

Bogoro Witness Identifies Ngudjolo, Katanga

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He says he saw both defendants in attack on village, in which residents were killed and homes pillaged. By Emily Ponder in London

A witness told the International Criminal Court, ICC, this week that he saw alleged rebel leaders Germain Katanga and Mathieu Ngudjolo congratulating child soldiers and giving orders after the attack on Bogoro in Ituri province in eastern Congo in February 2003.

Katanga and Ngudjolo are accused of war crimes and crimes against humanity related to the attack on Bogoro, one of the most deadly incidents of the Ituri conflict.

Together, Katanga, commander of the Patriotic Resistance Force in Ituri, FRPI, and Ngudjolo, leader of the National Integrationist Front, FNI, have been charged with murder, pillaging, sexual slavery and enlisting and using child soldiers under the age of 15.

The FNI and FRPI were engaged in violent conflict with the Union of Congolese Patriots, UPC, in Ituri from 1999-2003.

The witness, testifying anonymously under face and voice distortion this week, lived in Bogoro when the FNI and FRPI attacked in 2003. When the troops launched their assault, the witness, known as Witness 159, said he fled and watched the attack from a tree that "wasn't far from the [UPC] camp".

It was from this perch that the witness said he identified the two accused.

"I was able to see what was happening there," Witness 159 said. "And amongst the people I saw, there was Mr Ngudjolo ... some time later I saw his colleague Germain Katanga. It was at this time that the enemies started penetrating into the camp and they continued carrying out the activities."

The witness said that he saw bodyguards as young as 12 years old accompanying Ngudjolo when he arrived at the camp.

"He was accompanied by his bodyguards and he was congratulating them," the witness said. "After that he gave an order. He said the following, 'Continue with your work. We have won.'"

At this point, the witness said, the attack continued and many civilians were killed while homes and property were pillaged.

"When Ngudjolo gave his orders, the fighters continued fighting," he said. "They continued to massacre the population."

The witness also said that "merciless" children were among the fighters of the FRPI group, killing with machine guns, machetes and spears.

The defence counsel for Katanga, David Hooper, told the chamber he was "surprised" by the witness's testimony about his client's presence. Hooper said previous statements given to the prosecution by the witness mentioned Ngudjolo, but the witness had said he did not know the commander of the FRPI.

Hooper said he had expected Witness 159 to mainly bring evidence against Ngudjolo.

"There's no mention in this [statement to the prosecution] that he was going to be an incriminating witness, and suddenly he's emerged as one," Hooper said. Hooper said he had originally intended to ask only a few questions of the witness but will now need more time to question him.

That cross-examination will begin next week following the conclusion of the prosecution's questioning.

Emily Ponder is an IWPR intern in London.

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