

ANNEX 5

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Version

From: Trial Chamber V Communications
Sent: 26 June 2025 12:24
To: Court Management-Transcripts; OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Decision on the contested redactions concerning T-245 and T-246 (V45-0001)

[ICC] RESTRICTED

Dear Counsel, dear colleagues from the Registry,

The Single Judge takes note of the contested redactions regarding transcripts T-245-CONF-ENG CT and T-246-CONF-ENG CT, as transmitted to the Chamber per email on 23 May 2025 (*see* email from the CLR V1, 23 May 2025, at 14:59).

Having assessed these contested redactions, the Single Judge considers that it is necessary to maintain redactions to information that could potentially reveal the witness's identity, notably in transcript T-245-CONF-ENG CT regarding the witness's testimony on how he became part of Mr Yekatom's group and his specific role therein, and the locations where he was present. However, the Single Judge does not consider it justified to maintain redactions to information which is more general in nature, such as references to the wider activities of Mr Yekatom's group.

Moreover, the Chamber does not consider that references in T-246-CONF-ENG CT to the information shared by (i) the witness with Mr Akem; or (ii) the content of Mr Akem's correspondence with the [REDACTED] are privileged communications under Rule 73(1) of the Rules of Procedure and Evidence. Further noting the public interest in such information, as well as Mr Yekatom's right to a public trial, the Single Judge does not consider it appropriate under the circumstances to maintain the contested redactions in relation to this information.

Accordingly, the Single Judge rules on the contested redactions as set out in the below table.

In line with paragraph 72 of the Initial Directions, ICC-01/14-01/18-631, the Single Judge does not address the uncontested redactions.

The Registry is therefore directed to proceed in accordance with paragraph 72 of the Initial Directions, ICC-01/14-01/18-631, for the English and French public lesser redacted versions of the transcripts.

Kind regards, TC V

Transcript T-245-CONF-ENG CT

The Chamber notes that the CLR V1 applied redactions to the entire parts highlighted in yellow and green (contested redactions). The Yekatom Defence did not agree and suggested to only redact the parts highlighted in red (uncontested redactions).

Contested Redaction	Chamber's decision on contested redaction
p.6, ln 24 to p.7, ln 10 24 One day, Mr Yekatom, Rombhot came to [REDACTED]. He had asked the local people if [REDACTED] 25 [REDACTED]	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u> .

Contested Redaction	Chamber's decision on contested redaction
1 [REDACTED] Rambo came and met 2 [REDACTED] explained to him that the country had been invaded by the Seleka and 3 the Muslims. 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED] 8 [REDACTED] * [REDACTED] 9 [REDACTED] 10 And that is how it came to be that we joined the Anti-Balaka movement	
p.9, lns 7-11 7 A. [9:52:32] Of course, there were rules to be followed. Here's the rules: The 8 [REDACTED] 9 PRESIDING JUDGE SCHMITT: [9:52:57] May I shortly, Mr Suprun. 10 Mr Witness, from the Presiding Judge, a question: Were you present when 11 Mr Yekatom spoke with [REDACTED]?	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u>.
p.9, lns 19-25 19 THE WITNESS: [9:53:53](Interpretation) [REDACTED] [REDACTED] [REDACTED] 21 [REDACTED] 22 [REDACTED] 23 [REDACTED] 24 [REDACTED] [REDACTED] [REDACTED]	Contested redaction to be maintained
p. 10, lns 1-19 Q. [9:54:52] [REDACTED] [REDACTED] 2 [REDACTED] 3 [REDACTED] 4 [REDACTED] 5 [REDACTED] 6 [REDACTED] 7 [REDACTED]	Contested redaction to be maintained

