

1 Thursday, 13 October 2022

2 [Open session]

3 [The accused not present]

4 --- Upon commencing at 10.05 a.m.

5 JUDGE BONOMY: Good morning, everyone.

6 Mr. Kabuga has again today elected not to attend, so we will  
7 proceed in his absence.

8 And the first thing to be done this morning is for the summary of  
9 the last witness's evidence contained in the statement to be read.

10 Ms. Harbour.

11 MS. HARBOUR: Thank you, Your Honour.

12 This is the public summary in relation to KAB038.

13 In 1994, KAB038 lived with her family in the Muhima area of  
14 Kigali. KAB038 gives evidence that after the advent of multipartism,  
15 MRND and CDR held meetings on the 2nd floor of Kabuga's building in  
16 Muhima. She heard from Interahamwe who attended the meetings that this  
17 was with Kabuga's authorisation.

18 When they gathered for meetings, Interahamwe used slingshots to  
19 throw stones at Tutsi nearby, drink alcohol, and danced and sang. After  
20 the meetings, the Interahamwe were aggressive and would target Tutsi  
21 families and shops in the vicinity with violence, even before the  
22 genocide.

23 KAB038 saw Felicien Kabuga on two occasions in 1993 in the  
24 courtyard of his Muhima building surrounded by Interahamwe. KAB038 gives  
25 evidence that when the genocide began, on 7 April 1994, large numbers of

1 Interahamwe gathered at Kabuga's Muhima building. After brutally killing  
2 KAB038's cousin, Interahamwe captured KAB038, her sister, and another  
3 pregnant female relative, and held them captive in several locations from  
4 around April until May 1994.

5 The Interahamwe repeatedly raped and sexually assaulted them.  
6 Her cousin was also raped and killed, and another cousin's wife was  
7 raped. The rapists were Interahamwe who were amongst those using  
8 Kabuga's Muhima building, including Interahamwe who had come from Byumba  
9 to help Kabuga construct the building.

10 In addition to the sexual violence, KAB038 witnessed Tutsi  
11 friends and family members being attacked and killed. During the  
12 genocide, many of KAB038's family members were killed, including her  
13 mother, four siblings, and cousins, between the 7th and 22nd April 1994.

14 KAB038 testifies about the post-genocide consequences of the  
15 sexual violence for herself and for other women, including living with or  
16 dying from HIV.

17 KAB038 listened to RTLM broadcasts before and during the genocide  
18 up until May 1994. She heard broadcasts targeting and disparaging Tutsi  
19 women, calling them ibizungerezi. Journalist Valérie Bemeriki was  
20 particularly known for her broadcasts targeting Tutsi women. KAB038 also  
21 heard broadcasts during the genocide that spoke of the killing of the  
22 Kahabayi family, of Shamukiga who was killed with his two sons, François  
23 Karekezi, whose wife was raped and the whole family was killed, and of  
24 Muganga's wife, Félicité, who was raped and killed.

25 This concludes the public summary, Your Honours. And as a matter

1 of housekeeping, I would like to now tender into evidence two photos that  
2 were used with KAB038 to ensure that there's clarity on the record. P381  
3 was used during direct examination at transcript page 54, and  
4 Rule 70 00596, page 1, which is Rule 70 00596.1, was used during  
5 cross-examination at transcript page 69 and referenced again during  
6 redirect examination at transcript pages 87 to 88.

7 So I'd like to tender those two photos into evidence.

8 JUDGE BONOMOY: They came in unexpectedly? I can't recall exactly  
9 the circumstances of this.

10 MS. HARBOUR: The one used during direct examination, I should  
11 have tendered at the time. It was not unexpected. And the one used  
12 during cross-examination was unexpected but perfectly appropriate to use  
13 with the witness.

14 JUDGE BONOMOY: Very well.

15 Maître Altit, is there any issue over that?

16 MR. ALTIT: [Interpretation] No problem, Your Honour.

17 JUDGE BONOMOY: Very well. That will be done.

18 [Trial Chamber and registrar confer]

19 JUDGE BONOMOY: So both these documents are admitted.

20 [Trial Chamber and registrar confer]

21 THE REGISTRAR: Rule 70 00597.1 shall be assigned Exhibit P381,  
22 admitted as a public exhibit. And Rule 70 00596.1 shall be assigned  
23 Exhibit P382, admitted as a public exhibit. Thank you.

