one
21 administrative matter. In this regard, the Trial Chamber recalls that a
22 number of documents associated to the evidence of Witness KAB005 were
23 marked for identification, pending their translation and uploading onto
24 e-court. The Registry has now informed the Trial Chamber that
25 translations for 19 of these documents, which are Exhibits P00343, 364,

1 and 477 to 493, have now been completed and uploaded onto e-court.

2 These documents can now be formally admitted, and the relative
3 numbers will be circulated.

4 We now continue the proceedings with the further
5 cross-examination of the witness who is presently before the Court.

6 Witness, we shall pick up where the proceedings finished
7 yesterday, and Maître Altit will continue to ask you questions.

8 Please bear in mind that the solemn declaration that you made to
9 tell the truth continues to apply to your evidence today as it did
10 yesterday.

11 Maître Altit.

12 MR. ALTIT: [Interpretation] Thank you very much, Your Honour.

13 Good morning, Your Honour, Your Honours, ladies and gentlemen.

14 WITNESS: KAB053 [Resumed]

15 [Witness testified through interpreter]

16 [Witness testified via videolink]

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

18 Q. [Interpretation] Witness, can you hear me?

19 A. Yes, I can hear you. Good morning.

20 Q. So yesterday we were talking about the Ruhengeri meeting. I
21 would like you to make one precision. In your statement from 2011, you
22 said that that meeting had taken place in 1993. And then, during the
23 cross-examination, you said that it took place in 1991 or 1992.

24 Could you let us know today when exactly that rally took place.

25 A. Thank you very much. As I was saying, when it comes to the

1 preparation of the genocide, all this took place a long time ago, so it's
2 difficult for me to precisely remember the year of the rally. It's very
3 difficult for me to remember.

4 But what I can say is that that meeting did take place and that
5 it had a huge impact on the massacre against the Tutsis, but I have
6 issues remembering exactly which year it took place in. I know that
7 there was another meeting in Kibilira in 1992 and -- or 1993, but it's
8 difficult for me to remember the exact year.

9 Thank you.

10 Q. So in your statement, page 18, at line 23 of the French version
11 of Wednesday, 29 June 2011, you state, and I quote:

12 "I said that there was a rally that was very important and that
13 it had consequences on the killing of people in 1991. And another
14 meeting was then organised in Ruhengeri. I believe that it also took
15 place in 1991 or 1992."

16 Does that perhaps refresh your memory?

17 A. Thank you very much. When I try to remember the situation in
18 which the Tutsis were finding themselves, it's difficult for me to
19 remember the dates. Since 1959 -- this started in 1959, so it's a very
20 long time ago. And Tutsis were already in a poor situation back then, so
21 it's very difficult for me to recall the exact date. So that's the
22 answer that I have to your questions.

23 And I'd like you to understand that it's difficult for me to
24 remember such details because we were not invited to take part in these
25 meetings. All I can remember is that all these meetings had a very

1 important impact on our lives and we -- we all went through difficult
2 times.

3 Q. Okay. And so you remember the date of the Musave meeting,
4 though. That's something that you can remember, right?

5 A. Thank you. I remember the year but not the exact date. That was
6 in 1994, in February or March 1994. The reason why I can say this is
7 because people started getting killed soon after, after the attack on the
8 plane of the president. Even before the beginning of the genocide, some
9 members of families had already started to flee their homes because of
10 the current situation at the time. People were being sought after.

11 Q. Very well. So we'll move on to a different point then.

12 You said, regarding a question related to the vehicles used to
13 carry Interahamwes going to Musave. There was a question asked by
14 counsel on 29 June 2011, page 34, line 23 of the French version of the
15 cross-examination. And I quote:

16 "I said that there was a vehicle that was coming in our
17 neighbourhood to look for Mugenzi and to take him to Kabuga. And during
18 the Musave meeting, this vehicle were carrying Interahamwes that were not
19 coming from Kimironko; they were coming from Byumba."

20 So first question. You were saying that this -- in this vehicle
21 were Interahamwes that were coming from Byumba. How do you know this?

22 A. Thank you. We knew the Interahamwe that were coming from our
23 neighbourhood, and also these Interahamwes were supported by other
24 Interahamwes coming from other neighbourhoods. They were carrying flags.
25 And the car plates in Rwanda are easy to identify and you know from which

1 locality the car is coming from looking at the car plate. And here, the
2 cars were with the car plate from the Byumba region. And we heard some
3 of the Interahamwes that were singing in Rukiga, a local dialect which
4 meant that they were coming from Rushaki. They have their own language
5 which is different from ours. They were also dancing Ikinimba which was
6 a specific local dance. So they were easy to recognise and identify.

7 Q. Which means that you saw them arrive in the car; is that right?

8 A. Thank you. No, I didn't see them arrive personally. As I said,
9 I was in church praying. And as a member of the Liberal Party, I came to
10 listen to what was being said.

11 Q. So let me interrupt you. We'll get back to that later on.

12 So I just wanted you to answer my question. How did you get to
13 know that this car was carrying people that were coming from Byumba? You
14 said that the car plate was coming from the north of the country, but how
15 do you know that the people inside the car were Interahamwes from Byumba?

16 A. Thank you. Well, I'm telling you that I knew that these were
17 Interahamwes coming from Byumba because they were easily recognisable.
18 Members of the local population confirmed to me that they had received
19 support from forces coming from Byumba, and the car plate was another way
20 to identify this vehicle.

21 Q. So you remember this vehicle well then?

22 A. Yes, I can remember this vehicle as well as other vehicles that
23 would often come in our area. There were several vehicles carrying
24 Interahamwes.

