

PUBLIC

ANNEX 4

STATEMENT INTERNATIONAL CRIMINAL COURT

Persons interviewed:

- PEKE LYANDA ERNEST
- ADIRODHU MAZINGA
- AVUTA MBOUDHU AMONO
- KAZANA AROY DELPHIN
- BAHATI KYENGA DIEUDONNE
- ANGAIKA DIDI OSEE
- AKOBI ADZIBALE CHRYSANTHE
- NGABU MANDRO EMMANUEL
- LOBO NYINGA AUGUSTIN
- KATHO-TSORO EMMANUEL
- MUGASA MONGU JEROME
- ANDROSI NEEMA
- PEKE ZABA JUSTIN
- DAVID NDRUNDROLE MBAFELE
- LOMBUNI LOTE DIEUDONNE
- NGABU WELE JEAN
- ORATE AKOBI JEAN-BAPTISTE
- BAHATI BYALETSU SALOMON
- KITABU DHEKWA JEAN GASTON

Languages used during interview: French, Swahili

Date of interview: 1 September 2015

Place of interview: Bunia

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We, the undersigned, prominent individuals of the Lendu and Ngiti communities of Bunia,

Declare on our honour:

We do not believe that the return of GERMAIN KATANGA to the DRC, be it to Ituri or elsewhere, will cause problems.

In recent times all communities in Ituri have been united. The 21 communities of Ituri have reconciled. We are united through the organization named UNADI, *Union des Associations Culturelles pour le Développement de l'Ituri*.

The return of GERMAIN KATANGA will have no negative impact because, although Germain Katanga was convicted by the ICC, it is the community itself and not the ICC that found solutions to its problems.

As a court, the ICC has already done its job. GERMAIN was convicted and has served his sentence. So, for us, the population of Ituri, justice's objective has been reached. GERMAIN can return.

The Lendu and Hema communities want to make peace. YVES KHAWA, a Hema, was ordered to pay \$85 000 in damages to the Lendu community by the Congolese Tribunal. The Lendu community declined the compensation in the name of reconciliation.

The return of YVES KHAWA to Bunia, Ituri, was welcomed by all communities. Everyone gathered to greet him.

Whether it is GERMAIN KATANGA, THOMAS LUBANGA or MATHIEU NGUDJOLO, the population will welcome their return with joy, as it awaits the return of its sons. This will not destabilise the region or threaten peace.

Therefore, if GERMAIN returns to Ituri, he will be warmly welcomed by everyone, not just the Ngiti or Lendu. He is a son of Ituri and is welcome home.

In Ituri, one would think that war is still going on, but, in actual fact, the communities are becoming stronger. Iturians are more united than ever. There is no fear of someone becoming a warlord. The situation is misread at the national and international level.

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The strengthening of the union of the Iturians is also reflected in the creation of the Province of Ituri. GERMAIN will not in any way be able to disrupt the movement of union and reconciliation.

If all the sons of Ituri present in The Hague returned to Ituri, this would further encourage reconciliation. The Government could take part in this movement.

We were manipulated during the war. People died on both sides.

Any Iturian returning to Ituri will notice a big change. Before, Hema/Rwandans and Lendu/Congolese were often pitted against each other. Today, they will realise that Hema and Lendu are together and live well together.

We no longer live in such disorder. We need GERMAIN KATANGA in Ituri. He has to return home to the Congo, to Aru, Kinshasa or wherever he so wishes in his country.

It would, of course, have been better had there not been a war. But that is behind us. We would like GERMAIN to return, even to Aveba. We will even welcome him with open arms.

GERMAIN is useful to our community. He is the first FARDC general from our community. We need him to return and to serve his country, under the flag, as well as the community. We would like him to hold the highest offices in his community. He is crucially important to us.

In addition, he must return to take care of his family.

He must return as a son of the country and community.

Our understanding is that GERMAIN would like to settle in Aru. Should he reintegrate the army he will be at the army's disposal and will have to perform his duties throughout the country.

We believe that the ties between GERMAIN and the FRPI were cut in 2004, when the former was appointed army general – he was made general in the government army. Therefore, should GERMAIN return as FARDC general, he could even combat the FRPI. So, there is no risk of GERMAIN returning to the FRPI.