Contested Redaction	Chamber's decision on contested redaction
8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] use 12 [REDACTED] 13 [REDACTED] 14 [REDACTED] e 15 [REDACTED] p. 16 [REDACTED] 17 [REDACTED] these 18 [REDACTED] 19 [REDACTED]	
p.11, ln 23 to p.12, ln 12 23 [REDACTED] [REDACTED] [REDACTED] n [REDACTED] [REDACTED] 1 [REDACTED] 2 [REDACTED] ? 3 [REDACTED] [REDACTED] 4 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	Contested redaction to be maintained
p. 13, lns 11-17 [REDACTED] [REDACTED] [REDACTED] [REDACTED]	Contested redaction to be maintained

Contested Redaction	Chamber's decision on contested redaction
[Redacted text block]	
p. 14, lns 5-15 5 [Redacted text block]	Contested redaction to be maintained
p.14, ln 18 to p.16, ln 3 [Redacted text block]	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u>.

Contested Redaction	Chamber's decision on contested redaction
[REDACTED]	
19 Q. [10:13:16] I'm going to go back to this question which I had put already, which 20 I'd like to clarify one thing. You said when you joined the group of Rambo, you 21 went -- you -- [REDACTED] 22 My question is as follows: During your entire experience in the Anti-Balaka group, 23 did you always remain on that particular Anti-Balaka base [REDACTED] or did you 24 also go to other bases? 25 A. [10:13:54] When I joined the Rambo group, firstly, we went to [REDACTED]; that was our first base. After [REDACTED], we went 1 to [REDACTED]. After that, we 2 went to [REDACTED]. After that, we went to [REDACTED] that was our final base and that 3 is where we left the group.	
p. 16, lns 16-20 16 THE WITNESS: [10:15:43](Interpretation) Okay. I'm going to repeat it again. 17 We were, firstly, in the [REDACTED]. After that, we were in [REDACTED] 18 [REDACTED]. There was a party who was there, and that is mainly made up [REDACTED] 19 [REDACTED]. The third base [REDACTED]. And the fourth base is -- was [REDACTED] 20 [REDACTED]	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u> .
p.16, ln 24 to p. 17, ln 3 [REDACTED]	Contested redaction to be maintained

[illegible]

Contested Redaction	Chamber's decision on contested redaction
p. 20, ln 8 to p. 21, ln 2 [REDACTED]	Contested redaction to be maintained.
p. 21, lns 8-11 [REDACTED]	Contested redaction to be maintained.
p. 26, lns 12-19 12 A. [10:45:58] The vaccination of these young people who had joined the group was	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u> .

Contested Redaction	Chamber's decision on contested redaction
13 carried out as follows: When the commander would bring [REDACTED] to the [REDACTED] 14 camp. [REDACTED] [REDACTED] This tent 16 was made out of palm fronds, and when the young people would come, [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
p. 26, ln 25 to p. 27, ln12 25 Q. [10:47:39] Mr Witness, what was the purpose of this procedure that you have described, this vaccination? What 1 was the purpose of the vaccination? 2 A. [10:47:49] The vaccine was intended to protect the combatants, to keep them 3 from any possible danger. 4 Q. [10:48:09] As best as you can recall, Mr Witness, how did the children behave 5 during this initiation process? 6 A. [10:48:30] I haven't understood your question. [REDACTED] [REDACTED] [REDACTED] [REDACTED] 10 children, once they were vaccinated, [REDACTED] [REDACTED] [REDACTED] [REDACTED]	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u>.
p.28, ln 21 to p.29, ln 16 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] 3 Q. [10:53:59] After the vaccination process, was there some kind of test to make 4 sure that the vaccination had worked? [REDACTED] [REDACTED]	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u>.

