

Trial Hearing
WITNESS: V-0003

(Open Session)

ICC-02/05-01/20

1 International Criminal Court
2 Trial Chamber I
3 Situation: Darfur, Sudan
4 In the case of The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman
5 ("Ali Kushayb") - ICC-02/05-01/20
6 Presiding Judge Joanna Korner, Judge Reine Alapini-Gansou and
7 Judge Althea Violet Alexis-Windsor
8 Trial Hearing - Courtroom 2
9 Wednesday, 7 June 2023
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:33] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE KORNER: [9:32:54] Yes. Good morning, all.
15 Appearances from the victims representatives, same as yesterday?
16 MS VON WISTINGHAUSEN: [9:33:08] Yes, same as yesterday, but just allow me.
17 It's the last day of our intern, Nur Mahameed, the one sitting in the middle, and her
18 support has been immense and I'm very grateful. Thank you.
19 PRESIDING JUDGE KORNER: [9:33:20] Thank you. Yes.
20 Prosecution, same as yesterday?
21 MR NICHOLLS: [9:33:28] Good morning, Madam President. Good morning, your
22 Honours. Yes. We don't have Ms Saba with us today, so it's myself, Edward
23 Jeremy and Claire Sabatini. Thank you.
24 PRESIDING JUDGE KORNER: [9:33:34] And Defence.
25 MR LAUCCI: [9:33:38](Interpretation) Your Honour, same composition as yesterday.

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1 Thank you.

2 PRESIDING JUDGE KORNER: [9:33:42] Yes. So no Mr Edwards today either?

3 Okay.

4 Yes, thank you very much.

5 Sir, good morning to you.

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7 (The witness speaks Arabic)

8 THE WITNESS: [9:33:58](Interpretation) Good morning.

9 PRESIDING JUDGE KORNER: [9:34:05] Okay. Well, it's all rather odd. Never
10 mind.

11 As we said yesterday, you're going to be further questioned by Mr Shah. And it's
12 anticipated that you'll complete what you have to say before the break at 11 o'clock.

13 But if you want a break at any stage, please don't hesitate to say so.

14 THE WITNESS: [9:34:36](Interpretation) Thank you.

15 PRESIDING JUDGE KORNER: [9:34:37] Yes, Mr Shah.

16 MR SHAH: [9:34:48] Good morning, your Honours.

17 QUESTIONED BY MR SHAH: (Continuing)

18 Q. [9:34:43] Good morning, sir. How are you doing today?

19 A. [9:34:55] Good morning. Thank God, I am fine.

20 Q. [9:35:01] That's very good to hear.

21 Firstly, I just wanted to compliment you on the pace of your testimony yesterday. I
22 think that was a very good pace, and I hope the interpreters appreciated that, so if
23 you can continue at that pace, that would be very good for the interpretation.

24 A. [9:35:37] Yes, I will speak in the same way that I spoke yesterday.

25 Q. [9:35:44] Second, I wanted to remind you that we are in public session, so just

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1 remember not to mention the names of any other individuals or the name of the camp
2 that you live in.

3 A. [9:36:02] Thank you. Okay.

4 Q. [9:36:07] Now, yesterday you had spoken to their Honours about the attack on
5 Bindisi on 15 August 2003, which you described as "the day of the misery".

6 You also told us about your arrival in Mukjar and the reunion with your family, and
7 you also mentioned the very difficult living conditions in Mukjar.

8 A. [9:36:48] Yes.

9 Q. [9:36:53] Now, we understand that you eventually arrived in Chad. But how
10 long, how many weeks or months, did you spend in Mukjar?

11 A. [9:37:16] In Mukjar, I spent approximately six months, because on the ninth
12 month, tenth month and eleventh month, so September, October, November, as well
13 as January and February and March, these are the months that I spent at the camp.
14 And afterwards, I started trying to leave Mukjar. And then I left and I went towards
15 Bindisi again. And from Bindisi I escaped to Um-Dukhun, and afterwards I
16 attempted to enter Chad, and I did, and I entered through a village called Rutrud
17 (phon).

