



United Nations  
Office of Internal Oversight Services  
INVESTIGATIONS DIVISION

RECORD of INTERVIEW

(ID: [REDACTED])

ID case No.: [REDACTED]

Date of interview:

[REDACTED]-2006, 11.00-14.00

[REDACTED]-2006, 15.00-16.15

[REDACTED]-2006, 15.00-15.30

Time: -/-

16:00

Name, Title and Index No. or dob of person interviewed:

[REDACTED], Major FARDC

Address and Telephone No(s). of person interviewed:

FARDC Head Quarters [REDACTED]

Time, Place and Method of Interview (i.e.: personal/telephone/mail):

OIOS office BCDC, Kinshasa, personal meeting

Interviewing Officer(s):

[REDACTED] Resident Investigator, OIOS [REDACTED]

[REDACTED] Resident Investigator, OIOS [REDACTED]

Reason(s) for Conducting the Interview:

Allegations of Involvement of PAKBATT in the illegal Exploitation and Trafficking of Gold in Ituri region, DRC

Objective(s) of the Interview:

To establish

1. To find out whether those accusations are true or not, and if true, the extent to which PAKBATT II is or was supporting and participating in the exploitation and trafficking of gold.
2. The impact of their involvement in the trafficking of gold on the accomplishment of [REDACTED] mission [REDACTED] for which they were deployed there for.

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3. Find out whether PAKBATT Officers supported FNI militias with arms and money, in exchange for gold.

### NARRATIVE of INTERVIEW

1. Pursuant to investigations opened in case ID/OIOS No. 015106, ID/OIOS met this day in their office located at BCDC, with Witness [REDACTED]. After explaining its mandate and functioning to him, [REDACTED] was briefed on the confidential nature of the interview and he agreed to keep to those terms. The interview was then conducted in the French language.
2. [REDACTED] was introduced to the objective of the interview which was to establish the veracity of allegations against PAKBATT II, that they were logistically supporting and arming militias and ex-combatants in [REDACTED] in the illegal exploitation and trafficking of gold.
3. When questioned about his identity and background, [REDACTED] stated that he was [REDACTED]
4. [REDACTED] continued that in 2004, through the good offices of MONUC, [REDACTED] former Congolese Army were integrated into FARDC, and posted to [REDACTED] where he served as [REDACTED] linking FARDC and MONUC. That shortly thereafter he was detached to [REDACTED] to support them in their disarmament programme, where [REDACTED] was their Team Leader. [REDACTED]
5. When questioned on what his essential duties with [REDACTED] were, witness stated that their main duties, consisted of identifying and demobilizing ex-combatants/militias, disarming them, collecting their arms and ammunitions for safe custody, pending their handover to [REDACTED] charged with their safe custody in a

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role in the disarmament process for which he was deployed to [REDACTED]. Witness continued that he knew about this interest through militias who used to come up to him to assist them see Maj [REDACTED] since he could neither speak nor understand Swahili. Also as a result of his training as an agent of intelligence gathering, he used to question some suspicious ex-combatants that came to his place of work and most of them revealed to him that Maj [REDACTED] was offering better pay for gold.

11. Asked whether he had any concrete examples to buttress this point, [REDACTED] admitted that he had several and quoted three. The first was a transaction with a certain militia by name [REDACTED] said to be a former Minister of Defense of the FNI militia. He went on to state that some time in 2005, the named [REDACTED] went up to Maj [REDACTED] and exchanged a kilogram of gold for a Computer and printer. Witness was not in a position to say whether the computer belonged to PAKBATT or not. In the same manner he continued that around the 19<sup>th</sup> of April 2005, three UPC militias approached him to assist them see Maj [REDACTED] as they had some gold for him, to be exchanged for water motor pumps promised by [REDACTED], required to pump water out of mud holes to extract the gold. He denied them this responsibility, simply because he did not want to get involved in such illegal activities. He revealed the names those militias, as they are written down in his diary, as follow: [REDACTED]  
[REDACTED] He expressed his readiness at all times, to escort ID/OIOS to [REDACTED] and [REDACTED] for the identification of these victims if the need ever arises. In addition to the list, witness added the name of the Village Chief as [REDACTED] who had also approached him to complain about the involvement of PAKBATT in the gold trafficking, instead of concentrating on the security mission with the villages.
12. [REDACTED] expressed his regrets over the mal-practices of PAKBATT under the auspices of Maj [REDACTED], which were seriously undermining the effective discharge of their duties in [REDACTED]. He revealed that arms surrendered by ex-combatants were secretly returned to them by Maj [REDACTED] thereby compromising the work that they had collectively done earlier. Witness was not in a position to say why Maj [REDACTED] did this, neither was he in a position to guess the rewards that he got for playing this role, but knowing Maj [REDACTED] thirst for gold, witness believes that it is highly very probable that he did this in exchange for gold. Although he could not very easily recollect the names of those involved, he said that he could identify some of those had surrendered their arms, and whose arms were later on secretly returned by Maj [REDACTED]. He continued that he personally knew some elements of the UPC militia who had been armed by Maj [REDACTED] himself, one of them he is remembering the name [REDACTED] resident at [REDACTED].
13. When asked about how he would verify the information about PAKBATT providing militia with arms, [REDACTED] explained that it became apparent to him being personally and directly involved in the disarmament of the militia of the region. Repeatedly he saw militia who had disarmed one day, but the next they he saw the same groups armed again. When asking around why already disarmed militia would become rearmed again, the information he could obtain was always the same, that it

