

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

CASE NO. : ICTR-01-70-T
CHAMBER II

THE PROSECUTOR
OF THE TRIBUNAL
v.
EMMANUEL RUKUNDO

MONDAY, 1 OCTOBER 2007
0947H
CONTINUED TRIAL

Before the Judges:

Joseph Asoka de Silva, Presiding
Taghrid Hikmet
Seon Ki Park

For the Registry:

Ms. Félicité A. Talon
Mr. Abraham Koshopa
Mr. Patrice Tchidimbo (The Hague)

For the Prosecution:

Ms. Veronic Wright
Mr. Patrick Gabaake (The Hague)
Ms. Thembile Segoete

For the Accused Emmanuel Rukundo:

Ms. Aïcha Condé
Ms. Allison Turner

Court Reporters:

Ms. Melissa Hook
Ms. Ann Burum
Ms. Sherri Knox
Ms. Kirstin McLean

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PROCEEDINGS

1

2 MR. PRESIDENT:

3 Good morning, everybody. Court is in session. Appearances as before.

4 THE ENGLISH INTERPRETER:

5 "Yes, Mr. President, we are ready," they say.

6 MR. PRESIDENT:

7 The witness is there, in the witness chair.

8 *(Declaration made by Witness SLA in French)*

9 MR. PRESIDENT:

10 Thank you, Counsel, you may start.

11 MS. CONDÉ:

12 Mr. President, this is Witness SLA. It's our first witness. I have circulated an identification sheet to all
13 the parties. Please, if there is additional copies of that sheet, can we have them? So we circulated a
14 personal identification sheet to the Chamber.

15

WITNESS SLA,

16

first having been duly sworn,

17

testified as follows:

18

EXAMINATION-IN-CHIEF

19 BY MS. CONDÉ:

20 Q. Witness, I believe you have a copy of that sheet in front of you.

21 A. Yes, I do.

22 Q. Please, can you peruse the information contained in that sheet and tell us if it is accurate and whether it
23 is your signature at the bottom of the document?

24 A. Yes, I may just want to add that for now my occupation is student. Student.

25 Q. Could you please carry out that correction on the copy you have before you and sign below the
26 corrected version?

27 A. Yes, thank you. That is done.

28 THE ENGLISH INTERPRETER:

29 Microphone, Counsel.

30 MS. CONDÉ:

31 Mr. President, can this document be tendered as exhibit and protected?

32 MR. PRESIDENT:

33 Personal identification sheet of Witness SLA is marked as D. 61, accepted and should be kept under
34 seal.

35 *(Exhibit No. D. 61 admitted, under seal)*

36 BY MS. CONDÉ:

37 Q. Witness --

1 MS. CONDÉ:

2 Can I see him? I'd like to see him on the screen. It's easier for me.

3 BY MS. CONDÉ:

4 Q. Witness, we're going to embark on a difficult experience and exercise, because we use the same
5 language. You don't have any kind of landmark, but I do have. So, please, try to keep a pause
6 between my question and your answer. I'll try to check, but it's quite difficult when you're working with
7 video link. I had difficulties on Friday. So, please, try to keep a small pause before your answer. All
8 right?

9 A. All right.

10 Q. My first line of questioning will deal with Nyakibanda, and I'd like to know for how long you attended that
11 establishment, even if you cannot give us specific days. Can you just tell us the number of years you
12 spent there?

13 A. I was there for six years in training at Nyakibanda.

14 Q. In 1990 were you a student in that establishment?

15 A. Yes.

16 Q. We know that Emmanuel Rukundo was also there. What kind of relationship did you have with him?

17 A. We had relatively regular contacts, especially with regard to the seminarians, because we are
18 seminarians from the same diocese.

19 Q. All right. Were you friends?

20 A. Yes, as seminarians from the same diocese. We had a normal friendship. I wouldn't say he was one of
21 my closest friends, but we had a normal friendship since we belonged to the same group of
22 seminarians from the same diocese.

23 Q. All right. How would you describe to the Chamber Emmanuel Rukundo as a student before
24 October 1990?

25 A. He was a normal student, I would say. Well, he was said to be an average student with regard to
26 performance and who stood out a bit from the other group of seminarians because he was a singer and
27 a chapel master. So he was quite prominent among the seminarians.

28 Q. In October 1990 the RPF attacked Rwanda. From that point on, did you notice any change in the
29 behaviour of Emmanuel Rukundo?

30 A. No.

31 Q. Did you observe any fallout of that event on your institution, and here I am speaking in a general
32 manner?

33 A. Yes, there were fallouts necessarily. There was an increase in tension at the major seminary, and that
34 could be justified by the concerns felt by the students in the face of that destabilising situation.

35 Q. How was the tension palpable? What -- what actually brought out the problem?

36 A. Well, it could be felt in normal conversations. Well, I am thinking of our fellow seminarians who came
37 from regions overrun by the RPF. Personally, I had friends from such regions, and they were really

- 1 disturbed and that fear was even greater because they had no information on the situation and their
2 families. Then the tension was also palpable in the commentaries -- in the information that we received
3 about what was said about the major seminary. Some newspapers wrote articles on the situation
4 prevailing at the major seminary. And we -- those were topics of conversation amongst us.
- 5 Q. Witness, is it possible to know or to guess the leanings of people, those who were for the RPF and
6 those who were for the Tutsis?
- 7 A. No, it was really difficult because nobody openly declared their position as being in favour of the RPF.
- 8 Q. So there were people who openly declared their support for the army?
- 9 A. Yes, some persons displayed a patriotic spirit to support the Rwandan army.
- 10 Q. And that ties in perfectly with the -- with the demonstration of support. We have understood in the
11 course of the discussions that your organisation organised a march of support; for how long did that
12 march last for approximately?
- 13 A. Victory over the RPF was declared on 30 October 1990, and I believe that the march was organised a
14 week immediately after.
- 15 Q. And who precisely at the major seminary informed you of the organisation of the march? How did you
16 know that there was going to be a support march in Nyakibanda?
- 17 A. The invitation to attend the march was communicated to us by Father Mbonyinpege, vice rector.
- 18 Q. Witness, you have to spell out the family name of that person.
- 19 A. M --
- 20 Q. Yes, it's the family of name of Mbonyinpege that we can't get.
- 21 A. I will spell it out, M-B-O-N-Y-I-N-P-E-G-E.
- 22 Q. I think you have to write it down on a piece of paper so we can read it. So it was the vice rector who
23 gave you that information? Clarification, do you know the vice rector's ethnic group?
- 24 A. Yes, the vice rector in 1990 was a Tutsi.
- 25 Q. Very well, let's move on. So the vice rector gave you that information. Did you take any particular
26 measures to undertake this march?
- 27 A. No, there was no particular preparation for this march. There's just a small group of seminarians who
28 got together. I don't know how they consulted among themselves to get together to learn a song that
29 was to be sung during the march.
- 30 Q. A song from whom?
- 31 A. It's a song that was composed and thought by a seminarian from Ruhengeri. His name is
32 André Mtungeiyehé.
- 33 Q. Same exercise, can you spell that name, Mtungeiyehé? And while you're at it, give us once again the
34 spelling of Mbonyinpege.
- 35 A. Let me start with Mbonyinpege. It's M-B-O-N-Y-I-N-P-E-G-E.
- 36 Q. Now the surname of André Mtungeiyehé.
- 37 A. M-T-U-N-G-E-I-Y-E-H-E. Yes, let me give you the spelling of Smaragbe, S-M-A-R-A-G-B-E.