18 However, before exiting Mukjar, I was arrested and I spent 21 days in detention with
19 the Janjaweed.

20 Afterwards, I was extracted or released by the civil administrations, and on the
21 second and the third month, February and March, the Janjaweed groups besieged
22 Mukjar and they were aiming at attacking the areas in Sindu. At this point I was
23 afraid, and I fled from Mukjar, and I kept going until I reached Um-Dukhun and then
24 I entered Rurud (phon) in Chad.

25 Q. [9:40:04] Thank you so much. And when you escaped from Mukjar to Chad,

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1 did you leave by yourself, or did any of your family or any other persons accompany
2 you? And, please, again don't mention any names.

3 A. [9:40:29] When I was fleeing, nobody from my family members was with me.
4 However, I fled with my colleagues. We were three persons. When we arrived to
5 the area of Kabar, we found that the command of the Janjaweed was there, or there
6 was a troop from the Janjaweed. One of us three was arrested or detained, and two
7 of us escaped and reached Chad.

8 Q. [9:41:28] And how long was this journey from Mukjar to Chad? How many
9 days or weeks did it take?

10 A. [9:41:50] The journey to Chad lasted five days. It was during the night. We
11 were moving at night only, so every night we were running in order to cover the
12 largest or the longest distance possible during the night, because when the sun rises,
13 it would be difficult for us to move around or it's possible that the Janjaweed would
14 see us and arrest us. Therefore, all our movement took place at night or during
15 night-time.

16 Q. [9:42:57] And the camp that you live in now, have you lived in this camp since
17 2004, since your arrival in Chad?

18 A. [9:43:14] Yes. Since 2004, up until today, I still live in this refugee camp, this
19 refugee camp of Darfurians in Chad.

20 Q. [9:43:49] And when you arrived at this camp, what did it look like? Were there
21 already people living in this camp?

22 A. [9:44:06] Yes. When I arrived, there were already Darfurian refugees who had
23 arrived before me; however, they were settled in several locations. I also found or
24 met there some people from Bindisi and the neighbouring villages present in that
25 camp; however, they had arrived before me.

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1 Q. [9:44:53] And from what tribes or ethnic communities were the persons in the
2 camp?

3 A. [9:45:13] From the Fur tribe, from the Masalit, Dago, Tama and Borgo.

4 Q. [9:45:30] And can you provide just a rough estimate of how many people were
5 living in the camp when you arrived there?

6 A. [9:45:50] It was a large number. There were several blocks in the camp and I
7 found approximately 16 blocks, and in each block there were approximately 1,000
8 persons; therefore, I can say that the number was approximately 16,000, and I can say
9 that maybe there were 17 or 18 blocks.

10 Q. [9:46:47] Were there an equal number of men and women at that time or was
11 there a difference that you could notice in the number of men versus women and
12 children as well?

13 A. [9:47:19] There was a difference in the numbers, and women and children were
14 the majority.

15 Q. [9:47:31] You have been in the camp, now, for almost 19 years, closing in on 20
16 years perhaps, and how many people, again roughly, live in the camp today in
17 comparison to when you arrived in 2004?

18 A. [9:48:07] In our days, in the camp, approximately 45,000 people live there.

19 Q. [9:48:26] And when you arrived in the camp in 2004, were you provided with
20 any housing? Where did you live?

21 A. [9:48:49] Yes. When you arrived to the camp, there are organisations and the
22 National Committee for the Registration of Refugees, so you would be registered and
23 you would be given a place to live with a tent. This tent would be your home.

24 Q. [9:49:22] And did you live in this tent by yourself or were you living with other
25 people in the tent?

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1 A. [9:49:44] In reality, when I arrived to the camp, I found my maternal uncle there,
2 so I requested the organisation to put me together with my family. So I joined my
3 family. However, the tent that I was given, it was only for me, and I, alone, was
4 sleeping in it, because the tents are distributed based on the number of families that
5 are present.

6 Q. [9:50:38] And as regards food and water, what was the situation when you
7 arrived in the camp?

8 A. [9:50:58] When I arrived to the camp, I found that there were organisations that
9 were performing humanitarian work by providing food and water. In fact, they
10 were distributing food for every person of us.