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would be PAKBATT giving arms back to the militia. It was in April 2005 when he learned once again that PAKBATT in Nizi did provide arms to some militia, allegedly one of them a fellow he knew, [REDACTED]. Knowing about [REDACTED] whereabouts in [REDACTED] he went to look for him and met with him. [REDACTED] further explained that [REDACTED] confirmed the information with PAKBATT providing arms, and according to [REDACTED] that was made in order allow the UPC to carry out their own security to tasks. To [REDACTED] himself, PAKBATT would have provided one rifle and 20 to 30 cartouche of ammunition.

14. Asked whether there was no register to establish the details of all transactions carried out by PAKBATT, [REDACTED] admitted that there was one, but that no body controlled this register to see to it that all entries were made, leaving everything at the discretion of Maj [REDACTED] who was Commander. However witness admitted that once the arms had been transferred to MORBATT, there was more transparency there as a computerized system existed where all data was stored in a data base
15. When questioned why he did not report the mal-practices of PAKBATT to the hierarchy, witness stated that the dealings of PAKBATT were well known by everybody, yet he still informed his Team Leader [REDACTED] of these allegations on 19 May 2005. He continued that [REDACTED] went up to PAKBATT Commander in Bunia, Col. [REDACTED] and drew his attention to the allegations. Col. [REDACTED] promised looking into them, but never did, Suspecting that he was the one that was informing [REDACTED], he continued insisting that he [REDACTED] be replaced by another officer. Witness went on to accuse Col. [REDACTED] for being an accomplice to the illegal exploitation and trafficking of gold in that area. According to him as the overall Commander of PAKBATT in the region, it was Col. [REDACTED]'s duty to discipline his troops, and if he did not reproach Maj [REDACTED] despite the many complaints against him, it was definitely because he was getting a share of the proceeds from the gold trafficking in the area.
16. Asked whether Major [REDACTED] could carry out all those activities without external assistance, witness stated that [REDACTED] had a close ally and friend of Ugandan origin who was a militia named [REDACTED]. He was the link between Maj [REDACTED] and the militias'-suppliers of gold. He also carried out other businesses on behalf of Major [REDACTED]. He would gather the gold and come to the tent of Maj [REDACTED] in the PAKBATT Camp where he would stay with him for as long as three weeks, before returning with money and food. Witness continued that this was unbearable to him, so he decided to report the matter this time to [REDACTED], an [REDACTED] officer with MONUC in Kinshasa. [REDACTED] reacted promptly by arresting [REDACTED] despite strong opposition from PAKBATT officers, and he is presently serving a prison term at the Kinshasa central prison.
17. [REDACTED] went on to reveal that further evidence concerning the excesses of Maj [REDACTED] and PAKBATT could be adduced from a certain FNI militia, now serving a prison sentence at the Central Prison in Kinshasa by name Mateso NYINGA alias *Kung Fu*. He was a very senior official in the FNI before his internment