25 Q. Very well. So this car, in particular, what was the colour of

1 the car?

2 A. It was blue.

3 Q. Because you say just a bit further on in your statement, page 34,
4 line 28 of the French version, and I quote:

5 "I am absolutely certain that this vehicle belonged to Kabuga and
6 was carrying Interahamwes."

7 How can you be so sure that it belonged to Kabuga? What made you
8 think that it belonged to Kabuga?

9 A. Thank you. As I said in my statement, the Interahamwe at Dimano
10 Mugenzi [phoen] were often transported by the same vehicles so that when
11 they would arrive at Kabuga's house, they would always be in the same --
12 coming in the same vehicle. And the Interahamwes would always say that
13 they would come and kill us afterwards.

14 Q. So can you answer the question? So you just said that this
15 vehicle was transporting Mugenzi, but in your statement you said that --
16 the car was carrying Interahamwe from Byumba. So how do you know that
17 they were Interahamwe from Byumba?

18 A. Thank you. There is what I told you. When I arrived, the
19 vehicle had already transported them. And when they went back, it was
20 the same vehicle that took them back. Mugenzi didn't need that car
21 because on that day he was already present there in his neighbourhood.

22 Q. So you saw the car transporting them back then, on their way
23 back; is that right?

24 A. I saw them even before that, when the Interahamwes started
25 beating people. I mean, that's not something that we've mentioned yet.

1 But when they started beating people, we fled. So I didn't get to see
2 them for my own eyes when the Interahamwes left the location because when
3 they started beating people, I fled. So there is information that I got
4 from people that told me about this.

5 And when we were at the meeting, Interahamwes were still present,
6 staying around the same vehicle, and they were trying to protect the
7 vehicle and prevent people from throwing rocks at the vehicle.

8 JUDGE BONOMY: Maître Altit, just a moment.

9 Can you tell me the page reference in English? And I think for
10 future purposes you should have both when you're putting specific points
11 like this.

12 MR. ALTIT: [Interpretation] Yes, we will give it to you,
13 Your Honour.

14 JUDGE BONOMY: Witness, I -- speaking for myself, I don't find
15 your answers helpful to the particular questions that Maître Altit is
16 posing.

17 First of all, can you tell me what was the nature -- he's
18 referring to it, certainly in English, as a car. What was the nature of
19 the vehicle? What type of vehicle was it?

20 THE WITNESS: [Interpretation] [Via videolink] It was a pick-up
21 truck.

22 JUDGE BONOMY: And you've told us it was blue. Now, the point
23 he's trying get an answer to is: How is it you know that anyone being
24 transported in that vehicle was a person from Byumba? What is your basis
25 for saying that you know there were people from Byumba in that vehicle?

1 THE WITNESS: [Interpretation] [via videolink] Well, I actually
2 said in my statement that when they were welcomed, it was said where the
3 people came from. So there were a moment when the people coming from
4 Byumba were introduced to others because they came in support of the
5 locals. So it is at that time that I heard that, in particular. And
6 when the Interahamwe were introduced, were presented to the others, I saw
7 them. And I saw them being present when they were applauded.

8 JUDGE BONOMY: That's -- that's very clear. So the next element
9 to -- that's clear. The next element to the question is: How do you
10 know that these people had been travelling in the particular vehicle, the
11 pick-up truck you're referring to?

12 THE WITNESS: [Interpretation] [via videolink] Thank you. This
13 vehicle would come to our neighbourhood on a regular basis, to pick up
14 Mr. Mugenzi and another two or three Interahamwe, Muzambayire and
15 Bugingo. So that particular day, the vehicle did not come to take those
16 people because the vehicle -- these people didn't want to go anywhere.
17 So that same vehicle was used to bring Interahamwe from Byumba in. And
18 before I arrived on location, people who were there confirmed that. And
19 I said that those people spoke in a different language or a dialect from
20 the north called Rukiga.

21 So there were different elements to allow me to -- well, that
22 prove that these people came from Rukiga.

23 And when the Interahamwe arrived, it was the same vehicle that
24 took them back to Byumba. But this is hearsay information.

25 Thank you.

1 JUDGE BONOMY: Maître Altit.

2 MR. ALTIT: [Interpretation] Thank you, Your Honour. The
3 reference in the English document is on page 27, lines 28 of the
4 cross-examination dated Wednesday, June 29, 2011.

5 JUDGE BONOMY: Thank you very much.

6 MR. ALTIT: [Interpretation]

7 Q. Witness, to end on that point, you said that you didn't hear it
8 yourself personally but this was hearsay, and that you saw people from
9 Byumba around the vehicle which made you think that they had come in that
10 vehicle. Have I understood you correctly?

11 A. No. Partially. Because as the Interahamwe arrived on location,
12 they were introduced. So the vehicle, as well as other vehicles, was
13 surrounded by Interahamwe who would guard the vehicles. The meeting
14 or the -- was held in the courtyard, but this is where the vehicles were.

15 In addition to that, I got information from third parties. So
16 when -- as you said, I mean, it's partially true, the situation.

17 Q. Thank you very much. So you talked a moment ago about
18 Interahamwe coming from Byumba. Did you know a few of them personally?

19 A. Thank you. For a Tutsi person, this is a tricky situation. The
20 Interahamwe were trying to hurt the Tutsi, so it is not easy to know them
21 personally. The fact that they came from Byumba but singing in their
22 local dialect, in Rukiga, and when they said they were going to kill us,
23 that allowed me to identify them as people from Byumba. But I did not
24 know them personally or individually.