1 MS. CONDÉ:

2 For the stenographers you put "B" instead of "D".

3 BY MS. CONDÉ:

4 Q. Let's proceed, Witness. Can you tell the Chamber if the bulk of students participated in this event?

5 A. I would say rather that all of them, rather than the bulk of them.

6 Q. Very well. And the teachers?

7 A. The teachers also took part, at least the majority of them, eventually all of them.

8 Q. Even though you've already said this, let me just confirm it, that at that march Hutu as well as Tutsi
9 students took part.

10 A. Yes.

11 Q. Was there a march only in Nyakibanda?

12 A. The march in support of the national army was organised throughout the country.

13 Q. And how do you know that there were support marches all over the country?

14 A. Because it was mentioned in the news. It was the first news item on radio as well as television.

15 Q. And why was your institution invited to take part in that march?

16 A. The majority seminary was invited as a specialised *cellule* of the MRND.

17 Q. And, according to you, could you have declined such an invitation, or at least the leaders?

18 A. I believe they could have, but that would require a lot of courage because there were some risks of
19 repression and dismissal.

20 Q. So, according to you, the refusal would have attracted negative consequences for your institution?

21 A. Absolutely.

22 Q. You made reference to a song composed by one André; did you sing it during the march?

23 A. Yes, we sang it.

24 Q. Apart from that song, did you compose any other?

25 A. I don't think there were any other songs composed by the seminarians for that march.

26 Q. Did you sing others?

27 A. Yes, I remember that we were singing, in particular the song of André, and another song we used to
28 hear on radio sung by the army officers in the night of the 30th October to declare their victory.

29 Q. Would you know if Emmanuel Rukundo participated in the composition of André's song?

30 A. No, Emmanuel Rukundo did not participate at all in the composition of that song.

31 Q. You did say that he was a choirmaster. What was his repertoire, what was -- were his songs?

32 A. First of all, Rukundo was not a prolific composer. But he did compose a number of songs, and his style
33 was not a popular style. The song of André Mtungeiyehé, which we sung during the march, was the
34 popular style of song. But Rukundo used to compose a more solemn type of song, which are sung
35 during religious events and which cannot be sung during such a march.

36 Q. You, therefore, confirm -- I'm sorry, Witness. So you are confirming that Emmanuel Rukundo did not in
37 any manner -- did not participate in any manner in the composition of this song?

- 1 A. Yes, I confirm that.
- 2 Q. Have you already -- have you ever heard the name Rwigyema? I think his first name is Fred,
3 Fred Rwigyema.
- 4 A. Obviously.
- 5 Q. Did you symbolically bury him during this march?
- 6 A. No, during that march there was no symbolic burial of Rwigyema.
- 7 Q. Was there anything that may lead other people to think that there was a symbolic burial of Rwigyema?
8 So now we're not dealing with objective criteria but subjective criteria.
- 9 A. There was just the mention of his name in his song -- in the song, the song that the army officers sung
10 on radio making reference to Rwigyema, the chief -- the leader of the *Inyenzi* who thought he was going
11 to conquer the country in one day. But there was no mention of burying him and nothing was done in
12 that respect.
- 13 Q. Thank you. Now try and focus on 1990. Did Emmanuel Rukundo distinguish himself in one way or the
14 other in that march?
- 15 A. No.
- 16 Q. Did he play any particular role in that march at any level whatsoever?
- 17 A. No, none.
- 18 Q. Now, I want us to examine an issue. It is said that there was a collection of funds that was done at
19 Nyakibanda. Are you able to tell the Court who initiated this?
- 20 A. I really cannot say who took the initiative. The only recollection I have in this regard is the names that
21 were given to us, the seminarians who had to collect the funds for the war effort.
- 22 Q. What are these names?
- 23 A. The three seminarians who were tasked with collecting these funds were Urbain Twagirayezu,
24 Balthazar Habyarimana and Emmanuel Rukundo.
- 25 Q. You say the three names that were given to us -- the big question is: Who gave you these names and
26 how were their names given to you?
- 27 A. These names were given to us one morning during breakfast, and it is one of the three who gave us
28 that name. It could have been Balthazar or Urbain, but definitely not Rukundo. It may have been
29 Balthazar or Urbain.
- 30 Q. Very well, do you have a clearer recollection of this event? How did Balthazar or Urbain proceed to
31 make this announcement?
- 32 A. It was a normal practice. Any seminarian who had any important announcement could take the
33 microphone during breakfast. Breakfast was the forum for making such announcements. So people
34 take the microphone and give the information. So on that occasion one of the two, Balthazar or Urbain,
35 went up, took the microphone before everybody, and announced that contributions to the war effort
36 were to be made to one of the three.
- 37 Q. Now then, Witness, I would like to know if all the students, Hutus as well as Tutsi, were requested to

- 1 contribute to this war effort.
- 2 A. Yes, all the seminarians were requested to make donations.
- 3 Q. And did they all contribute?
- 4 A. No, there are some -- or there were some who did not contribute.
- 5 Q. And you?
- 6 A. I did not contribute.
- 7 Q. Do you have any recollection of door-to-door efforts to make the collection?
- 8 A. No, there was no one going from door to door to collect the funds for the war efforts.
- 9 Q. Did you observe that as part of this collection for the war effort that the Tutsi students were
- 10 systematically sidelined?
- 11 A. No, I did not witness that, because it was said that all seminarians who wanted to contribute could
- 12 make their contribution openly, or that they could even do it discreetly by putting the money in an
- 13 envelope and pushing it under the door of one of the three. So nobody was sidelined.
- 14 MR. PRESIDENT:
- 15 Yes, Counsel?
- 16 MS. WRIGHT:
- 17 Your Honour, I thought this was evidence that was coming from the witness. The way my learned
- 18 friend is leading this witness is so suggestive. It's really not his evidence. It's basically what counsel is
- 19 asking -- leading him to say. And really we -- we -- we -- think this -- this -- this is not proper.
- 20 MR. PRESIDENT:
- 21 Yes, Counsel, get the witness to give the answers you put to questions.
- 22 MS. WRIGHT:
- 23 Let the witness tell us his experience; what happened at the march or the collection of funds. Not, were
- 24 Tutsis sidelined, where this happened or that happened.
- 25 MS. CONDÉ:
- 26 Yes, I really would like to, but I don't see where the problem is. So, Counsel for the Prosecution,
- 27 Veronic, are you able to tell me where the problem is, so I can avoid this kind of error?
- 28 MR. PRESIDENT:
- 29 What she says is you put the questions, let the witness give the answers to those questions, not to
- 30 suggest the witness to say yes or no.
- 31 MS. CONDÉ:
- 32 Well, my question was whether Tutsi students were systematically sidelined. That's the question. Well,
- 33 it's not serious. Let me reformulate the question.
- 34 BY MS. CONDÉ:
- 35 Q. Witness, were students marginalised? Is it better that way?
- 36 A. I will answer by saying that there was no student who was marginalised.
- 37 Q. Was the collection -- well, let me rephrase it, otherwise I will be told I am putting a leading question.