11 Q. [9:51:35] And what sort of food were you receiving, if you can tell us a little bit
12 more about that?

13 A. [9:51:51] The food that we were given was composed partly of corn, oil, haricot
14 or beans, salt, and to get more we had to make effort and look for a job in order to get
15 more. However, the quantity of food that the organisation was providing us was a
16 small quantity. It was barely sufficient for one week; however, this portion was
17 given to us to cover one month.

18 Q. [9:53:07] And were there -- were there toilet facilities in places where people
19 could wash themselves?

20 A. [9:53:25] Yes, there were toilets but there were not enough. The camp was
21 divided -- divided into sectors. Each sector had its own toilet, and there were -- or
22 there was a large number of people using one toilet. Moreover, when this toilet is
23 full, some people used to go to the toilet outside.

24 Q. [9:54:19] And what about health care facilities? Were there any clinics
25 available if you needed medical treatment or medicine, for example?

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1 A. [9:54:45] When it comes to health care, I can say, yes, there were health facilities
2 that used to provide treatment. However, they were not sufficient and the
3 treatments were only targeting specific diseases. So if a person needed surgical
4 interventions, the specialists in this field were lacking back then; therefore, we found
5 that most people who had difficult diseases died.

6 Q. [9:55:57] Now, sir, I'd like you to now compare the situation in the early days of
7 the camp to the situation now, these various things that you've talked about -- food,
8 water, the sanitary facilities and the health care -- if you can compare the situation
9 now to the situation you've just described in 2004, in the early days of the camp.

10 A. [9:56:41] Concerning the current situation in the refugee camps, I can say that
11 the situation is different. In the health field, we -- you could find that organisations
12 stopped providing their support and the health care facilities collapsed. So, in the
13 hospitals there aren't any medication, only doctors are available and they can
14 diagnose your disease or tell you what type of pain you suffer from, and then they
15 would tell you to go and look for a medicine yourself.

16 So, currently, the health situation is dire and most patients are ill and the
17 refugee -- and the refugee -- quality of the people does not give them the right to get
18 any -- to get the right -- to -- for health care.

19 When it comes to food, during the first years, we were receiving some sort of support.
20 However, in the last few years, no food is being distributed to refugees in the camps.
21 So any person have to rely on himself in order to get food, and nowadays in our camp
22 it has been one year and a half since we've last got any aid or assistance from the
23 organisations. They say that the reason is that we do not receive any support, so we
24 are not entitled to any support and, therefore, you see that most refugees have to do
25 very hard work in order to get their livelihood and the livelihood for their families.

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1 So some of these refugees work on farms, some others work in bringing wood, some
2 other work in bringing straw, some other people go to the neighbouring villages and
3 cities, hoping to find -- hoping to find a job in order to be able to feed their families.
4 Young people who are capable of doing so escape from the camp and try to seek a
5 better life elsewhere. Some of them go work in gold mines.
6 In fact, life now in the refugee camps is not the same as it was at the beginning. Now
7 we live in a miserable condition, more miserable than the condition we lived in before,
8 because there's malnutrition. We all suffer from malnutrition. All our children
9 suffer from malnutrition, and our women -- our women are dying because of
10 malnutrition when they are in labour and before that. So this is concerning the
11 health and food situation in the refugee camps.

12 Q. [10:02:46] Now, sir, I'd like to ask now about your own experience in the camp,
13 and we understand that you would have been around 20 years old when you arrived
14 in 2004 and that you were not married at that time. Are you married now?

15 A. [10:03:14] Yes, I am married now.

16 Q. [10:03:22] And can you tell us about your marriage ceremony, how was that and
17 how would it have compared to what would have happened if you had been married
18 back in Bindisi in normal circumstances?

19 A. [10:03:49] Regarding marriage ceremonies, when I got married there was barely
20 any -- because you can only celebrate when you have your family around you, when
21 you have your people and your friends around you. This is how we can celebrate
22 and be happy. It is true that one can be happy with the fact that I was able to get
23 married; however, it wasn't a celebration as such because we had deep sadness inside
24 us.

25 Q. [10:04:57] And do you and your wife have any children?

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1 A. [10:05:11] Yes. We have five children -- four girls and one boy.

2 Q. [10:05:22] And how old is your eldest child?

3 A. [10:05:40] Thirteen -- I think he's nearly 14, that's the eldest, and my second child
4 is 11. And the third, I think he's 8 or 9.