24 JUDGE BONOMOY: Thank you.

25 Now, the procedure that's just been followed in relation to the

1 public statement will be followed in other instances of quite a number of  
2 witnesses here. We discussed it yesterday, and the position of the Bench  
3 was that any disagreements should be sorted out of the courtroom and only  
4 if there was an issue that could not be resolved would the matter be  
5 raised in the courtroom.

6 So that we're clear on an ongoing basis what exactly is  
7 happening, the Trial Chamber will assume that the matter has been  
8 resolved if the Prosecutor rises to read such a statement and will expect  
9 to have been notified in advance, in any event, before coming into court  
10 if there was not agreement. So it will just happen in a routine way from  
11 now on unless you, Maître Altit, make an issue over it.

12 Is that understood?

13 MR. ALTIT: [Interpretation] It's very clear, Your Honour. And I  
14 must say that pursuant to the instructions of the Bench, we exchanged  
15 amongst us on this matter and we will carry on doing so pursuant to your  
16 instructions. Thank you very much.

17 JUDGE BONOMY: Thank you. We shall now bring down the blinds.

18 [The witness entered court]

19 JUDGE BONOMY: Now, Ms. Yakusheva, can you give me the pseudonym  
20 of the next witness?

21 MS. YAKUSHEVA: Your Honours, this is Witness KAB0099.

22 JUDGE BONOMY: Thank you.

23 Witness, good morning.

24 THE WITNESS: [Interpretation] Good morning, Your Honour.

25 JUDGE BONOMY: Before we start your evidence, it's necessary for

1 you to make the solemn declaration to tell the truth. Could you please  
2 stand and read out the declaration.

3 THE WITNESS: [Interpretation] I solemnly declare to tell the  
4 truth, all the truth, and nothing but the truth.

5 WITNESS: KAB099

6 [Witness answered through interpretation]

7 JUDGE BONOMO: Thank you. Please be seated.

8 Now, make yourself as comfortable as you can. The Chamber and  
9 everyone else in the Court understands these are very strange  
10 surroundings for most people.

11 The first person to ask you some questions will be the  
12 representative of the Prosecutor, and that is Ms. Yakusheva.

13 Ms. Yakusheva.

14 MS. YAKUSHEVA: Thank you, Your Honour.

15 Examination by Ms. Yakusheva:

16 Q. Witness, good morning. Witness, the Court has ordered certain  
17 protective measures with respect to you and your evidence today. These  
18 include a pseudonym as well as distortion of your image and face. I will  
19 refer to you not by your name but instead by your pseudonym, KAB099.

20 MS. YAKUSHEVA: Your Honours, could we please have Rule 70 70881,  
21 not to be broadcast to the public.

22 Q. Witness, please look at the pseudonym sheet and direct your  
23 attention to where it says "Witness name." Is this your name?

24 A. Yes, indeed. That is my name.

25 Q. Where it says "Date of birth," is this your date of birth?

1           A.    Yes, that is my birth date.

2           MS. YAKUSHEVA: Your Honour, the Prosecution tenders the witness  
3 pseudonym sheet, Rule 70 70881, into evidence under seal, please.

4           JUDGE BONOMY: The sheet will be admitted under seal.

5           MS. YAKUSHEVA: Thank you.

6           THE REGISTRAR: It shall be assigned Exhibit P503, admitted under  
7 seal. Thank you.

8           MS. YAKUSHEVA: Your Honours, I will first lay Rule 111  
9 foundation and tender Rule 111 materials.

10          Q.    Witness, do you recall giving a statement in November and  
11 December 2020 in Kigali to the members of the Office of the Prosecutor of  
12 this Tribunal?

13          A.    I do remember.

14          MS. YAKUSHEVA: Your Honours, could we have Exhibit P00132,  
15 marked for identification. Again, not to be broadcast to the public.  
16 And it's the French original.