- 1 Who was --
- 2 A. I don't understand your question.
- 3 Q. Yes, because I have a problem actually putting the question.
- 4 Who from among the students was informed about the establishment of this collection?
- 5 A. All the seminarians were informed because the announcement was made to all seminarians in a
- 6 meeting.
- 7 Q. Would you know if the students had to vote?
- 8 A. No, I have no recollection of any vote in that regard.
- 9 Q. And do you know if there was any alternative proposal to the collection of funds?
- 10 A. No, there was no alternative proposed to the collection.
- 11 Q. And do you know if at a national level collections were made for the war effort?
- 12 A. Yes, the collection was organised at the national level.
- 13 Q. How do you know that?
- 14 A. Well, once again through the media, information that came to us through the media.
- 15 Q. Do you know what is referred to as a midday prayer?
- 16 A. Yes.
- 17 Q. When was that practice established in Nyakibanda?
- 18 A. I don't know. Midday prayer is part of Catholic liturgy. It's part of Catholic tradition. I don't know when
- 19 that practice was introduced. When I went to the seminary midday prayer already existed, so I would
- 20 say several years ago.
- 21 Q. The salvation committee called Nyara, or something, does that ring a bell?
- 22 A. It is some kind of nickname given by the trio made up of Rukundo, Urbain and Balthazar. It was often
- 23 said in Kinyarwanda that the witness said it, kind of, to degrade them. It has a pejorative sense.
- 24 Q. Maybe two questions on this issue. When you said "they", who were these persons who nicknamed the
- 25 trio?
- 26 A. I don't know. I'm not able to say who invented that expression. But it's an expression that was used by
- 27 seminarians within the seminary.
- 28 Q. Why was it necessary to characterise them as such? Was it as a result of their conduct or what was
- 29 the cause of this nickname?
- 30 A. Because some seminarians did not agree with this contribution to the war effort, so they expressed their
- 31 disagreement by giving this name to the seminarians who were contributing -- collecting the funds.
- 32 Q. Do you know anyone called Emmanuel Uwimana, yes or no, please?
- 33 A. Yes, yes, of course.
- 34 Q. Do you know when he left the institution?
- 35 A. He left the institution in June 1990.
- 36 Q. Very well. Two further questions on Nyakibanda and then we'll move on to someone else, Witness.
- 37 Did you used to have staff/student meetings?

1 A. Apart from one-on-one meetings between teachers and individual seminarians -- seminarians who had
2 problems, there were monthly meetings summoned by the rector and chaired by the rector that brought
3 together staff and students.

4 Q. What was the subject of these meetings?

5 A. In those meetings the agenda was determined by the rector, but we'd discuss everything. The rector
6 would tell us -- would give us information, would remind us -- the rules that needed to be recalled. He
7 spoke about the church and sometimes made comments on national events if he had to.

8 Q. You made reference to life in the seminary. During these meetings -- first of all, let me know, did you
9 used to attend those meetings and, if you do, did anyone complain about the conduct of one or the
10 other in relation to events of 1990 or the deterioration of the general situation?

11 A. Yes, I attended all those meetings, and I never heard any seminarian complaining about the prevailing
12 situation.

13 Q. The staff members, what was the majority ethnic group, if there was a majority ethnic group?

14 A. Most of our lecturers -- teachers were Tutsi. I would even say all of them except for the rector.

15 Q. During that period that you were a student there, did it ever happen that students were dismissed from
16 the institution?

17 A. Yes, there were cases of dismissal of seminarians.

18 Q. And -- and someone who may have conducted himself in a racial manner, would he have been
19 dismissed?

20 A. Yes, in fact, that would have been one of the most serious reasons for dismissal.

21 MS. SEGOETE:

22 Mr. President, once again the line of questioning that we've just objected to, I think the questions should
23 be directed to: For what reason. Not suggest that for racial whatevers (*sic*) that people were
24 dismissed. The witness was a student there, he would know. So it would only be proper to put it direct:
25 For what reason. Not to put words into his mouth.

26 MR. PRESIDENT:

27 Yes, Counsel.

28 MS. CONDÉ:

29 Mr. President, I'm only repeating the questions I had the last time. I had no objections. It is a
30 (*unintelligible*) of the questioning that I did on Nyakibanda. So, I mean, it is only now on the last
31 testimony on Nyakibanda that I'm having objections. If you check, I've asked the questions as they are.
32 Be that as it may, I will correct the question.

33 BY MS. CONDÉ:

34 Q. Witness, what could be the causes of dismissal?

35 A. That one is broad now. A seminarian could be dismissed if his conduct was not in conformity with the
36 rules of the seminaire or not in conformity with the conduct of a Christian or a future priest.

37 Q. What is -- what would you define of conduct unworthy of a future priest?

1 A. Well, now we are embarking on a very broad area and we could stay on it for a whole day because -- I'll
2 see whether you leave me enough time to describe what I mean by evangelical conduct and the whole
3 Christian moral on it, because that is actually it.

4 Q. Well, I think that gives us an idea. Now, that was my last question in that line. Let's move on to
5 something else. The word "*Umusoto*", does it mean anything to you?

6 A. Yes.

7 Q. Did the *Umusoto* change, or did you observe any change in the *Umusoto*?

8 MR. PRESIDENT:

9 (*Microphones overlapping*) ...then only we will understand the change.

10 MS. CONDÉ:

11 But we know --

12 MR. PRESIDENT:

13 Let the witness tell us. You may know.

14 BY MS. CONDÉ:

15 Q. Witness, can you tell us what is an *Umusoto*?

16 A. I would define *Umusoto* as a chat group, a group for informal debate between seminarians who would
17 discuss almost any topic. But if you wanted entomological definition of the word, initially it meant -- it
18 referred to the pillar of a grainery. And that little chat group led a group of free discussion, was called
19 *Umusoto* because they usually stood for a long time as if they were planted on the spot.

20 Q. Very well. Now these *Umusoto*, did they change in nature at some point of your stay at Nyakibanda?

21 A. No, I did not witness any change in the nature of the *Umusoto* while I was undergoing training at
22 Nyakibanda.

23 Q. At this time I would like to know if you learned that Emmanuel Rukundo had been appointed military
24 chaplain; if yes, how did you learn about it?