Contested Redaction	Chamber's decision on contested redaction
[REDACTED] [REDACTED] [REDACTED] 8 Q. [10:54:37] Were there any rules to follow or were there any prohibitions upon 9 the children so that this protection would work? 10 A. [10:54:53] There were some rules to follow, in particular, in terms of food, one 11 was not supposed to eat certain kinds of food. Certain actions could not be taken 12 either. You couldn't walk on a clothesline, for example, and you could eat gumbo -- 13 THE INTERPRETER: [10:54:55] Correction -- 14 THE WITNESS: [10:55:01](Interpretation) You were not allowed to eat certain meals, 15 such as gumbo. * There were many, many rules and instructions. When these rules 16 were not respected, the vaccination could not work well.	
p.33, ln 23 to p.34, ln 12 [REDACTED] 23 After the failure -- defeat of 5 December, he wanted to enrich himself, so he took by 24 force the cattle that belonged to the Peuhl, [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] 3 Secondly, he took a Peuhl in [REDACTED] who he suspected as -- to be a traitor. He 4 took that person to [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] 11 From that, I saw that the climate wasn't good, the girls were being raped, and my [REDACTED] [REDACTED]	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u>.
p. 35, lns 15-19 15 could flee. And that is how we decided to flee and [REDACTED] [REDACTED] 16 and we managed to flee. 17 PRESIDING JUDGE SCHMITT: [11:49:20] Mr Witness, is my understanding correct 18 that this happened after 5 December in [REDACTED]? Is this correct? 19 THE WITNESS: [11:49:42](Interpretation) Yes, that is correct.	Contested redaction to be maintained, except in relation to the underlined parts which should be <u>lifted</u>.

Transcript T-246-CONF-ENG CT

Contested Redaction ^[1]	Chamber's decision on contested redaction
p.36, ln 16 to p.40, ln 2 15 That's perhaps where the problem comes from. 16 Q. [11:43:19] Now I would like to speak about the judgment which was filed 17 following an application. We spoke about it yesterday at 12:12. Your counsel asked 18 you if you recognised the judgment which had been presented to you on the screen 19 and he asked you to confirm that it had been filed following an application made on 20 your behalf. 21 So in what way did you manage to obtain the transcript of the court ruling that 22 figures in the case, and I'm referring to tab 2. [REDACTED] Now, I want to know, 23 Witness, what were the steps, what was the administrative procedure that you went 24 through to obtain this ruling, because you recognised an application was filed on 25 your name, so how did this work? 1 A. [11:44:50] Well, the court ruling that I had -- and I can tell you how I obtained it. 2 When I was recognised with the status of victim, I didn't have a document, and as I 3 already had the birth certificate, but there was no counterfoil, and as I wanted to 4 prepare to travel, my counsel got this document established in order that the 5 date -- that the birth certificate could be issued. 6 Q. [11:45:41] And just so we understand your counsel, he didn't get this document 7 made on the basis of the birth certificate without a counterfoil, but on the basis of 8 information that you gave him verbally. Do I understand that correctly? 9 A. [11:46:12] This document was issued, as I said. I'm the person who gave the 10 information, and on the basis of the information, this birth certificate was issued to 11 me. 12 Q. [11:46:27] And when we speak about the application, you mentioned an 13 application that was filed in your name by your counsel yesterday and do you know 14 what document -- which document your counsel had to present in order to obtain the 15 judgment or court ruling? How - - what document did he use to underpin this 16 application, or to support this application? 17 A. [11:47:03] I haven't understood your question. 18 Q. [11:47:08] No problem. I'm going to try and repeat it in a different way. 19 Yesterday you testified at 12:12 that you had obtained a court ruling to have your	Contested redaction to be <u>lifted</u>