25 To that I will add the fact that in our neighbourhood at the

1 time, in our locality, there were displaced persons who came from a
2 region where the FPR would wage war. So these were displaced persons
3 from Nyacyonga, and they had attended the same rally. They spoke and
4 they said that they had to come and kill the Tutsi in this locality
5 because the FPR are chased them away or out of their homes. The
6 situation and the tension between Hutu and Tutsi was visible at the time.

7 Q. So you said that there were displaced persons who had come from
8 the north of the country; is that correct?

9 A. No. No, they were not based in Musave. It was, rather, in
10 Karama, Nyabikenke and Zurgwe [phoen]. Nevertheless, some of these
11 displaced persons had been taken in by local members of the population,
12 one or two or three people. On that day, they came to join the others in
13 that rally.

14 Q. You said so housed or taken in by people from the population in
15 Musave; is that right?

16 A. Yes, a few of them.

17 Q. And these people, were these people Interahamwe? Were these
18 displaced persons whom you mentioned, were they Interahamwe?

19 A. Thank you. I remember a woman who wasn't an Interahamwe, but
20 when the genocide started, she took part in the massacres. Likewise, for
21 other Hutu, some of them were Interahamwe; others were not. So,
22 likewise, for these displaced persons who were ordinary people and some
23 of them who took part in the massacres and acted as the Interahamwe did.
24 You need to know that the Interahamwe was a group which had been trained,
25 but the whole population was not Interahamwe.

1 Q. And so that we understand correctly, what you said earlier on is
2 that these displaced persons originally from the north of the country,
3 they were against the FPR because they had been chased out of their
4 homes. Is that what you said?

5 A. No, it's not what I said. I said this is what they said. They
6 said that they had fled the areas where there were skirmishes between the
7 military, the government, and the RPF. But you understand yourself that
8 they were against the RPF and they -- they were not happy with the RPF.
9 It's only normal.

10 Q. And these people, then, you said, took part in the genocide,
11 whether they were Interahamwe or not; is that correct?

12 A. Yes, thank you, that is correct. At least if I base myself on
13 the -- what occurred where I was located. They assisted the Interahamwe
14 and killed us.

15 Q. Okay. Now, in what you said when I quoted you earlier on, you
16 specified that in the vehicle you said belonged to Félicien Kabuga,
17 Interahamwe from Byumba had been brought in. And you specify, and I
18 quote you: "They brought in Interahamwe who were not from Kimironko,
19 they came from Byumba."

20 Now, first of all, were these people at the meeting, at the
21 political rally?

22 A. Thank you. The Interahamwe from Kimironko were present, and I
23 said -- I told you that everyone -- every time new groups were presented
24 to the others, the origin was indicated. They were applauded, et cetera.
25 So, I mean, the Interahamwe were present.

1 Q. Okay. But do you know how they came to the meeting, to the
2 political rally? That is my question.

3 A. Thank you. I said that there were several vehicles which
4 transported the different groups. The local Interahamwe did not need
5 vehicles. Some of them had come from Gikoro, some from Gikomero, to
6 converge at the meeting point. There were very many of them who had come
7 from different communes.

8 Q. Yes, we understood that already. My question is very simple.
9 The Interahamwe, you said they attended the meeting and they had come
10 from Kimironko. Do you know how they had arrived to your locality?

11 A. Thank you. Whether they walked to the meeting or were brought by
12 a vehicle, I do not know. But the fact is that they were present and
13 that they were introduced to others at the meeting. But -- I mean, I
14 think they probably came in a vehicle that was present there because
15 there was several of them.

16 Q. Very well. Now, to come back to those displaced persons, you
17 mentioned a certain number of locations where displaced people had come
18 from. Are these locations, are they refugee camps? The names you
19 mentioned earlier on, were these refugee camps where displaced people
20 from the north of the country had come from?

21 A. Yes, that's correct. You're right. The place names are names of
22 the locations where these people were based in houses --

23 THE INTERPRETER: And the interpreter is not sure of the name.
24 It's blende [phoen].

25 THE WITNESS: [Interpretation] [Via videolink] In the makeshift

1 houses called blende.

2 MR. ALTIT: [Interpretation]

3 Q. And can you tell me whether there were many or very many of them,
4 if they spent time in your municipality? Can you tell us more about
5 these displaced persons?

6 A. Thank you. No, there were many of them. And they tried to work
7 or work the land to get by and they also begged for money.

8 Concerning my family, we had adopted two children and we did
9 manage to get them into school. So we tried to help them as far as we
10 could.

11 Q. And their parents had been killed?

12 A. No, they were there.

13 Q. Thank you. To your knowledge, had there been killings in the
14 north of the country and was that the reason that the displaced persons
15 had fled?

16 A. Thank you. I don't know. I didn't hear about killings. There
17 was fighting. So when you talk about massacres or killings, that's a
18 different thing. They had fled the fight, not the killings.

19 Q. All right. So earlier you were saying that the car, the vehicle
20 you mentioned, the blue car, was coming to fetch Mugenzi. Can you say
21 how many times a week, if it was several times a week, or several times a
22 month, how many times a month that car would come to fetch him?

23 A. Thank you. Now, my work wasn't about observing how many times it
24 would come. But I did see him and see him aboard the vehicle or being
25 brought back to his house.

1 As for the number of days or on what days, I can't answer that.

2 Q. How many times did you see him go out of his compound aboard the
3 vehicle or come back to his home aboard the vehicle?

4 A. Several times.

5 Q. All right. How long before the genocide? Was it a long time
6 before the genocide? What kind of length of time? Can you tell us?