17          JUDGE BONOMY: Yes.

18          MS. YAKUSHEVA: Could we please have the French original. Thank  
19 you.

20          Q.    On the screen before you is the document purporting to be a  
21 statement that you gave and signed on 11 December 2020. Do you recognise  
22 any signatures at the bottom of the page, the page on your left?

23          A.    Yes, I do recognise one of the signatures in that document.

24          MS. YAKUSHEVA: Could we please go to page 22 in e-court.

25          Q.    Witness, please look to the middle of the page above the date.

1 Do you recognise the signature on this page?

2 A. Yes, it is my signature.

3 Q. Did you have an opportunity prior to testifying today to review  
4 this statement and make corrections and clarifications?

5 A. Yes, I made some corrections.

6 MS. YAKUSHEVA: Could we please have Rule 70 70885, again not to  
7 be broadcast to the public.

8 Your Honours, I'm requesting leave for this to be added to the  
9 Prosecution's exhibit list. It's the document that was created during  
10 proofing.

11 JUDGE BONOMY: That may be added to the list.

12 MS. YAKUSHEVA:

13 Q. Witness, what is on the screen is an additional information  
14 report dated 10 October 2022. Do you recognise the signature at the  
15 bottom of this document?

16 A. Yes, it is my signature.

17 Q. Did you have an opportunity prior to testifying today to review  
18 this information report in a language that you understand?

19 A. Yes.

20 Q. Witness, did you think of one more correction about the number of  
21 cars in paragraph 23 of your statement that you wanted to make?

22 A. Yes, I mentioned that there were a few corrections that I want to  
23 make, but these have been made.

24 Q. So you did not wish to make a correction about the numbers of the  
25 cars at this time?

1           A.    Yes, no, I would like to make a correction, because there was a  
2           correction made in Kinyarwanda. I was being told that there was only one  
3           vehicle.

4           Q.    Thank you, Witness. Taking your statement and the information  
5           report and the correction that you just made, do these accurately reflect  
6           your evidence and what you would say if examined?

7           A.    Yes. Regarding the number of vehicles, this is an information  
8           that was said to me. It's not something that I witnessed personally. It  
9           was something that I was -- that was reported to me, so I cannot confirm  
10          that there were vehicles parked in the basement. This was an information  
11          that was provided to me.

12          Q.    Thank you, Witness. But with this correction, your statement,  
13          and the information report, do they accurately reflect your evidence and  
14          what you would say if examined?

15          A.    That's right.

16          Q.    Thank you.

17                MS. YAKUSHEVA: Your Honours, could I please tender  
18          Exhibit 00132, now marked for identification, the statement of the  
19          witness dated 11 December 2020; Rule 70 70885, the information report  
20          signed on 10 October 2022. And in light of the protective measures  
21          ordered by this Chamber, I would like to tender it under seal.

22                JUDGE BONOMOY: I have three documents here: The statement, I  
23          have corrections and clarifications, which has a signature, and I also  
24          have an information report. Now, are you tendering two or three  
25          documents?



1 MS. YAKUSHEVA: I'm tendering two documents.

2 JUDGE BONOMY: Yes. So it's the corrections and clarifications  
3 and the statement.

4 MS. YAKUSHEVA: That is correct, Your Honour.

5 JUDGE BONOMY: Not the information.

6 MS. YAKUSHEVA: No.

7 JUDGE BONOMY: It's just that the language of your motion did  
8 refer to the information report. That's now clear. Okay. So these two  
9 documents will be admitted under seal.

10 THE REGISTRAR: Rule 70 70885 shall be admitted under seal as  
11 Exhibit P504. Thank you.

12 MS. YAKUSHEVA: Thank you.

13 Your Honours, at this time I would like to read a brief public  
14 summary of the witness's evidence for this Court.

15 Your Honours, the Defence has had an opportunity to comment on  
16 the summary, we distributed it to the parties yesterday, and the summary  
17 I will read reflects the agreed position.

18 JUDGE BONOMY: Thank you. What you've just said will be assumed  
19 unless there is some challenge made in future cases.