20 birth certificate on the basis of an application. That is a
 21 document that is filed, a
 22 lawyer files it in order to obtain a ruling, and you recognised that
 23 an application was
 24 made on your behalf.
 25 Now, what I would like to know, if you know, are there
 documents that were filed in
 support of the application that your counsel made on your
 behalf?
 A. [11:48:02] Well, when this document was issued, I wasn't
 present. Now, where
 1 it concerns the date, I myself gave it to them, but for the
 document, I tell you that I
 2 wasn't present. I know nothing about that.
 Q. [11:48:26] Okay. I'm putting this question to you because in
 the ruling - and
 4 I'm still at tab 2 of the Defence binder, [REDACTED] - in
 the ruling -- and I
 5 understand that you weren't present, so I was asking -- you can
 say -- if you don't
 6 know, just tell me you don't know. If you know, you know. In the
 ruling it is
 7 indicated that in support of the application - so in order to support
 your counsel's
 8 application - there was a certificate that was presented with
 information that was filed
 9 in order to obtain the ruling. Now, had you already seen these two
 documents, so
 10 the information sheet and the default certificate, or the certificate
 of default?
 A. [11:49:33] The document that I had was the judgment and the
 certificate of
 12 nationality. Those were the two documents that I had, that I was
 aware of.
 Q. [11:49:51] Did you state to your lawyer or counsel that there
 was a problem with
 14 regards to the counterfoil, that you had a birth certificate without
 a counterfoil? Did
 15 you give the reason why he had to file a new application? What
 did you tell him?
 A. [11:50:20] In order to issue a new birth certificate, it was
 necessary to go there.
 17 He wanted me to have a passport issued and it was -- that's the
 reason why he asked
 18 for my birth certificate, but it didn't have a counterfoil, and as
 such, they asked for it
 19 to go to the court with a view to getting a certificate of
 nationality. And at the
 20 tribunal they didn't have access to my birth certificate and that's
 why they decided to
 21 issue a new birth certificate.
 Q. [11:51:11] And in the ruling which concerns you, it is
 indicated that you had lost
 23 the original following a theft. I understand that you never said
 that to your lawyer.
 A. [11:51:30] I haven't understood the sense or meaning of your
 question.
 Q. [11:51:38] I understand from your testimony that the problem
 was that you had

1 a birth certificate which has no counterfoil. Now, my question: Do we -- are we 2 both in agreement that you never said to your counsel that you had lost the original 3 following a case of theft? You never said, "My birth certificate has been stolen"? 4 That's not something that you ever said? 5 A. [11:52:13] No. 6 * Q. [11:52:24] And not only does the judgment that you recognised yesterday 7 indicate that your original birth certificate was lost after a theft, but it speaks about an 8 information sheet. Did you provide an information sheet such that your lawyer 9 could obtain a court ruling to reissue your birth certificate? Did you provide an 10 information sheet? Do you know that or not? 11 A. [11:53:03] I know nothing about that. 12 Q. [11:53:14] I'm going to present a document to you. I'm going to read it for you. 13 I'm going to draw your 14 attention to page 0137 thereof. 15 I'm going to ask my colleague to go down a bit in the document. Now, witness, I'm 16 explaining to you, this is an information sheet with personal details on it about a 17 certain number of people. And I understand that you didn't go to to 18 obtain your ruling. What I want to know is here there's information which concerns 19 you that your lawyer provided in support of the ruling to issue a new birth certificate. 20 Now, were you the person who gave this information -- I'm going to help you, I'll 21 read it. It's written:

25 PRESIDING JUDGE SCHMITT: Mr Suprun,
 MR SUPRUN: [12:00:08](Interpretation) Your 1 Honour, I would
 firstly like to ask that
 2 the start of this document be shown to the witness so that we can
 also -- so that the
 3 witness can see what it is. And the witness has already explained
 that an error was
 4 made by the tribunal concerning the first name [REDACTED]
 5 PRESIDING JUDGE SCHMITT: [12:00:28] That's one thing.
 The second thing is he
 6 has already said that he is not and was not aware of the time, exact
 time when he was
 7 born, so there is obviously an information here where we do not
 know where it comes
 8 from, and the witness obviously will also not know where it
 comes from.
 9 MS DIMITRI: [12:00:47] Mr President, if I may respond?
 10 PRESIDING JUDGE SCHMITT: [12:00:49] of course.
 11 MS DIMITRI: [12:00:50] And with your permission, because
 then you'll see where
 12 I'm going, if it can be not interpreted to the witness, what I'm
 about to say.
 13 PRESIDING JUDGE SCHMITT: [12:01:01] Okay, on an
 exceptional basis, yes.
 14 MS DIMITRI: [12:01:05] Thank you, Mr President.
 15 I'm going on this because you will recall that during
 submissions, written
 16 submissions, email submissions, Mr Suprun said: There's a birth
 certificate, there's a
 17 judgment, there's no more any doubt on the identity and the age
 of my witness.
 18 I want to go through the step-by-step procedure that his
 colleague, Mr Akem, went
 19 through to obtain this. Why? Because if a time of birth was put
 and not given by
 20 the witness, if an incorrect name, first name, is given and
 nevertheless we obtain a
 21 birth certificate on that basis, all that goes to the probative value
 and the weight of the
 22 document Mr Suprun submitted into evidence yesterday.
 23 PRESIDING JUDGE SCHMITT: [12:02:02] We -- you don't
 have -- no, you don't --
 24 MS DIMITRI: [12:02:06] That's why I'm going there.
 25 PRESIDING JUDGE SCHMITT: [12:02:07] You don't have to
 explain to the Court
 how to assess the evidence and what kind of 1 potential
 relevance/probative value that
 2 might have.
 3 The problem with that is a little bit that you could perhaps quicker
 -- be a little bit
 4 quicker in the question with the witness, what the witness really
 knows about the
 5 procedure in obtaining. And if the witness says he doesn't know,
 move on and
 6 then -- you know, we -- we have already two - and I repeat - two
 things that went
 7 wrong. That is [REDACTED] and the exact hour of -- time when he was
 born. This is
 8 already established.

9 MS DIMITRI: [12:02:47] I completely agree with you, Mr President, and I'm
 10 not -- I'm not --
 11 PRESIDING JUDGE SCHMITT: [12:02:50] But it's not established how it came into
 12 it --
 13 MS DIMITRI: Yes.
 14 PRESIDING JUDGE SCHMITT: [12:02:49] -- but the witness seems not to know that.
 15 So I give you one shot at that and if he says he doesn't know, then we have simply to
 16 live with this uncertainty, but the uncertainty -- or, let's say, the mistakes are there.
 17 MS DIMITRI: [12:03:06] Mr President, I completely agree. Just one last word on
 18 my part, with your leave.
 19 I completely agree. And I'm not saying this for the Court, for the judges; of course,
 20 I know that -- you know how to assess the evidence. I'm saying it because I have
 21 objections. My question was exactly what you just said: "Can you explain to me,
 22 Mr Witness, how was it obtained, what was the procedure?" What were the -- that
 23 was my question.
 24 PRESIDING JUDGE SCHMITT: [12:03:32] Okay, yes.
 25 MS DIMITRI: [12:03:34] But if I have objections, I -- I want to go quick, but I need to
 1 know if he knows --
 2 PRESIDING JUDGE SCHMITT: [12:03:39] No, no, no, it's -- and this line of question
 3 is not objectionable. So please put this question, perhaps in -- like you said it now,
 4 not in a compound question, please, step by step, so that the witness understands and
 5 then we move on from there. So, from now on, please translate again, or interpret to
 6 the witness again.
 7 MS DIMITRI: [12:03:59] Thank you, Mr President.
 8 Q. [12:04:10] (Interpretation) So, Witness, I will repute my question.
 9 Do you know how, in what way, your lawyer -- or on the basis of what information
 10 did he obtain a court ruling serving as a replacement birth certificate? How did that
 11 actually come about, in fact, in reality?
 12 PRESIDING JUDGE SCHMITT: [12:04:34] Mr Suprun, we have discussed that
 13 extensively. The witness may answer now.
 14 THE WITNESS: [12:04:50](Interpretation) I haven't understood your question, Sorry.
 15 MS DIMITRI: [12:04:51](Interpretation)
 16 Q. [12:04:57] Now, this document that's on the screen, it states a name and a time of
 17 birth: [REDACTED]
 [REDACTED]
 [REDACTED]
 19 Now, that document was sent by your lawyer Joseph Akem, [REDACTED]
 [REDACTED]