7 A. It was in 1994, a short time before the genocide. That's when I
8 regularly saw the vehicle. There were other political parties that
9 organised political rallies, including the CDR with the Impuzamugambi,
10 the group. But I know that the vehicle that transported Mugenzi would
11 come into our neighbourhood on a regular basis. When Mugenzi and his
12 colleagues were aboard the vehicle, they were wearing the Interahamwe's
13 uniform and they had their equipment, and you could distinguish the
14 Impuzamugambi and the Interahamwe groups because their clothing was
15 different.

16 Q. Could you tell us quickly, briefly, how those two groups were
17 different? What were the differences in the uniforms?

18 A. Thank you. Concerning the Interahamwe, they had -- were wearing
19 kitenge fabric uniforms. The kitenge fabric was blue. Whereas the
20 Interahamwe --

21 THE INTERPRETER: Says the speaker.

22 THE WITNESS: [Interpretation] [via videolink] -- they wore a red
23 and black cap, I think there was some yellow as well, and T-shirts of the
24 same colours. They even had sticks with logos or insignia in the same
25 colours. The vehicles also had the flags of the different parties.

1 MR. ALTIT: [Interpretation]

2 Q. And were those two groups different in the way they acted or in
3 their way of being militants? Can you tell us if there were any
4 differences?

5 A. Thank you. Now, the differences between the CDR and the MRND.
6 About those differences, I think what can be said is that the MRND is the
7 big party and the CDR was an offshoot of the MRND. They would work
8 together. They had the same plan. They were working towards the same
9 goal. The party was created to strengthen the MRND in order to maintain
10 the momentum.

11 Q. Thank you. So, speaking of Etienne Mugenzi, you say that he was
12 the toughest. Was the chief of the MRND in your locality?

13 A. Thank you. Now, concerning Mugenzi, when he was drunk he would
14 give details about the Interahamwe. He helped a number of young people
15 in our locality to join Interahamwe. I'm not sure he was the head of the
16 Interahamwe.

17 THE INTERPRETER: Interpreter correction: Interahamwe.

18 THE WITNESS: [Interpretation] [via videolink] But I can't confirm
19 that he was the head of the Interahamwe.

20 MR. ALTIT: [Interpretation].

21 Q. And where is he today, Etienne Mugenzi?

22 A. I do not know. I haven't seen him since he left.

23 Q. You said that he would recruit young people to join the
24 Interahamwe. Do you know when he started? When -- at what period did he
25 begin recruiting these young people?

1 A. Thank you. Since the RPF attacked in 1990, the RPF attacked in
2 1990, there were people that had been put in prison for complicity with
3 the RPF. That's when we saw a lot of tension. You would meet a
4 neighbour or people on the street, and you would feel that they would
5 look at you sideways. And that's when your school chums would start
6 looking at you with a bad look, and that's when they started saying we
7 were accomplices of the inkotanyi.

8 Q. Thank you. You also say that these young people, these young
9 men, as well as Etienne Mugenzi, were paid and that they had become rich.

10 JUDGE BONOMY: Before you move on to that, you asked -- it's just
11 off the page now, but you asked questions about what distinguished one
12 Interahamwe group from the other. Do you think you got an answer to
13 that?

14 MR. ALTIT: [Interpretation] I got the answer that I believed I
15 could receive.

16 JUDGE BONOMY: Which was?

17 MR. ALTIT: [Interpretation] There were two answers. One was
18 about the distinguishing features that could help tell the two groups
19 apart and also differences in the line that they would follow, although
20 those were not the witness's words. But the witness said that, in a way,
21 they had the same goal. They pursued the same goal and they had the same
22 idealogy.

23 JUDGE BONOMY: Yes. But when it came to what the colours were
24 that they were wearing, there was no answer distinguishing between the
25 two, although the witness said they were different. Unless I've missed

1 something.

2 MR. ALTIT: [Interpretation] Well, Your Honour, I heard that she
3 had given the difference, but maybe we can ask the witness the same
4 question, but explained that the Interahamwe wore one kind of fabric and
5 the other group wore caps, yellow and blue, if I recall.

6 But we can ask the question again.

7 THE WITNESS: [Interpretation] [Via videolink] Thank you,
8 Your Honour.

9 Concerning the uniforms of the Interahamwe, it was a fabric, the
10 kitenge fabric, yellow, green. There were also caps in the same fabric.

11 As for the Impuzamugambi of the CDR, their uniform was black,
12 red, the same thing for their caps and their T-shirts. They also wielded
13 sticks that had the same colours.

14 JUDGE BONOMO: That's fine for my purposes.

15 There is nothing in the English transcript about black caps and
16 distinguishing elements like that, so that's very helpful.

17 Please continue.

18 MR. ALTIT: [Interpretation]

19 Q. And so, Madam Witness, you are saying that the Interahamwe that
20 had been recruited by Etienne and that Etienne himself as well were paid
21 and they had become rich. So I'm not going to go back on that. You
22 explained that clearly in your statement. But I would like to know, what
23 were they paid to do?

24 A. Thank you. They were paid -- well, they were paid to motivate
25 them, to encourage them, in order for them to disseminate the MRND

1 ideology and that, when the time came, they would want to go to the
2 front. Some of them went to the front line when the RPF attacked. They
3 were also paid so that they could secure the neighbourhood and protect
4 the neighbourhood against attacks. They couldn't necessarily do other
5 things to make a living. You know that, before, everything was
6 convivial, and so means had to be found to motivate them to exterminate
7 us.

8 Q. So, Madam Witness, let's clarify a few things. You talked about
9 killing Tutsis. But in your statement, you said that no Tutsis were
10 killed before the beginning of the genocide. That is what you state
11 about your region, your locality. So let's put that aside for now.