25 A. Yes, I learnt about it. But I can't really say how I learnt about it. It was the kind of information that we
26 circulate and would be of interest to us priests in our appointment of colleagues to posts of
27 responsibility. Those are the kinds of things that would interest us.

28 Q. What was your reaction when you learnt of that appointment?

29 A. Well, I did not have any special reaction. I just told myself, or maybe I commented to a few friends, that
30 a younger person could have been appointed because he looked a bit old for the post.

31 Q. Did you learn of any incident in which he was involved after his appointment as military chaplain?

32 A. Yes, I heard that he had been beaten up in some kind of initiation into military life and he had been
33 injured.

34 Q. How did you learn about that?

35 A. Once more, that is the kind of information that we circulate amongst us priests, that we circulate from
36 year to year.

37

1 MS. CONDÉ:

2 Mr. President, sir, I'm -- I'm going to ask a few questions relating to the identification of the witness for a
3 few moments, then we'll move into open session except for the four or five last questions of my direct
4 examination. It won't take five minutes.

5 MR. PRESIDENT:

6 Yes, *(unintelligible)*...yes, Counsel.

7 *(At this point in the proceedings, a portion of the transcript [pages 11 to 13] was extracted and sealed*
8 *under separate cover, as the session was heard in camera)*

9 *(Pages 1 to 10 by Melissa Hook)*

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1 BY MS. CONDÉ:

2 Q. All right, Witness, we're now in open session.

3

4 6 April, or the month of April before the consequences of the death of the president, do you know if
5 Emmanuel Ruhimana had a family name or some other name?

6 A. Yes, he was nicknamed "Chicago".

7 Q. You mentioned Nahimana, what was his relationship with Emmanuel Rukundo?

8 A. I don't know of any special friendship tie between Emmanuel Rukundo and Daniel Nahimana.

9 Q. Very well. The general situation in Kabgayi as from 6 April, what can you tell the Chamber about that?
10 What were the immediate consequences in Kabgayi? Well, not necessarily in Saint Léon, what were
11 the immediate consequences of the attack?

12 A. The first consequence was a situation in which Kabgayi appeared deserted. A few days after the
13 attack, one could not see a single person in the streets. And after about a week, we started receiving
14 refugees who came to seek refuge in Kabgayi.

15 Q. What was the ethnicity of the persons who came to Kabgayi?

16 A. Those who sought refuge in Kabgayi were Hutus or Tutsis.

17 Q. What were the Hutus escaping from?

18 A. The Hutus were escaping from the war situation that had broken out in Kigali. Almost all the Hutus we
19 received were people who came from Kigali, inhabitants of certain levels in Kigali, like Keesata
20 (*phonetic*) on the Byumba Road. And the bulk of the Hutu refugees we received at the minor seminary
21 were persons who were at the Nyacyonga displaced persons camp.

22 Q. Before delving at length into the minor seminary, I'd like to know whether Kabgayi diocese tried in some
23 way or the other to assist the refugees.

24 A. Yes, as soon as the refugees arrived en masse, the dioceses arranged for them to be taken care of.

25 Q. How?

26 A. Well, especially by granting them into accommodation and distributing them into the available buildings
27 and by providing them with food and other essential needs, such as water and rugs.

28 Q. How did you manage to get food for all those persons?

29 A. When the refugees came in, some institutions had food stocks, like the minor seminary. Then the
30 bursar's office received support from some religious congregation. And, above all, we received food aid
31 from the world food programme, from Bujumbura by means of Father Biroko (*phonetic*).

32 Q. There's a question I forgot to ask you in closed session, but it's all right.

33

34 Let's move back to Saint Léon, and could you tell the Chamber the earliest refugees who came to your
35 institution?

36 A. The very early ones was a group of students from Kigali who came in the evening of 11 April, I think.

37 They were slightly below 20 because they were in a small bus and they just wanted to spend the night

1 and then continue on their way to Butare the next morning.

2 Q. And when they did decide to actually settle down in Saint Léon and when they decided to, how did you
3 organise yourselves to take care of them? So, can you explain to the Chamber how you managed to
4 do all of that at the Saint Léon institution?

5 A. The first refugees who came to Saint Léon with the intention of settling down came in the second week
6 of the month of April. The first who came in were people who came from Kigali; Hutus from Rutongo
7 who accompanied the *sous-préfet* of Mugambazi, Mr. Alexis, who was at the minor seminary before
8 being a *préfet*. And then there was an influx of other refugees in the days after that. And at the minor
9 seminary, we set up a committee to receive the refugees, to assist them in all respects. Some persons
10 were appointed to be in charge of security, some in charge of receiving them, others in charge of social
11 affairs, some were responsible for logistics, food. Food was the natural domain of Father Charles.

12 MS. CONDÉ:

13 It's quite hot in here, could somebody turn on the air-conditioning? I'm sorry.

14 BY MS. CONDÉ:

15 Q. Witness, you mentioned the arrangements you made within the institution. Do you think we could
16 discuss that in open session?

17 A. Yes.

18 Q. So without talking about yourself, could you tell us who did what?

19 A. The reception of the refugees was done by seminarian Sylvain. Well, I've said that everything related
20 to the kitchen and the dormitories was the responsibility of Father Charles. Security, we entrusted
21 security to Father Daniel. Social affairs was the duty of seminarian Védaste in collaboration with the
22 lady who accompanied the *sous-préfet*.

23 Q. Well --

24 MR. PRESIDENT:

25 Counsel, we can take the break and come back.

26 MS. CONDÉ:

27 All right.

28 MR. PRESIDENT:

29 Court is adjourned for 15 minutes.

30 *(Court recessed at 1100H)*

31 *(Pages 14 to 15 by Melissa Hook)*

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1 (Court resumed at 1110H)

2 MR. PRESIDENT:

3 Yes, Court has resumed.

4

5 You may continue, Counsel.

6 BY MS. CONDÉ:

7 Q. Witness, we were talking about life at Saint Léon, and I would like to know if you had some criteria to
8 establish the refugees in one place or the other at Saint Léon.

9 A. The only criterion we had was to separate the men from the women. We put the women on one side
10 and the men on the other side.

11 Q. Where were the women and where were the men?

12 A. We settled the women in a complex that was occupied by the seminary of the elders towards the
13 Saint Joseph bishopric, and the men were in a complex occupied by those that were referred to as the
14 classical seminarians.

15 Q. I'm sorry, but I have a memory lapse. I am not too sure anymore if I have already asked you about the
16 majority ethnic group in the group of refugees that you received.

17 A. I do not understand your question.

18

19 Okay. Okay. I think I've already answered that -- no, I don't think you've asked that question.

20 THE ENGLISH INTERPRETER:

21 Corrects the witness.

22 THE WITNESS:

23 But I was saying that there were some refugees who were Hutu who came from Kigali or Nyacyonga,
24 and the other group were Tutsis who came from the various *communes* of the Gitarama *préfecture*, and
25 even the Gisenyi *commune*, which is nearby to Gitarama.