20 [REDACTED] Now, what I would like to know is how presiding judge Akem obtained [REDACTED]
 21 that information, on the basis of what did he obtain that information and provide it to [REDACTED]
 22 [REDACTED]
 23 PRESIDING JUDGE SCHMITT: [12:05:48] Mr Suprun?
 24 MR SUPRUN: [12:05:57](Interpretation) First of all, your Honour, I'd like to point
 25 out that the question which was put is not correct. It starts off: The document on [REDACTED]
 1 the screen states a name, [REDACTED]
 2 And that -- and then it was said that this document was sent by the witness's lawyer, [REDACTED]
 3 which is not right. I would ask that this document -- that the top of the document be [REDACTED]
 4 shown to this document so the witness understands what the document is and can [REDACTED]
 5 understand the content thereof.
 6 PRESIDING JUDGE SCHMITT: [12:06:27] I don't know -- actually, I really don't [REDACTED]
 7 understand why everybody's so agitated.
 8 So what we are talking about is -- Mr Witness, there is -- we can also -- why not -- why [REDACTED]
 9 share the top of the document, but let me ask now -- the top of the document, [REDACTED]
 10 so -- which does not tell us who sent -- who sent it, obviously, yeah, which is not [REDACTED]
 11 important. But there is -- and there is this information and, Mr Witness, you told us [REDACTED]
 12 [REDACTED] is wrong, that's not correct, this name. And you also said you didn't know [REDACTED]
 13 when exactly the time [REDACTED] you were born. Do you have an [REDACTED]
 14 explanation, an idea why -- how these two informations came on this document? Do [REDACTED]
 15 you have an idea how that -- how that happened?
 16 THE WITNESS: [12:07:28](Interpretation) These two items of information in this [REDACTED]
 17 document -- as regards the time of my birth, well, I don't know, I don't know what [REDACTED]
 18 time I was born. I see that it's here in the document, but I can't read it. [REDACTED]
 19 As regards the first name [REDACTED] you know, even somebody who can't read, who isn't [REDACTED]
 20 educated, knows their name, and the name that was sent to [REDACTED] for a birth [REDACTED]
 21 certificate to be drawn up was [REDACTED] And when they issued the document, [REDACTED]
 22 they modified the name. That's what I also told you a moment ago.
 23 PRESIDING JUDGE SCHMITT: [12:08:37] No, that's fine, Mr Witness. Also [REDACTED]
 24 you -- it seems to be - let me think aloud now - that he could not have given the [REDACTED]
 25 information of the exact hour and minute when he was born because he didn't know [REDACTED]
 1 it.
 2 [REDACTED] is also not correct.