20 MS. YAKUSHEVA: Thank you, Your Honour.

21 Witness KAB099, a Tutsi woman, was a domestic worker in Kigali  
22 between 1984 and 1994.

23 KAB099 and her family experienced a deteriorating security  
24 situation, with Tutsi targeted increasingly between 1990 and 1994.  
25 Starting in late 1993 and until a week before the genocide began, KAB099

1 observed Interahamwe training in Kimihurara, Kigali.

2 She saw Kabuga twice where Interahamwe were training. The  
3 witness knew Kabuga from before. He was pointed out to her at his Muhima  
4 building in the late 1980s. The first time KAB099 saw Kabuga where  
5 Interahamwe were training was in late 1993. He was talking to  
6 Nzabanterura, the leader of Interahamwe in Kimihurara. Around February  
7 1994, KAB099 saw Kabuga a second time. Again, he talked to Nzabanterura.

8 He describes Kabuga's involvement in the distribution of  
9 traditional weapons in 1994 but before the genocide.

10 In the early morning of 7 April 1994, KAB099 saw weapons being  
11 distributed to Interahamwe. KAB099's house was attacked by soldiers.  
12 She heard the soldiers calling her family inyenzi and inzoka. KAB099 got  
13 separated from her husband.

14 KAB099, her baby, her sister, and her brother-in-law fled to her  
15 employer's house. Interahamwe and soldiers attacked the house and shot  
16 KAB099's sister and her brother-in-law, who died from their wounds. A  
17 soldier also tried to shoot her baby. KAB099 hid with her baby at her  
18 employer's house until 11 April 1994. She was then taken to the Amahoro  
19 stadium by UNAMIR soldiers, where she stayed the whole month of April.

20 At the stadium, the situation was dangerous: Stray bullets and  
21 bombs were injuring and killing people. There were many refugees; the  
22 majority of the refugees were Tutsi. Some refugees at the stadium had  
23 radios. KAB099 heard RTLM journalists Kantano and Valérie inciting  
24 Interahamwe to attack the stadium where many Tutsis took refuge. The  
25 journalists also named and thanked their sponsors, including Kabuga.

1 Kantano also thanked the people who threw a bomb that killed more  
2 than a hundred people and encouraged shelling of the stadium because many  
3 inyenzi were there. KAB099 also remembers hearing an RTLM broadcast, in  
4 which Kantano talked about Tutsi women in a derogatory manner and  
5 encouraged "to taste" them, which she understood to mean rape, before  
6 killing them.

7 KAB099 describes encounters of Tutsi refugees from the stadium  
8 with Interahamwe as they were searching for food and water, including  
9 incidents of sexual violence against Tutsi women.

10 In May 1994, KAB099 and other Tutsi refugees were evacuated to  
11 Byumba by the RPF. She was reunited with her husband along the way.  
12 They stayed in Byumba and then returned to Kigali after it was taken by  
13 the RPF.

14 Your Honours, this concludes the public summary, and I just have  
15 a handful of questions for this witness, and we can stay in public -- in  
16 open session.

17 Q. Madam Witness, at paragraph 86 of your statement, you talk about  
18 RTLM journalists Kantano and Valérie inciting Interahamwe to attack  
19 Amahoro stadium where you were hiding. Did you hear Kantano name any  
20 other locations where Tutsis were hiding?

21 A. Yes.

22 Q. What specific locations in Kigali did Kantano mention?

23 A. Kantano talked about Rugunga. He said that inyenzi and snakes  
24 had got into the Rugunga neighbourhood, that there were many of them, and  
25 he was asking people to get there to kill them. And Tutsis did get

1 killed in that neighbourhood. And then Kantano then said that he had  
2 heard that all the Tutsis that were found in the neighbourhood were  
3 exterminated. And then he said that they should go to Nyamirambo because  
4 the Tutsis then had fled in that neighbourhood, and he called on people  
5 to go and kill them.

6 But before people were in the stadium where we were, and people  
7 were killed in all of these places, he also said that in Cyivugiza there  
8 were a lot of Tutsis. And again he was requesting people to go and break  
9 the head of these inyenzi people.