26 BY MS. CONDÉ:

27 Q. What was the proportion of the two groups in terms of percentages? Or, which group was dominant?

28 A. I am not too sure about this, but I think both groups were large. And I don't think there was a numerical
29 predominance of one group over the other.

30 Q. At the height of the crisis, how many refugees did you have in your buildings?

31 A. At the height of the crisis, in the minor seminary, we had a little less than 3,500 refugees.

32 Q. How are you able to put forward this figure? Did you take a head count?

33 A. No, we don't do a head count, but we counted them to be able to settle them in the various halls. And
34 above all we -- we needed to know the approximate number so as to be able to plan the distribution of
35 meals.

36 Q. Did all the -- did all the refugees get some accommodation?

37 A. Yes, all the refugees got some shelter. There was enough place in the buildings for everybody.

- 1 Q. Did you settle some people in the chapel?
- 2 A. No, we did not settle any refugees in the chapel.
- 3 Q. Do you know if there were some refugees who spent their nights there?
- 4 A. No, I did not hear of anyone who would have slept in the chapel.
- 5 Q. You just said that you counted them, particularly to facilitate the distribution of meals. How did you
6 proceed with feeding them?
- 7 A. Food was prepared in bulk in the seminarian kitchen. And when the food was ready, the bursar will
8 organise the distribution of the food to each one of the refugees, who would be in a -- who come in a
9 file, and each one would take his ration.
- 10 Q. What was the frequency of feeding?
- 11 A. We served them one meal a day.
- 12 Q. Was this assistance supervised, and, if yes, by who?
- 13 A. But I have already told you that the entire organisation relating to food, kitchen, shelter was under
14 Charles Lukanga.
- 15 Q. You made reference to seminarians. I would like to know if these seminarians spontaneously
16 organised themselves to assist the refugees.
- 17 A. No, the seminarians did not carry out any organisation of assisting the refugees. It was not necessary,
18 and they didn't even have the means. In fact, they were refugees, just as everyone else.
- 19 Q. Did you continue celebrating Mass during that period?
- 20 A. Yes, yes. During that period we used to celebrate -- celebrate Mass for the refugees.
- 21 Q. Did anyone in particular -- or, was there anyone in particular in charge of these church services?
- 22 A. Yes, I, myself. I had the responsibility of organising Mass with the assistance of the priests who were
23 present there.
- 24 Q. Did you have Mass service?
- 25 A. Yes. The seminarians who were present during that period would help us as Mass servers.
- 26 Q. Are you able to tell the Court who these seminarians who were Mass servers were?
- 27 A. All the seminarians present would take their turns as Mass servers, but the seminarian who was in
28 charge of this area was -- and who was present was a seminarian called Mutimura from Gitarama
29 because, in the course of the academic year, that was his responsibility. So, naturally, he was the one
30 in charge of that organisation.
- 31 Q. Are you saying that he was the one coordinating things, or am I miss --
- 32 A. Yes, he was the one who was organising. He organised the items for Mass, drew up a roster for the
33 Mass service, and all those activities were under his responsibility, taking care of materials, the Bible
34 that had to be read during Mass, and so on and so forth.
- 35 Q. The Mass servers, were they to be in contact with the priests who celebrated Mass? I don't know if my
36 question is clear.
- 37

1 THE ENGLISH INTERPRETER:

2 Says counsel.

3 MR. PRESIDENT:

4 (*Microphones overlapping*)...you are going a little fast, and they are experiencing difficulties, the
5 reporters. So go slow.

6 MS. CONDÉ:

7 Very well, Mr. President.

8 BY MS. CONDÉ:

9 Q. Witness, what I am seeking to know is that, do we need any contact between the Mass server and the
10 priests (*sic*) who celebrates the Mass?

11 A. No, there's no need for that. The priests (*sic*) who celebrates Mass, who find the Mass servers at the
12 sacristy, just before he begins the Mass -- he doesn't even need to talk to them because the Mass
13 servers know what they are supposed to do; when they are supposed to bring one or the other item,
14 water, wine, the hosts for celebration. Mass servers know the Mass -- the order of Mass and don't
15 need to be told what they need to do. It is not necessary.

16 Q. Still, in the organisation of the seminary, did you encounter water problems?

17 A. Yes.

18 Q. Around which period?

19 A. End of April, early May. From that period we started having this problem, until June.

20 Q. How did you manage to solve this problem?

21 A. The bursar, Father Charles, initially found a solution of going to fetch water with a pickup in barrels from
22 the Kivumu parish, the parish of Father Viaco (*phonetic*), the Franciscan order. At one point in time he
23 could not do it any longer because he was being threatened at the security roadblock because they
24 were saying that he was going to fetch water for the *Inyenzi*. So at that stage we asked the Hutus who
25 were in the seminary to go and fetch water because the Tutsi could not go out because they were not
26 safe outside the walls of the -- the confines of the seminary.

27 Q. You also have spoken of Hutus who came from the Kigali region and who were displaced persons. Did
28 they have names or the name of a locality, these displaced persons?

29 A. Well, name. There were refugees from Kigali, Gacyakaka (*phonetic*), and Gatongo (*phonetic*). And --
30 and I mentioned that there were refugees from Byumba. And they were called Nyacyonga because
31 they came directly from that locality of Nyacyonga, around the capital of Rwanda.