3 So, somehow this information was given -- or was given on this
 list and was sent to a [REDACTED]
 4 *Maître*, whoever this *Maître* was. And we don't -- we don't get
 much information [REDACTED]
 5 with regard to this document out of the witness.
 6 We should -- we should also not insist, now, on the witness in that
 regard. It may [REDACTED]
 7 solve itself, everything, when we -- when we have in the
 afternoon hopefully -- when [REDACTED]
 8 we have the document. If not, then we have to assess the situation.
 9 MS DIMITRI: [12:09:44] Just one point, Mr President.
 10 PRESIDING JUDGE SCHMITT: [12:09:47] Yes. [REDACTED]
 11 MS DIMITRI: [12:09:48] Because I wanted to be given the
 opportunity to respond to [REDACTED]
 12 *Maître* Suprun's objection, and the fact that he objected to me
 saying that [REDACTED]
 13 *Maître* Akem is the one who sent it to the [REDACTED]
 [REDACTED] I
 14 wanted to draw your attention to tab 16 and tab 17.
 15 So tab 16 is an extraction of WhatsApp conversations between
Maître Joseph Akem [REDACTED]
 16 and [REDACTED]
 [REDACTED] the
 17 one who established the judgment.
 18 And tab 17 is to better understand what *Maître* Akem sends to
 the [REDACTED]
 19 [REDACTED]
 [REDACTED]
 20 [REDACTED], which is why I said in my question: (Interpretation) "It
 is your lawyer who [REDACTED]
 21 sent that to the [REDACTED]
 22 (Speaks English) That was the basis of my question.
 23 That being said, I'm moving on to -- [REDACTED]
 24 PRESIDING JUDGE SCHMITT: [12:10:58] You don't have to
 justify yourself. I let [REDACTED]
 25 your questions pass, because you have to have the chance to --
 to question it, and so [REDACTED]
 it's absolutely okay. But you also bear 1 with the Court and with me
 that I don't -- I [REDACTED]
 2 cannot read now when you speak in five seconds these
 documents. This is on the [REDACTED]
 3 record, like everything that is presented by the parties. We will
 read it and then we [REDACTED]
 4 will put it together with the other evidence that we have.
 5 MS DIMITRI: [12:11:42](Interpretation)
 6 Q. [12:11:43] Now, witness, just so that I understand, do I
 understand correctly that [REDACTED]
 7 you yourself did not physically appear before a judge in [REDACTED]
 there wasn't a court [REDACTED]
 8 [REDACTED]
 [REDACTED]
 9 [REDACTED]
 10 A. [12:12:00] Yes.
 11 Q. [12:12:03] And in that case, how did you obtain the court
 ruling serving as a [REDACTED]
 12 replacement birth certificate -- the paper document, I mean, how
 did you get it?
 13 A. [12:12:27] Well, I have already told you, but I'll repeat it. I
 told you that I was [REDACTED]

14 preparing to make a trip. I had been asked to provide a birth certificate so that a [REDACTED]
 15 nationality document could be produced. I provided the birth certificate but [REDACTED]
 16 unfortunately the counterfoil thereof was not at the town hall, and so a new birth
 17 certificate had to be issued in order that the passport and the visa could be issued in
 18 turn.
 19 PRESIDING JUDGE SCHMITT: [12:13:14] Mr Witness, was this document -- was [REDACTED]
 20 this sent to you by a mail, like in the olden days, or did somebody give it to you? Do [REDACTED]
 21 you see what I mean? Or did you go to the court and receive it there? You see, I [REDACTED]
 22 think this is what counsel wants to know.
 23 THE WITNESS: [12:13:52](Interpretation) It was my lawyers who provided me with [REDACTED]
 24 my new birth certificate.
 25 PRESIDING JUDGE SCHMITT: [12:13:59] Thank you very much, Mr Witness.

He p. 48, lns 10-19

Contested redaction to be lifted.

10 A. [12:15:10] No, I don't know.
 11 Q. [12:15:21] And yesterday in responding to my colleague, you said that a -- an [REDACTED]
 12 application had been made on your behalf by your lawyer. Now, do you know [REDACTED]
 13 whether your lawyer physically went to the [REDACTED] [REDACTED]? Do you know [REDACTED]
 14 how he obtained the court ruling? Did he obtain it by -- through the post or by [REDACTED]
 15 telephone, or did he actually travel to [REDACTED]? Do you know?
 16 A. [12:15:55] Well, the question that you're -- that you are putting regarding my [REDACTED]
 17 new birth certificate, well, I must say, I wasn't present so I don't know how the [REDACTED]
 18 document was handed over, how it was conveyed to him. How that happened, I do [REDACTED]
 19 not know.