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Since GERMAIN has been in The Hague his communications with the Congo have been monitored. He cannot therefore talk with or have any influence over the FARDC in Ituri. He cannot contact these people. Since he has been in The Hague, the heads of the FRPI have been constantly changing; after COBRA MATATA came MBADU. Even those who command the FRPI today never mention GERMAIN.

GERMAIN talks to his friends and brothers from the Congo, but he does not talk to the militia. He does not speak the local language, Ndruna.

We are therefore convinced that GERMAIN has no ties with the residual FRPI militia present in the bush today.

One last point: nowadays the FRPI militia is neither an Ngiti nor a Lendu militia; it is composed of Hema, Nande, etc. It is a composite militia.

Today Lendu and Hema live side by side. They can spend the night at each other's home and be offered food and a bed for the night. Our people spend the night in Boga to attend market. Those from Boga sometimes spend the night in Walendu Bindi.

The communities meet at schools, markets, weddings, etc. When children fail an exam in Gety they resit in Boga, a predominantly Hema village.

Today, the Hema, in particular those from Boga, employ Ngitis to work in the fields. Ngiti buy their cattle from the Hema.

The communities coexist even on a political level. For example, Jean BAMANISA is from the Hema community; the Ngiti, Hema and other communities from Ituri supported his election as governor of Ituri. He was indeed elected and is still governor.

Both communities, Lendu and Hema, fiercely fought each other, but today respect each other. For example, when there is no Lendu in an association, one must find one. If someone is disruptive, that person must be arrested immediately.

In sum, Lendu and Hema have in general have rallied. They have reached a certain level of understanding regarding the fact that we are killing each other for no reason. Neither Hema nor Lendu have benefited from the war. We have all been losers. This is why today Lendu and Hema intellectuals are trying to take the people's destiny in their hands.

Official Court Translation

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Although there may be extremists among the population, the intellectuals are controlling the situation to keep them at bay. Radio stations inform us of tensions, which we strive to appease.

The communities are striving to live in harmony together.

The armed groups have started reconciliation, which has extended to the communities. DIDI ANGAIKA was elected President of UNADI by all the communities, including the Hema. DIDI ANGAIKA is a symbol of this reconciliation. Today, this union is such that we work with the Hema and consult each other. One of the undersigned has supervised the construction of the road to Boga, with Lendu and Hema under his command.

Lendu and Hema speak the same language today and their opinions converge.

When a disagreement erupts somewhere prominent Lendu and Hema travel together to solve the problems.

Furthermore, mixed marriages seal the union of communities. Before, Hema girls preferred not to marry Lendu, but today they do.

We overcome any differences that may occur.

We, the undersigned, confirm that the content of this statement reflects what we believe to be true. The statement was made voluntarily under no threat or pressure. We understand that the statement is taken by persons who represent GERMAIN KATANGA, who was convicted by the International Criminal Court. We also understand that it may be used in judicial proceedings before the International Criminal Court, in particular proceedings on the early release of GERMAIN KATANGA.

STATEMENT INTERNATIONAL CRIMINAL COURT

Name: *PEKE LYANDA ERNEST*

Date and place of birth: *04/04/1961, NYANKUNDE*

Ethnic group: *LENDU-BINDI (NGITI)* [signed]

Occupation: *PROMINENT PERSON/BINDI*

Address: *BUNIA, KINDIA*

Name: *ADIRODHU MAZINGA* [signed]

Date and place of birth: *Gety, 26/08/1950*

Ethnic group: *Lendu Ngiti*

Occupation: *Translator of the Bible into Ndruna* [signed]

Address: *Kindia neighbourhood, Bunia*

Name: *Avuta Mbdoudhu Amono* [signed]

Date and place of birth: *Tsarukaka, 15/07/1940*

Ethnic group: *Walendu-Bindi/Gety* [signed]

Occupation: [illegible] *and Evangelist*

Address: *Neighbourhood: Kindia, Avenue Kanzale 36*

Name: *KAZANA AROY Delphin* [signed]

Date and place of birth: *03/05/1985, Gety*

Ethnic group: *LENDU-BINDI* [signed]

Occupation: *Judicial Defender*

Address: *Kindia neighbourhood, Avenue NYAMARAGI I, BUNIA*

Name: *BAHATI KYENGA DIEUDONNE* [signed]