32 Q. Did these persons from Nyacyonga stay on until the liberation of Kabgayi by the RPF?

33 A. No, they left before the arrival of the RPF troops.

34 Q. Well, approximately how long before?

35 A. I would say a week before, approximately.

36 Q. Do you know if a priest did some preaching on the issue of the shortage of water?

37 A. Well, preaching about the water shortage, no.

- 1 Q. No, please, go on, Witness.
- 2 A. Well, there was preaching. There were sermons at all the Masses, but the sermons did not have to do
3 with water shortage.
- 4 Q. Do you not recall Daniel Nahimana inciting the Hutus not to go and fetch water?
- 5 A. No. I've never heard of that incident.
- 6 Q. Now, security at Saint Léon. You have stated that Daniel Nahimana was in charge of security. How did
7 you carry -- how did you carry out security in your institution?
- 8 A. We had set up a system to watch the gates, the entrances, and we had given to each refugee a piece
9 of paper with the number and the stamp of the seminary. And they had to present that paper each time
10 they were leaving or entering the seminary. And on the doors of the seminary -- or, at the gates of the
11 seminary, there were persons who supervised entries and exits, and seminarian Sylvain was also there.
- 12 Q. Could you tell us more about the policemen who were at the entrance. Who were there and where did
13 they come from?
- 14 A. The policemen we had at the minor seminary were those from Rutongo *commune* who had come to
15 Kabgayi in the company of the *sous-préfet* of Mugambazi.
- 16 Q. How did they come about ensuring the protection of the institution, if you know?
- 17 A. I have said that we had set up a small organisation, a committee, to receive and help the refugees. In
18 that committee we included representatives of the refugees. And when we settled that committee, the
19 refugees that came out were the group of the *sous-préfet*, so we included them in our organisation
20 committee. So that is how we brought in the collaborators of the *sous-préfet*, and they stood guard at
21 the gates of the seminary.
- 22 Q. Was the gate to the seminary open or closed?
- 23 A. It was closed.
- 24 Q. All the refugees from all ethnic groups, could they move about freely?
- 25 A. No. The Tutsi refugees could not move about because outside the gates of the seminary they were in
26 danger, so they avoided going out.
- 27 Q. And in that case, how did you manage to treat those of them who were sick or weak?
- 28 A. Those who were sick, we had no choice. We accompanied them to the hospital. And, precisely, the
29 great seminarian, Védaste -- I think I did not -- I was not specific. When I talk of seminarian, I mean a
30 major seminarian -- major seminarian Védaste and the others. Whereas, the others were minor
31 seminarians.
- 32
- 33 So for cases of sick refugees, seminarian Védaste accompanied them, and, when necessary, he
34 brought in other persons to accompany them. And in some cases we would call for Inez, Inez from the
35 hospital. But, of course, they were overwhelmed by work, and on several occasions they could not
36 come.
- 37 Q. So it happened that the health practitioners would come to Saint Léon?

- 1 A. Yes.
- 2 Q. You stated that you had to accompany them on account of the security situation. What was the security
3 situation in Kabgayi, generally speaking?
- 4 A. Well, the atmosphere had deteriorated in those days. Obviously, it was worse for Tutsis than the
5 others. The Tutsis could not feel safe in the streets of Kabgayi because there were always soldiers,
6 gendarmes, or *Interahamwe* moving around, and they could harm them, harm people, especially Tutsis.
7 So there was an atmosphere of widespread insecurity.
- 8 Q. You mentioned the *Interahamwe*. Would you know if there were any special groups that were operating
9 in Kigali or not -- or, Kabgayi, sorry, or not?
- 10 A. No, I do not know of any special group of *Interahamwes* that were waiting there, no.
- 11 Q. Were they present?
- 12 A. Yes, they were present. One could meet them.
- 13 Q. What about Saint Léon? In spite of the security measures that you had taken, did you face problems of
14 insecurity too?
- 15 A. Yes, and very grave ones too because some of the refugees we had at the minor seminary were
16 abducted. We -- there were cases of loss of life. Some persons were taken away and they never came
17 back.
- 18 Q. Did you know who carried out the kidnapping?
- 19 A. Well, did -- the day we had the most massive kidnapping that I witnessed was a *sous-préfet* called
20 Misago. And on other days we had gendarmes coming, or soldiers, who came in and took away
21 people.
- 22 Q. On how many occasions did you witness such kidnappings?
- 23 A. The kidnapping or abduction of refugees was done on an intense -- at an intense rate the last days of
24 the month of May, 20, 22 May. We had five or six days on which there were daily kidnappings.
- 25 Q. What about the period before then?
- 26 A. Before then, no, there were no kidnappings that I recall.
- 27 Q. The name Merci Déo, Merci Déogratias doesn't mean anything to you?
- 28 A. Yes, of course. I know him very well. He was my teacher at the minor seminary, and in 1994 he was
29 still a teacher at that institution.
- 30 Q. Did he suffer from the prevailing insecurity?
- 31 A. Yes, in the worst possible manner, because he was killed.
- 32 Q. Now, would you -- could you just situate the period when that happened, approximately.
- 33 A. Could it have been the 25th -- the 25th of May, much later?
- 34 Q. Did you have any ties with the refugees?
- 35 A. You mean personally?
- 36 Q. You and the other persons, the other persons who worked there.
- 37 A. Yes. Those who worked at the minor seminary. Yes, we had ties with the refugees on account of the

1 situation. We gave them assistance and, of course, were in communication with them. Personally, I
2 had a special relationship with a number of them because they were members of my family who were
3 there. I'm speaking of my extended family. I had a lot of cousins with their wives, their spouses and
4 children, and I had a relationship with all the teachers who sought refuge at Kabgayi.

5 Q. Would you recall the names of persons who were abducted from the -- from the major seminary, apart
6 from Merci Déogratias?

7

8 You said the major seminary. Actually, we're talking about the minor seminary.

9 A. Yes, I do recall a few names. I remember his wife, Madam Simfa Rose (*phonetic*), that is, the wife of
10 Merci Déo. And other persons known in Nyabikenke, from the Nyabikenke *commune*, for instance, the
11 teachers, Zacharie; teacher Inez; teacher Fidèle. There were two Fidèles, two men; and seminarian
12 Védaste.

13 Q. Were you present when these people were abducted?

14 A. Yes, I was present when the people I have just mentioned were taken away.

15 Q. The specific case of Zacharie, at what period would you say he was abducted? And can you briefly
16 describe the circumstances of his abduction?

17 A. Zacharie was abducted together with a group of persons. They were in a small bus, and they were
18 abducted by a *sous-préfet*, Misago, who got into the seminary with a list of persons he claimed had to
19 be questioned by the state prosecutor. So he got those persons and took them away.

20 Q. How did you know that person was called Misago and that he was a *sous-préfet*?

21 A. I don't really remember who told me because I did not know him before he came to the minor seminary
22 to abduct those people. I did not know him before. But that name actually circulated after. People said
23 he was Misago (*unintelligible*). That's all.

24 Q. So were you able to see that person you had identified as Misago? Did you actually see him?

25 A. Yes, I saw him, and closely too.

26 Q. Now, the persons who were abducted, were they just selected haphazardly, as far as you can tell?

27 A. No. I actually said that this fellow came with a list, a list of persons he had to take away. But don't ask
28 me how he drew up those lists. But he came into the seminary with a list of persons who he had come
29 to take away.

30 Q. Actually, my question was much broader because you said Misago abducted persons and you cited
31 other persons. Now you are focussing only on Misago. Now, the other hapless persons who were
32 abducted, would you know why they were chosen instead of some other persons?

33 A. No, I don't know why. But each time persons were abducted, those who abducted them actually came
34 for those specific persons. They came into the seminary, and they asked where they were. And then
35 they gave some pretext why they came to fetch them, and then they took them away.