12 You just said that they were paid to disseminate the ideology.
13 So my question is: How would they disseminate that? Then we'll pick up
14 on another few things that you said.

15 Let's start with that first question. How would they disseminate
16 the ideology? Would they distribute leaflets? Would they talk to
17 people? What was the method?

18 A. Thank you very much. Well, in order to raise awareness, you need
19 to find different ways of doing so. They would try to approach people.
20 I believe that that is something I've explained before. You would see
21 that happening at work, at school, at church. At some point, you would
22 realise that someone who you've lived with for all your life suddenly
23 would change opinion on something, and they would use new terminology
24 that would come from the Kirundi language. And some people would say,
25 "Oh, someone told me about this and such," or, "We're going to kill you

1 at some point." So this is what you would see happen in our locality.

2 Q. Very well. You then said that the idea was for them to get
3 trained so that they would then go fight at the front. Well, I'm
4 assuming that they would fight against the RPF; is that right?

5 A. Yes, that's right. It was the front against the RPF.

6 Q. Where was the front -- where were the RPF troops in February and
7 March 1994?

8 A. Thank you. We didn't have any RPF troops in our neighbourhood,
9 but we would hear people say that some RPF members were based in the CND
10 building, so these were the RPF members that were the closest to my
11 locality.

12 Q. Okay. So right before the genocide, were there some conflicts
13 between members of the RPF and Rwandan soldiers or Interahamwes?
14 Either/or.

15 A. I do not know.

16 JUDGE BONOMY: Maître Altit, can you find a suitable point at
17 which to interrupt your cross-examination?

18 MR. ALTIT: [Interpretation] Yes, of course, Your Honour. So I
19 think that we can actually take a break right now.

20 JUDGE BONOMY: Now, can you give me an idea of how much longer
21 you will be?

22 MR. ALTIT: [Interpretation] Your Honour, it's going to be a bit
23 longer than I first imagined. I don't think I will be finished by the
24 end of today's session.

25 JUDGE BONOMY: Well, that's certainly disappointing. I hope you

1 will have a look at what you have prepared and see whether you can, in
2 fact, get to the end of this particular witness in the course of today,
3 if you can. Obviously, if not, then so be it. But that would be
4 helpful.

5 We'll adjourn now and resume at 11.00.

6 --- Recess taken at 10.49 a.m.

7 --- On resuming at 11.05 a.m.

8 JUDGE BONOMY: Maître Altit.

9 MR. ALTIT: [Interpretation] Thank you very much, Your Honour.

10 Q. Witness, can you hear me?

11 A. Yes, I can hear you well.

12 Q. In your statement, you talked about military camps. Could you
13 tell us which military camps were around your vicinity; and if, to your
14 knowledge, Interahamwes were training in these military camps?

15 A. Thank you. I don't believe that I talked about military camps
16 this morning, so maybe you'd like to refresh my memory.

17 JUDGE BONOMY: Witness, Maître Altit was simply saying in your
18 statement, your written statement, which is foundation of your evidence,
19 you did mention them. And it's with reference to the statement you gave
20 the Prosecution that he's now asking questions.

21 Maître Altit.

22 MR. ALTIT: [Interpretation] Thank you very much, Your Honour.

23 Q. Witness, this was on 29 June 2011, indeed, and you talked about
24 the Kanombe military camp, the Kigali camp and Kontemi [phoen] camp as
25 well.

1 So my question is rather simple. Do you know whether
2 Interahamwes were training in the camps that were in your vicinity?

3 A. Thank you very much. I wanted you to refresh my memory because I
4 don't remember talking about military camps this morning. But there were
5 military camps in the vicinity. There was a detachment in Karama as
6 well, and there were also French soldiers present. And some of the young
7 people that I've talked about would go train in the military camps, and
8 then we saw some of them wearing a military uniform and they were
9 considered as soldiers.

10 Q. So just to clarify things, you said "people that I talked about."
11 Are you talking about the Interahamwe that were in military camps? And
12 which military camps are you talking about precisely?

13 A. Thank you. Some went to train in Kanombe. I remember that there
14 was a soldier that was our neighbour called Alfred. He would tell us
15 that young people that he could identify by name -- told us that they
16 would go train in the military camp where he was going to.

17 Q. Very well. In 2011 you said --

18 JUDGE BONOMO: Hold on. This must be something to do with
19 interpretation. The question you asked was not answered, and your
20 question was whether Interahamwe went to military camps for training.
21 Now, what -- did you get an answer to that?

22 MR. ALTIT: [Interpretation] I got the answer that I expected,
23 Your Honour.

24 JUDGE BONOMO: That answer was to refer to young people, and the
25 only particular one referred to was in the army.

1 MR. ALTIT: [Interpretation] Your Honour, as you know, the
2 distinction between who was Interahamwe or who wasn't varies, depending
3 on many factors. And what I wanted to know whether these young people,
4 whether they were Interahamwes or not, were going to these military camps
5 for training and to see whether they had fought against the RPF later on.

6 JUDGE BONOMO: Well, the English version of your question was not
7 whether they were Interahamwe or not. It was whether they were
8 Interahamwe. But if you're satisfied, we can move on.

9 Just continue with your next question.

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

11 Q. So in 2011, Witness, you said that you had -- went by Kabuga's
12 house and -- that you had gone by Kabuga's house and that you had heard
13 people singing. Do you remember saying this, that there were people
14 singing at Kabuga's house?

15 A. Yes, I remember.

16 Q. Very well. How often did you walk by Kabuga's house and how
17 often did you hear people singing there? If you remember.