Contested redaction to be lifted.

p. 49, lns 1-25

1 Q. [12:17:03] So, do you know -- if it wasn't you, do you know how and where to [REDACTED]
 2 obtain a birth certificate?
 3 A. [12:17:25] I told you that my new birth certificate was provided to me by my [REDACTED]
 4 lawyers. It was when they took -- were taking my statement that they provided me [REDACTED]
 5 with my new birth certificate explaining to me that the old one -- that there had been [REDACTED]
 6 no counterfoil for the old one at the town hall.
 7 Q. [12:17:53] Now, during the course of all of these conversations, do you know [REDACTED]
 8 whether at any point in time the lawyer or team -- a member of the team representing [REDACTED]
 9 you, did any one of those people inform you at any point in time that in fact this [REDACTED]

10 whole process to obtain a court ruling serving as a replacement
 11 document number 1, the ruling, and the transcript of the court
 12 ruling serving as a replacement birth certificate? Did you know that in fact the
 13 lawyer had not travelled [REDACTED] You
 14 didn't appear [REDACTED]
 15 before the judges, before the court clerks or in the courtroom
 16 but, rather, it all [REDACTED]
 17 happened by WhatsApp, by -- through messaging? Was it
 18 discussed with you?
 19 A. [12:19:00] I would repeat that this whole process regarding
 20 the obtaining of my [REDACTED]
 21 new birth certificate took place without my knowledge. I have
 22 no knowledge of [REDACTED]
 23 how that happened.
 24 PRESIDING JUDGE SCHMITT: [12:19:13] Ms Dimitri, at
 25 least with regard to [REDACTED]
 26 questions to this witness, the subject has been exhausted.
 27 MS DIMITRI: [12:19:18] Yes, I was just putting ERNs on the
 28 record, Mr President.
 29 So, if you allow me just a few seconds, a few ERNs, because I
 30 don't need to show [REDACTED]
 31 them to the witness. Tab 16, CAR-D29 --
 32 PRESIDING JUDGE SCHMITT: [12:19:37] Yes, and I have
 33 had a look at it. I think [REDACTED]
 34 it's enough when you say. [REDACTED]

p. 50, lns 7-25

7 [REDACTED]
 8 [REDACTED] This is the chain of [REDACTED]
 9 procession, the manner in which the WhatsApp extraction came
 10 to my email account.
 11 And there is also -- and we will make submissions on that later
 12 on -- tab 20, [REDACTED]
 13 [REDACTED] It's the family law rule on
 14 how to obtain judgment.
 15 And the procedural code, tab 21, CAR-D29 --
 16 PRESIDING JUDGE SCHMITT: [12:21:04] No. That -- that is
 17 too much now, [REDACTED]
 18 because -- it need not be now completely, not every document
 19 has to be put on the [REDACTED]
 20 record. You will forward this to us in the Bar table, so it will be
 21 -- [REDACTED]
 22 MS DIMITRI: [12:21:23] No problem.
 23 PRESIDING JUDGE SCHMITT: [12:21:24] And we will have
 24 to -- yeah, especially -- [REDACTED]
 25 MS DIMITRI: [12:21:25] No problem. It was just because for
 26 us a motion is not [REDACTED]
 27 done by WhatsApp. But I'll do it by Bar table motion, no
 28 problem.
 29 PRESIDING JUDGE SCHMITT: [12:21:32] No, no; but you
 30 have at least now five or [REDACTED]
 31 six documents on the record already.
 32 MS DIMITRI: [10:21:34] Yes, no problem.
 33 PRESIDING JUDGE SCHMITT: [12:21:35] You can move on
 34 from that. [REDACTED]

Contested redaction to be lifted.

23 MS DIMITRI: [12:21:38] No problem. 24 (Counsel confers) 25 MS DIMITRI: [12:22:08](Interpretation)	
p. 79, lns 22-25 [REDACTED] [REDACTED] [REDACTED] [REDACTED] He's familiar with all those localities. 25 PRESIDING JUDGE SCHMITT: Thank you.	Contested redaction to be maintained except in relation to the underlined parts which should be <u>lifted</u>.
p. 80, ln 7 2 Q. [15:08:03] Witness, I would also put it to you that your account and 3 the documents that were presented by your counsel regarding your identity and that 4 [REDACTED] 5 works with the victims representatives to help you obtain your objective, and that 6 was to be relocated, as he had managed to achieve for his [REDACTED] [REDACTED] [REDACTED]	Contested redaction to be maintained