36 Q. You knew Emmanuel Rukundo for some time. And did you see him in April-May at Saint Léon,
37 Witness?

- 1 A. Yes, I saw him.
- 2 Q. And before that I just realised that I left out something.
- 3 You spoke of a small bus. What was the colour of the bus, please?
- 4 A. It was a Toyota Hiace-type minibus, (*unintelligible*) colour.
- 5 Q. Do you know to whom it belonged?
- 6 A. No, I don't know who owned it.
- 7 Q. Were people killed within the Saint Léon compound itself?
- 8 A. No, nobody was killed within the Saint Léon compound.
- 9 Q. Does the name Jean Kambanda mean anything to you?
- 10 A. Yes, of course. He was the prime minister of the government of the time.
- 11 Q. Did you see him at Saint Léon?
- 12 A. No, I did not see Jean Kambanda at Saint Léon.
- 13 Q. Did you hear any reports that he had come to Saint Léon?
- 14 A. No, I've never heard that Jean Kambanda came to Saint Léon.
- 15 Q. Did the *Interahamwe* at any moment come and guard the gate of your establishment?
- 16 A. No. The gates of our establishment were permanently guarded by the policemen of Rutongo, who were
17 there at the minor seminary.
- 18 Q. So you have no recollection of *Interahamwe* who guarded the gates of your establishment and who
19 killed all Tutsis who tried to escape?
- 20 A. No, I have no recollection of that. It never existed. No *Interahamwes* guarded the gate of the minor
21 seminary. There were no persons killed at the gate of the seminary.
- 22 Q. And I will come to my client, Emmanuel Rukundo. You have stated that you saw him at Saint Léon.
23 How many times did you see him in that institution?
- 24 A. I believe I saw him at least two times.
- 25 Q. At what period, approximately?
- 26 A. I would say I saw him -- well, there was an interval of about a month between the two times I saw him.
27 Could be mid-April, mid-May.
- 28 Q. Did it happen that he could come on -- come to your institution several times on a single day?
- 29 A. No, I did not see him on several occasions at the minor seminary.
- 30 Q. Well, let's move back a bit. For the entire period you knew Emmanuel Rukundo, did he ever put on
31 lenses?
- 32 A. No, I do not recall seeing him with lenses.
- 33 Q. You saw him twice within a one-month interval. On those two occasions, can you explain to the
34 Chamber whether he was on foot or in a car.
- 35 A. On the occasions I saw him, he came in a car.
- 36 Q. What kind, or what colour of vehicle?
- 37 A. It was a private vehicle with a very clear colour, beige or white, but it was a private vehicle.

- 1 Q. Was he alone, or was he accompanied?
- 2 A. He was accompanied.
- 3 Q. By whom?
- 4 A. I recall at least that he used to come with a soldier who accompanied him.
- 5 Q. What was he wearing?
- 6 A. The one accompanying Emmanuel or Emmanuel?
- 7 Q. No, I mean Emmanuel. He is the one the Chamber is interested in.
- 8 A. He was in military uniform. I'm not able to give further details on how -- on what he was wearing.
- 9 Q. Did he bring the vehicle into the institution?
- 10 A. Yes.
- 11 Q. Did his visits have any purpose, as far as you can recall?
- 12 A. No. Maybe the only purpose was to see us, greet us, and to discuss the prevailing developments on
13 the national scene with us.
- 14 Q. On the two visits you noticed, did you notice whether Emmanuel Rukundo discussed particularly with
15 anybody?
- 16 A. No, I cannot recall any special conversation he had with anybody.
- 17 Q. What about Daniel Nahimana, specifically? Did you notice Emmanuel Rukundo during his visits having
18 a tête-à-tête with Daniel Nahimana?
- 19 A. No, I did not witness that.
- 20 Q. You have just stated before the Chamber that you saw him twice in a clear-coloured private car, a
21 pickup; you saw Emmanuel Rukundo in a pickup at Saint Léon. So if you did not see him in that, did
22 you even hear any reports to that effect?
- 23 A. No. I've never heard about Rukundo driving a pickup. On the contrary, Father Charles told us that
24 he -- he drove the pickup of the -- of the seminary to pick up Emmanuel Rukundo's belongings in
25 Gitarama. I think that is evidence that Rukundo did not have a pickup.
- 26 Q. Rukundo and about 10 soldiers in that -- in a pickup, does that ring a bell with you?
- 27 A. No, I have never seen that.
- 28 Q. So at this time, if it is possible, I would like us to talk about the circumstances surrounding his two visits,
29 the first time, mid-April; the second one, mid-May. What can you recall about them, and can you tell
30 that before the Chamber?
- 31 A. Well, I don't remember a lot about those visits. Maybe I can remember that during his first visit he told
32 me, well, in particular, that he had saved persons from my area, persons he had saved from the
33 Tutsis (*sic*) in Nyabikenke, and that on the occasion he said he had fired in the air to disperse a group
34 of persons who had attacked Tutsis who had sought refuge at the parish.
35
- 36 Then on the second visit, I believe he spoke to us about his new appointment. He had been transferred
37 from Ruhengeri to Kigali. And in the course of the second visit, there is another detail. He had a meal

- 1 with us. He shared our noonday meal.
- 2 Q. Would you know if the majority of the priests in that institution were present during those visits?
- 3 A. Yes, they were present, yes.
- 4 Q. So once he had a meal with you, that gives us an idea of the time. So, for the other one, at what time
5 of the day would you situate his visit?
- 6 A. Well, the visits I recall were usually at midday. It was not in the morning or in the evening.
- 7 Q. Did you recall the meal time? Did you have a routine for your meals at particular moments that you can
8 explain to the Chamber, if it is possible?
- 9 A. It was -- it was 1 p.m. So we sat at table for our meal at 1 p.m., 1300 hours, if you like.
- 10 Q. During Emmanuel Rukundo's visits, did -- did it ever happen that he spoke to the refugees?
- 11 A. During his visits he did not speak to the refugees.
- 12 Q. You made reference to Charles with a pickup to carry Rukundo's belongings. Are you able to give
13 further clarifications to the Chamber regarding what it was that Charles told you and what you saw?
- 14 A. I did not see Charles transferring the personal belongings of Rukundo, but he told us that he did it. This
15 was in the course of this transfer from Ruhengeri to Kigali. So he came with these items that he could
16 not send all the way to Kabgayi, which he had left at the Gitarama military camp. And Charles went
17 with the seminary -- with the seminary pickup to take them to the minor seminary.
- 18 Q. Approximately how long did this visit last?
- 19 A. The visit, during which he ate with us, I think that lasted the time that a meal will last, maybe one hour.
20 After eating we did not stay a long time chatting.
- 21
- 22 And the other visit, I cannot recall how long it lasted. It may have been a little shorter than this one, and
23 we ate together.
- 24 Q. One was during lunchtime, and the other one, was it before or after lunchtime?
- 25 A. I would say after because before lunch it is -- it is difficult to see us together, I mean, all the priests who
26 were there together. I think we saw him all together. He greeted all of us, so it may have been
27 immediately after lunch.
- 28 Q. Did you see him with a list in his hands or a sheet of paper in his hands?
- 29 A. No, I never saw him with a list or a sheet of paper in his hands.
- 30 Q. Did these visits occasion any particular concerns among the refugees?
- 31 A. I never witnessed any such incident.
- 32 Q. Any panic?
- 33 A. I've told you that I never observed any panic during Rukundo's visit to the minor seminary, people who
34 were running and screaming. Never, never.
- 35 Q. You did say that on the two occasions that he came he was with a soldier. Do you know if this soldier
36 had the opportunity to speak to the refugees?
- 37 A. I will say that it is possible that the soldier -- and this is an assumption; this is not something I saw. It is

1 possible that while we were eating he would have spoken to the policemen who were at the gate.