18 A. Thank you. We would often go to the market in Remera and to go
19 to the market we would have to go by Kabuga's house. And every time we
20 would go there, we would hear people singing, because training sessions
21 would often take place there. And the songs that were sung were MRND
22 songs. The idea was to disseminate the MRND songs and the idea was to
23 disseminate the MRND ideology, to preach hatred against the Tutsis and to
24 disseminate the idea of extermination.

25 Q. So you told us that you would hear Interahamwes singing at

1 Kabuga's house. Is that what you're saying?

2 A. Absolutely. And I would hear them when I would go to the Remera
3 market.

4 Q. Very well. So I'd like to quote you in your statement. This is
5 a quote from your statement from Wednesday, 29 June 2011, page 13 of the
6 French version, line 18. You were asked, and I quote:

7 "Did you know in 1994 where Kabuga lived?"

8 And you said:

9 "I know that the place where Interahamwes were receiving military
10 training at Kabuga's house was in Kimironko, but to my knowledge, I
11 didn't know where Kabuga's house was. I simply know that he was Rwandan
12 and that he was living in Rwanda."

13 So you can see how problematic this is. Because, on the one
14 hand, you tell us you didn't know where Kabuga's house was and yet here
15 you're telling us how you would often walk by Kabuga's house. So how can
16 you explain this discrepancy between the two?

17 A. Thank you. I don't believe there's a contradiction here, and I'm
18 not contradicting what I said in 2011. One can have a house, but it
19 doesn't mean that that person wouldn't have a second house where
20 activities would take place. Kabuga had several houses in Rwanda. He
21 had other houses in other places than Kimironko.

22 Q. I do not understand your answer, Witness. I apologise. But, on
23 the one hand, you say -- excuse me, I would like to state my question
24 again.

25 On the first hand, you said that you knew where Kabuga lived,

1 i.e., in Kimironko, because you said you walked by his residence; and on
2 the other hand, you said that you did not know where he lived in
3 Kimironko.

4 So I'm going to state exactly what you said very briefly.

5 So references in the English version, page 10, page 10, line 6,
6 you said very clearly:

7 "As far as I'm concerned, I don't know where Kabuga's house was."

8 And you say: "It was his home in Kimironko." That's what you
9 said on the previous line in your statement. Right?

10 You said that you did not know where they were -- where they
11 received their military training in Kabuga's house, but it was his home
12 in Kimironko but you didn't know where it was. So you understand we're
13 talking about the same thing, we're talking about Kimironko here.

14 So which one is the right explanation, did you know where he
15 lived at the time or did you not?

16 A. Thank you. I'm going to explain, and even if I had done so at
17 the time, I will say it again. One person can have several residences
18 and can be staying in one of them only at the time. So the most
19 important thing is that all these houses belonged to the person, and the
20 person chooses which house he or she is going to stay in.

21 He had a house in Kimironko where he could live and that did not
22 depend on the fact that -- whether he was there or he resided there at
23 the time or elsewhere. So when we talked about Kabuga's house, it was
24 his residence.

25 Q. So a bit further down, you say that Kabuga's people would use for

1 their training sticks or pieces of wood. And here I'm going to quote you
2 just so that it's absolutely clear. It's on page 29 of the French
3 version of Wednesday, June 29, 2011.

4 "The wooden sticks the staff of Kabuga used during their training
5 are different from those the people used in their dances."

6 So, Madam Witness, how did you know that the Interahamwe would
7 use these wooden sticks?

8 It's on page 23 and line 7 in the English version.

9 THE INTERPRETER: 17, correction from the interpreter. 17.

10 THE WITNESS: [via videolink] Would you kindly repeat the
11 question.

12 MR. ALTIT: [Interpretation]

13 Q. Of course. You said that, in 2011, you knew that the Interahamwe
14 during their training would use wooden sticks. I'm asking you how you
15 knew that.

16 A. Thank you. I explained that during the dances the people would
17 use small sticks. These are small sticks that are used during the dances
18 performed by the Intore. And I also mentioned different small sticks
19 that were in the colours of the different parties, the -- of the MRND, in
20 particular. And when -- during the training sessions, they would carry
21 these sticks and they could be seen. And these are wooden sticks, those
22 that I mentioned, and these would replace the guns. That's why I said
23 that the wooden sticks that were used in training were different from the
24 smaller sticks that they -- or the wooden sticks that were used during
25 dances were different from those during the training sessions for the

1 Interahamwe, and those had the colours of the MRND.

2 Q. So you could see the Interahamwe carrying those sticks when --

3 A. Yes, thank you. When you would cross them during their training
4 sessions they would walk out of the compound to go shopping, to go
5 shopping outside of the compound. And they would have their training
6 sessions in the morning or at any other time --

7 THE INTERPRETER: Sorry. Correction by the interpreter: And at
8 other times they would go out and roam around the neighbourhood.

9 MR. ALTIT: [Interpretation]

10 Q. In the neighbourhood in Musave; is that right?

11 A. No. It was in Kimironko, in the neighbourhood in Kimironko, when
12 they would walk out of the compound. Because they couldn't run inside.
13 But even if they had wanted to so, they could have, but they would go
14 outside. I mean, nobody could prevent them from doing their exercises
15 wherever they wanted to.

16 Q. So what you're talking about are the Interahamwe from Musave
17 doing their exercises in Kimironko? Is that what you are saying?

18 A. Yes. The Interahamwe from Musave, Muzambayire, Bugingo, you
19 could cross them and see them among the group of Interahamwe during their
20 training sessions, and we would run into them when we would go to the
21 market. But at a given point in time, the Interahamwe from Musave would
22 do their exercises with Interahamwe from Ndera.