10 So he was naming all these neighbourhoods, and he was saying, "Go  
11 in these neighbourhoods and then join us because all the inkotanyis have  
12 been killed, God is great." So all in all, they were very pleased that  
13 all the Tutsis had been exterminated.

14 Q. Witness, and you just sang a song that Kantano would sing after  
15 he named the locations?

16 A. Yes, that's right.

17 Q. Thank you, Witness.

18 MS. YAKUSHEVA: Your Honour, I don't have any further questions  
19 for this witness.

20 JUDGE BONOMY: Can you clarify that last question and answer?  
21 It's recorded as "you just sang a song that Kantano would sing." Is that  
22 what you meant to say?

23 MS. YAKUSHEVA: Your Honours, it appeared to me that the witness  
24 was singing a song. This is what my question was directed at. But I can  
25 ask her to repeat the --

1 JUDGE BONOMY: No, no, the answer is now clear. I just didn't  
2 quite pick that up before you asked the question. That's all.

3 MS. YAKUSHEVA: Maybe the melody was just in my --

4 JUDGE BONOMY: All right.

5 MS. YAKUSHEVA: Thank you.

6 JUDGE BONOMY: Thank you very much.

7 Who will be cross-examining, Maître Altit?

8 MR. ALTIT: [Interpretation] Your Honour, ladies and gentlemen,  
9 Counsel Mathe will lead the cross-examination.

10 JUDGE BONOMY: Thank you, Madam Mathe.

11 Cross-examination by Ms. Mathe:

12 Q. [Interpretation] Good morning, ma'am.

13 A. Hello.

14 Q. We just mentioned a song that was sung by Kantano on the radio  
15 that you would listen to where he would be pleased about the  
16 extermination of who exactly? What was the term that he was using?

17 A. He was saying that inyenzi or Tutsi had been exterminated.

18 Q. Was he saying "inyenzi" or "Tutsi" or "inkotanyi"?

19 A. He was using the term inyenzi, Tutsi.

20 Q. Before 1990, did you have any specific issues? Were you  
21 assaulted or insulted, yourself or members of your family, because you  
22 were a Tutsi?

23 A. Absolutely. The expats for which working for at some point said  
24 that I could come with my baby at his place because we were in danger and  
25 he could have been killed. And at some point, my sister-in-law told me

1 that Interahamwe were attacking the house and asked them to show their  
2 residence permit in Kigali. My sister-in-law then told that she didn't  
3 have a residence permit, and the Interahamwe then threatened them.

4 At some point, these people told me that Interahamwe would attack  
5 them when I would be at work, and so I told them -- I asked them when the  
6 Interahamwe would usually attack the house. And they told me that the  
7 Interahamwe usually would show up around 3.00. So I did my best to  
8 finish work before 3.00 p.m. because the house was quite close to where I  
9 was working. And when I got to the house, the people I found in the  
10 house welcomed me with some food. And as I was starting to eat, I was  
11 just waiting for the group of people to come. They were calling for  
12 young girls, like, "Young girls, young girls." And so I told them not to  
13 answer. I went out to see who was out there.

14 Q. I believe either my question was not translated or not really  
15 understood. I was asking you whether you had been assaulted, insulted,  
16 or attacked, either you or members of your family, before 1990.

17 A. You're talking about 1990? It was told that I would have gotten  
18 weapons from the inkotanyi and that I would have distributed those  
19 weapons. Actually, giving those weapons to my father. That my father  
20 was practicing shooting in the swamps. But that's not true.

21 Q. It was before 1990? Before the RPF launched its offensive north  
22 of the country? It was before that time, or am I wrong? Regarding this,  
23 you mention that episode but you didn't give us any dates. Please give  
24 us dates.

25 A. That was 1990 when people who were called accomplices were being

1 arrested.

2 Q. So out of what you're saying, can I conclude, or am I wrong, can  
3 I conclude that before this episode in 1990 you had not been aggressed at  
4 all? That you were living in Kigali quietly, without being subject to  
5 any aggression? Is that it?

6 A. Absolutely. No one attacked me before 1990.

7 Q. So you just talked about the fact that you were accused of having  
8 provided your father with weapons so that -- and then that he practiced  
9 shooting in the banana field. Could you tell us where it was? Was it in  
10 Kigali? Was it elsewhere?