2 Since the policemen were also refugees, it is possible to speak to them. But with the bulk of refugees
3 who were within the compound or in the dormitory, I don't think so.

4 Q. Did you observe if the soldiers came to attack the refugees immediately after Rukundo's departure?

5 A. No, I did not observe that.

6 Q. Did you hear people say that?

7 A. Say what?

8 Q. That immediately following Rukundo's departure soldiers came and attacked the refugees. The first
9 question is whether you saw it, and the second question was whether you heard people say this.

10 A. No, I never heard people say this.

11 Q. And those people abducted -- are people abducted at night following Rukundo's visits, that is to say, he
12 comes, and the following morning there are some people missing?

13 A. No, I never heard about that.

14 Q. People who spontaneously came to Rukundo in the belief that he will assist them, of course, with a
15 vehicle?

16 A. *(Microphones overlapping)*

17 Q. No, it's because I thought the question was a bit fluffy. Let me recouch it. Emmanuel Rukundo, who
18 comes with a vehicle, and people come to him spontaneously, hoping that he will assist them?

19 A. No, I didn't see any such thing, and nothing of the sort happened.

20 Q. Do you know Louis Rudahunga?

21 A. Yes, I knew him.

22 Q. Did you hear Emmanuel Rukundo mentioning his name?

23 A. No, not at all.

24 MS. CONDÉ:

25 Mr. President, I will need another short closed session to go further into some issues that I have already
26 dealt with.

27 MR. PRESIDENT:

28 For how long -- for how long do you need it?

29 MS. CONDÉ:

30 Very briefly, Mr. President. It is just that I deliberately was vague on certain issue, and I'd like to
31 explore them further. It wouldn't be more than five -- about five minutes, not more than ten.

32 MR. PRESIDENT:

33 Sessions will be closed to the public for a short time.

34 *(At this point in the proceedings, a portion of the transcript [pages 26 to 31] was extracted and sealed*
35 *under separate cover, as the session was heard in camera)*

36 *(Pages 16 to 25 by Ann Burum)*

37

1 BY MS. CONDÉ:

2 Q. Witness, you saw Emmanuel Rukundo at Saint Léon on two occasions, and you've told the Chamber
3 that you knew of no other visits under the circumstances that I described to you. Now, I would like to
4 know if Emmanuel Rukundo had a special place for himself at Saint Léon?

5 A. Yes. He was given a small area -- a small room where he kept his personal belongings that he brought
6 from the minor seminary.

7 Q. So what was this room like?

8 A. It was a small room that could be used as a store, and it was very close to our refectory behind the hall
9 where the entire community of the seminary went to watch films.

10 Q. What I would like to know is not the place where he kept his things, but where he slept, that is, a
11 furnished room.

12 A. No, I don't think Rukundo had a room at the minor seminary. Again, he never slept at the seminary in
13 April and May.

14 Q. Could Emmanuel Rukundo have access to -- to the keys of the various rooms?

15 A. No. He could not have direct access to keys of the rooms without being a member of the community.
16 The keys were under the custody of the bursar of the seminary, and he was the one who distributed the
17 keys to visitors.

18 Q. Now I would like to come back to the room where he kept his things. You've described it. Now, would
19 you know the kind of belongings he had?

20 A. No. I did not see them. I did not open the room after Rukundo kept his things there. So I cannot give
21 you further clarification on that.

22 Q. During Rukundo's visits, did you see him moving to and fro to get his things that were kept in that
23 room?

24 A. No. On the two occasions I saw him, he did not open the little room.

25 Q. After Saint Léon, did you have any other occasion to see Emmanuel Rukundo?

26 A. Yes, I saw him again at the end of June, and especially early July. In early July we travelled together
27 on the road of internal exile. We did not leave Rwanda. We moved together in Kibuye, and we stayed
28 there together for slightly less than a month.

29 Q. How did you occupy yourself in Kibuye?

30 A. In Kibuye we were occupied with the survival of our families. We had to find means of survival because
31 we travelled with members of our families. And we also tried to help the -- the parish priest, the
32 colleague who was there, in celebrating Mass. And we also helped with the people who were there, in
33 general.

34 Q. In closed session you mentioned the date on which you left the country for the reasons you mentioned.
35 What is of interest to me is to know whether you returned to your occupation, whether you went back to
36 your diocese after June and July.

37 A. Oh, yes. In August I went back to my diocese, but I cannot recall when we left Kibuye, but we got to

1 Kabgayi on the 12th or 13th of August.

2 Q. Was Emmanuel Rukundo among those who went back?

3 A. Not only was he part of the group that went back, but he and Father André Sibomana were also the
4 leaders of our group. They were the ones who encouraged us to go back, who almost pushed us to go
5 back, and they say, "We are going back to Kabgayi." So he did that.

6 Q. And you also, you went back?

7 A. Yes, I went back, together with my family.

8 MS. CONDÉ:

9 Mr. President, I have no further questions, but I'm not quite done because there are photographs of the
10 institution, one or two of them, that I would like to comment upon with the witness so we can have a fair
11 idea. Could we do that exercise in the next ten minutes that we have?

12 BY MS. CONDÉ:

13 Q. Witness, my assistant will give you a batch of photographs of Saint Léon, and I would like to comment
14 on them with you.

15 MS. CONDÉ:

16 Mr. President, Your Honours, you have them before you. Those are pictures of Saint Léon. I will tell
17 you how far I would like to go.

18 THE WITNESS:

19 Yes, I have them before me.

20 BY MS. CONDÉ:

21 Q. Could we just keep aside picture number 367, 368 -- well, if there is one that identifies you, it should be
22 kept aside -- 372, 373, 374 and 375 and 39 -- 379. Well, I will repeat again: 367, 368, 372, 373, 375,
23 374, 379.

24

25 Witness, I would like you to tell the Chamber, on these photographs do you see the part that was meant
26 for teachers?

27 A. Picture number 372 gives a view of the administrative building. That building was meant for the rector,
28 the bursar, the priest in charge of studies at the minor seminary. And in the extension -- in the
29 extension there, I can see the refectory of the priests, that is, the building that has a white colour.

30 Q. Now, on this side of Saint Léon, did you have refugees?

31 A. No, there were no refugees on this side because there were offices of the minor seminary.

32 Q. Can you see anywhere on the photographs the areas where the refugees were settled?

33 A. Yes, photograph number 375 and a bit of 379. Yes, on 375 we see an inner courtyard. You find
34 basketball posts. It is in that inner courtyard that the bulk of the refugees spent their days. And the
35 building behind where you see a group of persons standing in front, those were classrooms, and the
36 classrooms were used as shelter for the refugees, for the men; that was the area used by the men.
37 Behind the classrooms that you see there, there is a huge dormitory that was also used by refugees --