Date and place of birth: *MUNOBI, 24 June 1974*

Ethnic group: *NGITI*

Occupation: *PROMINENT PERSON AND PUBLIC OFFICIAL AT DGRPO*

Address: *BUNIA*

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Name: *ANGAIKA DIDI OSEE*

Date and place of birth: *28/12/1966, ISURA/GETY*

Ethnic group: *NGITI* [signed]

Occupation: *PRESIDENT, UNADI*

Address: *KINDIA NEIGHBOURHOOD, AVENUE BAYAYA, BUNIA*

Name: *AKOBI ADZIBALE CHRYSANTHE*

Date and place of birth: *GETY, 8 November 1967*

Ethnic group: *NGITI*

Occupation: *PROMINENT NGITI* [signed]

Address: *KINDIA NEIGHBOURHOOD, AVENUE SAGARA, BUNIA*

Name: *NGABU MANDRO Emmanuel*

Date and place of birth: *15/11/1955*

Ethnic group: *LENDU* [signed]

Occupation: *HIGH-RANKING DIGNITARY*

Address: *Kindia neighbourhood, Avenue Muta*

Name: *LOBO NYINGA AUGUSTIN* [signed]

Date and place of birth: *29/04/1955*

Ethnic group: *LENDU* [signed]

Occupation: *CIVIL SERVANT*

Address: *Bakoko neighbourhood, AVENUE GETY*

Name: *KATHO-TSORO Emmanuel*

Date and place of birth: *22/02/1955* [signed]

Ethnic group: *Lendu*

Occupation: *PROMINENT PERSON*

Address: *BANKOKO*

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Name: *MUGASA MONGU JEROME*
 Date and place of birth: *BUKIRINGI, 30 December 1973*
 Ethnic group: *NGITI*
 Occupation: *PROMINENT PERSON*
 Address: *BUNIA, KINDIA NEIGHBOURHOOD* [signed]

Name: *ANDROSI NEEMA*
 Date and place of birth: *Bunía, 23 March 1966*
 Ethnic group:
 Occupation: *ACTIVITY LEADER, DIOCESE* [signed]
 Address: *BUNIA, YAMBIYAYA NEIGHBOURHOOD*

Name: *PEKE ZABA Justin*
 Date and place of birth: *Bogoro, 02/10/1969*
 Ethnic group: *NGITI*
 Occupation: *PROMINENT PERSON*
 Address: *KINDIA NEIGHBOURHOOD, AVENUE NGUGU 43* [signed]

Name: *DAVID NDRUNDRULE MBAFELE* [signed]
 Date and place of birth: *14/10/1983, NYANKUNDE* [signed]
 Ethnic group: *NGITI*
 Occupation: *Judicial Defender*
 Address: *LUMUMBA NEIGHBOURHOOD, AVENUE DJALASIGA 51*

Name: *LOMBUNI LOTE Diedonné*
 Date and place of birth: *Longo, 22/01/1970*
 Ethnic group: *Lendu/Tatsi*
 Occupation: *University professor and prominent Lendu*
 Address: *KINDIA NEIGHBOURHOOD, Avenue Mulumbe* [signed]

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Name: *NGABU WELE JEAN*
 Date and place of birth: *20/06/1959, GOMA*
 Ethnic group: *LENDU-PITSI*
 Occupation: *PROMINENT PERSON*
 Address: *BUNIA, SUKISA* [signed]

Name: *ORATÉ AKOBI Jean Baptiste*
 Date and place of birth: *03/08/1974, Gety*
 Ethnic group: *LENDU BINDI*
 Occupation: *PROMINENT NGITI/KOMANDA* [signed]
 Address: *BUNIA/KINDIA*

Name: *BAHATI BYALETSU Salomon*
 Date and place of birth: *10/04/1979, NYANKUNDE* [signed]
 Ethnic group: *LENDU BINDI*
 Occupation: *CIVIL SERVANT/INSPECTEUR (EPSP)*
 Address: *KINDIA NEIGHBOURHOOD, AVENUE BAYAYA*

Name: *KITABU DHEKWA Jean Gaston*
 Date and place of birth: *Bambu mines, 16 June 1949*
 Ethnic group: *Lendu*
 Occupation: *Civil Servant*
 Address: *Avenue Djalasiga 24, Lumumba neighbourhood.*