11 A. At the time, my father's house was attacked, my father gave up  
12 his cattle, and the assailants left with the cattle. My father actually  
13 gave them the cattle to stay safe. But that was in 1990.

14 Q. But that was before the offensive of the FPR -- of the RPF. So  
15 could you explain? Why is it that -- you were a young woman at the time.  
16 You were about 30. You were not in Kigali. You gave us the name of the  
17 village, I think. And this young woman that you were, less than 30, was  
18 accused of providing her father with weapons. Where was it? I don't  
19 think I caught the name of the place.

20 A. My father lives in Kibuye. He lived in Kibuye.

21 Q. Was that just a way to loot his cattle, or was it something that  
22 really targeted you personally?

23 A. At that time, I hadn't even seen a weapon or a shotgun or  
24 anything. You know, the attackers were just looking for any kind of  
25 pretext.

1 Q. In your statement, you mention another event where you would have  
2 been given grenades. So a Tutsi soldier pretending to be a Hutu, so a  
3 soldier of the Rwandan forces, would have given you grenades. First, was  
4 it really a soldier of the Rwandan forces?

5 A. Yes. At the time, a roadblock had been erected next to our  
6 house, and he understood that his comrades wanted to attack us. And the  
7 soldier was one of my father's godson. So he said, "Watch out, an attack  
8 is being prepared against you. Can I help you by giving you a grenade?"  
9 My father said, "No, no." And since my --

10 THE INTERPRETER: Interpreter's correction: It's a brother, not  
11 a father.

12 THE WITNESS: [Interpretation] And since my -- he worked at the  
13 embassy, my brother, and said, "If I'm found with a grenade, then it will  
14 be very difficult." So at the time -- that was 1993 or 1994, maybe, but  
15 the genocide hadn't started. So I accepted to receive those grenades. I  
16 didn't know where to put them in the house. I tried to hide them in  
17 shoes. It didn't work. I tried to hide them in a chest. It didn't work  
18 either. So I asked the soldier to just take them back.

19 MS. MATHE: [Interpretation]

20 Q. At first you were mentioning a single grenade, but at the end of  
21 your answer you're talking about a number of grenades. In your hearing,  
22 paragraph 10, you said grenades, with an S. Can you tell us how many  
23 grenades there were?

24 A. There were two. The soldier wanted us to use them to protect  
25 ourselves, but we gave them back because we didn't know where to hide



1       them.

2           Q.     When was it exactly?

3           A.     Somewhere between 1993 and 1994. The security situation was very  
4     poor. Inkotanyis were already at the CND. And when a Tutsi was just  
5     walking by, he would be shot. He would be killed. So there was hardly  
6     any security left. There was a man with his wife and his six children  
7     who were killed. And some people, you know, they were just passing by,  
8     would be attacked with bayonets. So we were not safe at all at the time.  
9     The situation was not safe.

10          Q.     Where did you live at the time? When you were given those  
11     grenades and you tried to hide them in the house, where did you live?

12          A.     In Kimisagara, it's just in front of Nyamirambo and next to  
13     Cyivugiza also. It was a very -- it was the country at the time,  
14     countryside.

15          Q.     Was that the time when you were living in your brothers' house?

16          A.     Yes, at the time I was living with my brothers.

17          Q.     When did you leave your brothers' house?

18          A.     I left that place in 1993 because it wasn't safe. There was this  
19     man who wanted to marry me. We had already been married in town hall, so  
20     (redacted)  
21     (redacted).

22                 MS. YAKUSHEVA: Your Honours, apologies. If we could briefly go  
23     into private session.

24   [Private session]

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24 [Open session]

25 THE REGISTRAR: We're back in open session, Your Honours. Thank



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Pages 20-35 redacted. Private session.

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14 [Open session]

15 THE REGISTRAR: We're back in open session, Your Honours.

16 JUDGE BONOMO: Thank you.

17 Now, I'm not preventing you from continuing the cross-examination  
18 that you're conducting at the moment. This happened to be a necessary  
19 intervention because of what I'm seeing on the transcript. If you've  
20 more questions on this topic, then you're free to ask them.