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18. Asked whether from his judgment, [REDACTED] had achieved the set objectives of the disarmament programme at [REDACTED]. Witness was reticent on this fact and revealed that this could not be taken as a success story, when over 130,000 armed militias were still fighting in the bush and posing serious threats to the security of the local population as well as the security of the international community of the area alike.
19. [REDACTED] added that he was aware militia of the fact that the named PAKBATT officers would be involved in regular activities such as exchange of computers for gold with the mentioned [REDACTED] the business PAKBATT had with the population in selling clothes, computers, photo camera, mobile phones with the help of the named [REDACTED] the arrangements with Maj [REDACTED] to provide the three ex-militia with the water pump, and moreover the fact of PAKBATT providing already seized weapons back to officially disarmed militia who used those weapons to secure their gold mining sites as well as to secure their villages, shows how much PAKBATT as UN troops did facilitate the system of the illegal exploitation of the natural resources of the Congo. This also attracted more people into the illegal trade. Witness expressed so much regret over the behavior of the officers commanding PAKBATT.
20. When asked whether witness was aware of any incident when PAKBATT failed to return arms in their keeping when instructed to do so, or gave food to ex-combatants instead of money, or failed to intervene to disarm militias when they got news of their location, witness could not recollect any occasion during which any of these allegations were brought to his notice. He clarified however that after the disarmament proper, there was an orientation for those who had surrendered their arms. Those who wished to continue with the army were sent forward for some reformation training, and those who opted to return to civilian life were given a resettlement package to enable them integrate properly into the local communities of their choice. The ex-combatants received also 110 US\$ lump sum, and 25 US\$ per month during the following 12 months.
21. The interview proceeded without any incident and the witness was invited to come back to the service on Saturday 26/08/2006 for further fact finding investigations.

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Continuation of interview 28-08-2006, 12.30 hrs

22. ID/OIOS again received this day [REDACTED] in our Office where therein, we got from him the following clarifications concerning his last interview with us.

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23. Re-calling some of the allegations against PAKBATT and when asked to describe in some detail [REDACTED]'s activities with Maj [REDACTED] and how he came about the information, Witness admitted that although their transaction and exchange of gold for a computer, was done in private, news of it went round the whole place, probably proper gated by [REDACTED] himself. That when he got the news, and as a trained [REDACTED] Officer, he cross checked the information to be true
24. When asked to comment on the three UPC Militias [REDACTED] [REDACTED] A who had brought gold to Maj [REDACTED], to exchange for gold, witness stated that they were militias of the UPC, fighting in the bush as their leader Thomas Lubanga was awaiting trial at The Hague for Crimes against humanity committed in the DRC where he was arrested on mandate of the International Criminal Court.. He went on to say that since they were in the bush, they knew exactly where to get the gold and no doubt Maj. [REDACTED] was interested in them.
25. When questioned on the disarmament process proper, witness admitted that it was done in the presence of several partners including MONUC, CONADER, and PAKBATT etc. That when an ex-combatant surrendered his arm, all the partners present countersigned a receipt outlining his details, mark and serial number of the arm; a copy of which was given to the disarmed combatant who had to present this receipt to CONADER before receiving his disarmament package.
26. When asked how feasible it was, through this process, for arms to be secretly returned to the very owners that had voluntarily surrendered them, witness clarified that all the arms surrendered during the day, were handed over to PAKBATT at the end of the day for storage, pending their evacuation to MORBATT Bunia, and that Maj. [REDACTED] was the PAKBATT Commander at [REDACTED] so that it was possible for him to do as he pleased. Witness re-iterated the fact that he knew and had seen some militias whose arms had been returned to them by Major [REDACTED] probably when they had received the disarmament packages. He was not very sure whether a register was used for this assignment, but continued that he was ready to accompany ID/OIOS to the area, to indicate and identify those concerned.
27. When asked how [REDACTED] was arrested, witness stated that he informed [REDACTED] serving with the [REDACTED] service of MONUC Kinshasa, who involved the security in arresting him and bringing him up to Kinshasa. Since then the said [REDACTED] has been out of circulation and it is even rumored that he is in prison in Kinshasa. Witness did not seem to know the exact situation and position of [REDACTED] but referred ID/OIOS to [REDACTED] for any information concerning his where about.
28. When asked about what his Team Leader [REDACTED], did when he reported to him the allegations against PAKBATT, especially the involvement of Maj. [REDACTED], witness said that it is probable that [REDACTED] also informed their hierarchy

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FARDC Head Quarters in Kinshasa whose duty it was to link up with MONUC Head Quarters as well. He was not sure whether this had been done or not.

29. Asked whether Witness knew the present situation of those allegations [REDACTED] and [REDACTED] witness answered to the negative, stating that it is quite some time since he rotated out of the area and that the battalion that he worked with had also rotated out of the area. Witness did not seem to know anything about the present battalion and their activities in those areas.
30. [REDACTED] expressed that his participation at the interviews with ID/OIOS is not official but private, to contribute to the improvement of his home country.

END