23 Q. What are you saying is that they would not go to Kimironko
24 anymore; is that correct?

25 A. No, no. They would just go there.

1 Q. Well, so you would go to the market. Would you go often?

2 A. Yes, we would go and do our shopping at the market.

3 Q. How often was that? Once a week? Once a month?

4 A. Every time it was necessary. I was the youngest one in my family
5 and I was the one who was sent to the market, if my parents were not able
6 to go to the market. So sometimes I would go there to go shopping, to
7 run errands and, in other occasions, to sell goods.

8 Q. Could you try and remember how often you went to the market? Was
9 it once a week? Was it once every fortnight? Just tell us, give us a
10 rough estimate of how often you would go so that we can understand. It
11 doesn't need to be absolutely exact.

12 A. Once every fortnight.

13 Q. Okay. So once every two weeks. And how far is the market from
14 your home, roughly, in kilometres?

15 A. It's more than 10 kilometres away.

16 Q. Okay. So moving on to the rally in Musave. Do you know when it
17 ended exactly? At what time it ended.

18 A. I don't know at what time the meeting ended because I left when
19 we started to get beaten. But it was in the afternoon.

20 Q. So you were beaten?

21 A. Yes. Somebody hit me with their elbow, so I fell down, and I
22 just stood up and ran away.

23 Q. Okay. So you said that at that meeting the whole population had
24 been invited and all the parties had been invited. I would like to try
25 and understand how brutalities would have occurred in a meeting where all

1 sorts of people were, people who were affiliated to all parties and of
2 all origins. Could you tell me how that was possible when there were
3 people from many different origins or affiliations and that these people
4 should have reacted, if brutalities were perpetrated?

5 A. Thank you. It was no longer possible for Tutsi to defend
6 oneself. And even the parties in the opposition which were opposed to
7 the MRND and to the CDR, they couldn't defend themselves. They were
8 discouraged in view of what was happening. So we couldn't confront
9 anybody who was armed, had been trained, and managed to convince you that
10 you should be killed and called you Inyenzi, or snake, called you
11 cockroach or snake.

12 So we weren't able to defend ourselves because we were already
13 beaten down psychologically. So we were weren't able to defend
14 ourselves. We could only -- we had nowhere to flee because lists of the
15 people who were to be killed had been drawn up. So it was no longer
16 possible to defend ourselves.

17 Q. I would like to specify my question. My question only bears on
18 the meeting itself. You said you were attacked during that meeting, so
19 I'd like to ask you another question. Were Hutus attacked during the
20 same meeting?

21 A. Thank you. During that meeting, Hutus could not have been
22 attacked. Why would they have been when they were supported? The Tutsis
23 were targeted. They had already been identified, and this was something
24 everybody knew. All the Tutsis were already identified. So no Hutu
25 could have been attacked during the meeting, because they were there just

1 to see or get information how the Tutsi would have been killed.

2 So, on that occasion, it was only Tutsis who had been attacked.

3 Q. All right. And did you see any attacks, aside from the one that
4 you sustained?

5 A. Thank you. Yes, I did see a number, and other attacks were -- I
6 heard about other attacks at another time. There was a centre not too
7 far from the meeting, the political rally took place, and we saw -- you
8 could see some people being beaten, other attackers going into homes
9 where there was pillaging. In the banana grove where we were, we could
10 hear people screaming, people screaming in the hills. The situation was
11 very scary.

12 Q. The question is about the political meeting, because you said you
13 were hit with someone's elbow at this political rally, so the question is
14 about that event. There, did you see anyone get molested or attacked
15 during the political rally when you were there with other persons, when
16 some personalities there? Did you see anyone get attacked?

17 A. Yes.

18 THE INTERPRETER: The question was not heard by the interpreter.

19 MR. ALTIT: [Interpretation]

20 Q. The question was about what kind of attack.

21 A. Some people were beaten. But there were also a number of Tutsi
22 shopkeepers who had shops nearby. Those shops were looted. Others were
23 hunted into the hills. But at that time, killings had not started.
24 People were only getting beaten.

25 Q. All right. So during the rally, you talked about a number of

1 prominent persons who were there, for example, the bourgmestres, the
2 responsable de cellule. So were some of these Tutsi, these bourgmestres
3 or head of cellule?

4 A. Thank you. The person responsible for our group was Jean
5 Damascene Musoni and he was a Hutu. There was also with us a counsellor
6 or advisor, Mr. Kabanda, he was a Tutsi, and he was there at the meeting.

7 Q. All right. But you mentioned a number of bourgmestres who were
8 there at the rally, so they were from other municipalities, or there were
9 other chefs de cellules. Do you know if some of them were Tutsi?

10 A. Thank you. Some of them were Tutsi. For example, Kabanda.

11 Q. All right. So my question is, if there was a risk for Tutsis in
12 being present at that rally, why were so many Tutsis there, including
13 yourself? Why did all these people who, according to you, run a risk,
14 why were they present?

15 A. Thank you. So speaking for myself, when I left for that rally, I
16 knew that I might get attacked because, already at that time, the
17 rhetoric was pretty tense. But I preferred to go and see for myself in
18 the field rather than listening to what was being said, in particular, by
19 Mugenzi. With first-hand information, we could then decide what we
20 should do, for example, flee. Because this had been happening since
21 1959. So we wanted to get a first-hand view or listen directly to what
22 was being said so that we could make our own decisions about what to do.

23 Q. So at one point you say that some people were beaten during
24 Kabuga's speech and you also say that people got beaten after Kabuga's
25 speech.