21 MS. MATHE: [Interpretation] Thank you, Your Honour. I do think  
22 that there is a problem with the translation, I think. And that was my  
23 last item regarding this first episode. I'm going to move to the second  
24 episode, where the witness says she saw someone identified by her as  
25 Kabuga on a place which she calls a training place for Interahamwes.

1 Q. Madam, you said that you saw him a second time, and you say it  
2 was -- the first time it was 1993, end of 1993. And the second time,  
3 when exactly did it happen, please?

4 A. When the Interahamwe started to be trained, it was 1993. Towards  
5 the end of 1993. In early 1994, Interahamwes were still training,  
6 because they never stopped. They were training all the time - January,  
7 February, March. They were training all the time. And when I saw them  
8 again, they were still training.

9 I saw him twice, once -- are we in private session or not? Can I  
10 say everything or do I risk giving you my identity?

11 JUDGE BONOMO: We are not in private session. If you're  
12 concerned that something you might now say would reveal your identity,  
13 then we shall go into private session. So hold on for a second.

14 [Private session]

15 (redacted)

16 (redacted)

17 (redacted)

18 (redacted)

19 (redacted)

20 (redacted)

21 (redacted)

22 (redacted)

23 (redacted)

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11 Pages 38-44 redacted. Private session.

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1 (redacted)

2 (redacted)

3 [Open session]

4 JUDGE BONOMY: Thank you.

5 Well, would you please try to ask more precise questions on the  
6 topic, because there is a great deal in the paragraphs and we don't need  
7 simple repetition of what's in the statement.

8 MS. MATHE: [Interpretation] Well, I would like to have  
9 specifications on a complex event that seemed to have occurred in a space  
10 that is relatively large and I think requires the witness to say where  
11 exactly she was located and how she could see all of the scene. That was  
12 the purpose of my question.

13 JUDGE BONOMY: Well, please ask these specific questions that  
14 enable her to focus on the particular issue you want addressed.

15 MS. MATHE: [Interpretation] But I think so far the witness's  
16 answers have given us enough elements of precision on this particular  
17 event.

18 Q. Madam, you went through a tragic period during which you lost  
19 many of your relatives and during which you suffered very grave attacks.  
20 Does this cause, in addition to your suffering, any kind of physical  
21 trouble or mental disturbances, and if so, can you tell us which?

22 MS. YAKUSHEVA: Your Honour, I was wondering whether for this  
23 line of questioning we could go back into private session?

24 JUDGE BONOMY: You were wondering what?

25 MS. YAKUSHEVA: If for this line of questioning, if counsel



1 continues to pursue this line of questioning, we should go into private  
2 session.

3 JUDGE BONOMY: Yes. This is for a different reason from the  
4 private sessions we've been shuttling between throughout.

5 If you're going to ask delicate questions about health, then that  
6 ought to be in private session. Do you not agree?

7 MS. MATHE: [Interpretation] I had no intention of being very  
8 intrusive in the questions on the facts, but I don't have anything  
9 against us moving into private session. I didn't want -- I was not going  
10 to refer to the facts themselves.

11 JUDGE BONOMY: No, I think, again, for an abundance of caution,  
12 we ought to be in private session for these questions.

13 MS. YAKUSHEVA: Thank you, Your Honour.

14 [Private session]

15 (redacted)

16 (redacted)

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Pages 47-51 redacted. Private session.

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7 (redacted)  
8 (redacted)

9 [Open session]

10 THE REGISTRAR: We're back in open session, Your Honours. Thank  
11 you.

12 JUDGE BONOMOY: Yes. As I said, Witness, the Court is grateful  
13 for you coming here to give evidence and for the way in which you've  
14 dealt with the situation this afternoon.

15 We are now going to leave the courtroom. I have to ask you to  
16 stay where you are for the moment so that arrangements can be made for  
17 you to leave the court after we have gone.

18 So the Court will now adjourn and will sit again on Tuesday of  
19 next week.

20 --- Whereupon the hearing adjourned at 12.48 p.m.

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