1 So I understand what you are saying now, but why, then, would
2 some people have stayed on after beatings of people in the crowd had
3 begun? Do you understand what I mean? If the attacks or beatings
4 started before Kabuga's speech, in that case, why didn't all the people
5 who felt they were in danger flee? Why did they stay for a long time,
6 during the speech and even some time afterwards?

7 What can you say about that?

8 A. I understood your question. It was not possible to leave. There
9 were some security agents there. So we were, in a way, encircled. And
10 so no one could really leave the rally before it ended. And they were
11 new people coming in, but no one was allowed out.

12 Q. So what you're saying is that you stayed through to the end of
13 the rally; is that right?

14 A. I stayed until such time as people started getting beaten up. I
15 left after being hit by an elbow. But the meeting was coming to an end.

16 Q. Very well. So just to clarify, you said, I think, that up until
17 that rally, no one had been attacked in your locality. And then you said
18 the rally was at the end of February, beginning of March. Is it then
19 fair to say that up until that time - end of February, early March - no
20 one had been attacked in your locality? Is that your statement today?

21 A. Thank you. Attacks against the Tutsi lasted a long time, but the
22 most dangerous attack started when -- with the RPF attack. Before that,
23 there were individual attacks that not everyone was aware of, but at the
24 time of the political rally in our locality, the attacks were being
25 committed openly.

1 Q. Right. So time is running short so I would like to move on to
2 another point.

3 You said that at the rally there were so-called animation groups.
4 One of them was Simon Bikindi's group.

5 So first question. Did the groups of Interahamwe perform? Did
6 they sing and dance during those rallies?

7 A. Yes.

8 Q. Do you remember, for example, if the Kimironko group of
9 Interahamwe danced and sang during the meeting, the rally?

10 A. Thank you. All of the Interahamwe who were present performed
11 dances, and they were all dressed in the same way and they were all
12 mixed. And so it was difficult to tell the difference between the
13 Interahamwe from this or that location. Everyone danced except the
14 Tutsi. It turned into a kind of a fête, a party, to which the Tutsis did
15 not participate. In addition, we were encircled -- they were encircled
16 and they could not leave.

17 Q. Right. So you mention a number of songs by the Irindiro group,
18 that's Simon Bikindi's group, and you said, for example, that there was
19 one where -- that said that the Hutu needed to know their enemy. What
20 was the name of that song?

21 A. I don't know the title of that specific song. But I know that
22 there was a song that was called Sebahinzi. And I know the melodies, I
23 know the tunes, but I don't know the titles. They were broadcast over
24 the RTLM's radio station and we could hear them.

25 Q. And when you say in your statement that those songs were against

1 the Tutsi, is that your interpretation or is that a literal meaning of
2 the words?

3 If you don't understand my question, please tell me.

4 A. The lyrics, the words were very clear. For example, it said:
5 The party is the CDR. The enemy of the country is the Tutsi. And then
6 they would say: Let's exterminate the Tutsi, let's send them back to
7 Abyssinia. Those were all words in the songs that we could hear, and it
8 was said in public.

9 Q. So if I understand your statement, it was about targeting the
10 Tutsi but also the Hutu that were not aligned with the Hutu Power
11 position; is that correct?

12 A. Yes, that's correct. That being said, the Hutu that were members
13 of Hutu Power were not numerous. I've give you some examples. There
14 were Hutu in my locality that fled with us because they too were wanted.

15 Q. All right. I have a question. You said in your deposition that
16 a large majority of the population was present at the rally. You also
17 said that a large part of the population was made up of Tutsis. You then
18 said that there were people from all parties attending the rally.

19 How can you explain that some singers or orators during the rally
20 directly target a large part of the audience in attendance? Does that
21 seem logical to you? Is that normal?

22 A. Thank you. There's a correction I'd like you to make. I didn't
23 say that the large majority of participants was made up of Tutsis. I
24 said that there were many Tutsis present. And at that time, the Tutsis
25 were called by names of insects, cockroaches, snakes, and so it gave

1 people to understand that the country belonged to the Hutus and not the
2 Tutsis. So it was easy for them to attack the Tutsis. Even children
3 were given to understand that the Tutsis were the enemy. It was a way of
4 reaching out to students, to people going to get water at the well or the
5 fountain. In that way, everyone could understand that the enemy was the
6 Tutsi. That is how this rhetoric was distilled to the public. The Tutsi
7 was supposed to understand that he or she was meant to be killed and, in
8 fact, that's what the Tutsis heard openly. Tutsis were no longer
9 considered as Rwandan.

10 THE INTERPRETER: Your Honour, could you perhaps ask the witness
11 to speak more slowly in order to help the interpreters. She's speaking
12 very fast. Thank you.

13 JUDGE BONOMY: Well, Maître Altit, where are we?

14 MR. ALTIT: [Interpretation] We're about to come to the end of my
15 cross-examination, Your Honour. Very close.

16 JUDGE BONOMY: Well, really up against our deadline.

17 [Trial Chamber confers]

18 JUDGE BONOMY: So I think we will have to adjourn, I'm afraid.

19 You --

20 MR. ALTIT: [Interpretation] If you allow me, I would like to ask
21 one more question and then I think we can end the cross-examination
22 there.

23 JUDGE BONOMY: Very well.

24 MR. ALTIT: [Interpretation]

25 Q. Witness, you said that right from the beginning of the genocide

1 we will see you again at 10.00 on Tuesday.

2 The Court is adjourned until then.

3 --- Whereupon the hearing adjourned at 11.50 a.m.

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