5 Let me say that again. The eldest is 13 to 14, and then the second is around 11. The
6 third is 8, and the fourth is 4 years old, and the fifth is 2 years old and maybe 2
7 months.

8 Q. [10:06:29] And for those of your children who are old enough, are they able to
9 attend school?

10 A. [10:06:47] Yes. We can say that the four older children go to school, but in my
11 view this school is not a proper school as such. They go and they come back, but the
12 school really needs a lot of the basic educational services. So we call it a school, but
13 it is not a proper school in any way. So, I can answer by saying, yes, they do go to
14 school.

15 Q. [10:07:54] And what sort of additional resources are needed, if you can give us
16 some examples?

17 A. [10:08:24] Well, it is important that we provide a child with a proper educational
18 environment -- I'm talking here about the classrooms, the uniform, the books and
19 food supplies. But all what we are concerned about really is the food. We just want
20 to provide food for our children. So the child is only thinking about how he can find
21 food and clothes to cover his body.

22 So going to school is not one of the priorities for our children and that's why most of
23 our children do not care that much about education. They say, "I don't have even
24 clothes. My mother and my family can't provide me with books for school." So the
25 child thinks in that way: "I don't have any food at home, so how can I go to school."

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1 And that's why I think that we need to provide those children with their basic needs,
2 then we can talk about education.

3 Q. [10:10:11] And are you responsible for paying any school fees or any other costs
4 so your children can attend this school, which is, as you said, very lacking?

5 A. [10:10:33] Yes, I have to pay school fees, of course, in their different years. So if
6 the child is in the primary school, then you pay the fee for primary school. It's
7 different from the fees for the middle school. And if your child goes to secondary
8 school, you have to do the same -- pay whatever is required for secondary school.
9 But in all cases, education in the camps relies mainly on your financial situation. If
10 you have the money, you can pay for your children. And thus they can acquire
11 education. But if you don't have the money, you work very hard just to put food on
12 the table for them.

13 Q. [10:12:08] And once you had arrived at the camp and settled there, were you
14 able to find any work yourself?

15 A. [10:12:30] Yes, after I arrived in the camp, we found that the camp needed a
16 place for education and there was no-one doing this job. Obviously, we did not have
17 the qualification of teachers, required to be teachers. But, as I mentioned, when the
18 war started I was in my eighth year at school, so I worked as a teacher for my
19 community. I was trying to help my community learn and acquire some kind of
20 education, and that's what I did. I spent my entire life working as a teacher.

21 Q. [10:13:54] And how many students would be in your classes, usually? How
22 many students would you teach, and would it be boys and girls you were teaching?

23 A. [10:14:20] In our classrooms, I think, we have about 50 to 60, and sometimes up
24 to 70, children in each classroom. * In some classrooms, there can be 100 children.
25 And they are not put apart, for boys and girls can be found in one classroom.

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1 Q. [10:15:03] And what sort of subjects were you teaching to the children?

2 A. [10:15:19] I teach geography, history and English.

3 Q. [10:15:30] And the money that you earned as a teacher, was that enough to
4 survive on in the camp and support your family?

5 A. [10:15:58] In the beginning of doing this job, we did not have a salary at all.

6 Well, an organisation came and they paid us a salary, but the salary is not enough.

7 However, we are considered as leaders in our community. If we are going to think

8 about how much money we earn from this job, we're not going to teach our children a

9 single letter, so that's why we did not worry much about salaries. We were

10 providing our children with this service with the hope that they can benefit from this

11 education and others benefit from their education as well.

12 Q. [10:17:15] And are you still teaching today? Are you still a teacher?

13 A. [10:17:26] No, I am not a teacher right now. I left teaching for one year. I was

14 working as a teacher the entire time, but in 2022 I left teaching and I started working

15 in farming. The reason for that is that I felt that I have taught a big number of

16 people in our community and I needed to support my family in a better way,

17 especially that the salary that I used to get from teaching was not enough. So that's

18 why I decided to leave teaching and find another job in the hope to help my family

19 and support them better.

20 Q. [10:18:52] And where is the land that you farm? How far away from the camp
21 is this land?

22 A. [10:19:10] The land that I rented is about three to four hours from the camp,

23 depending on how fast I go. I obviously go there on foot, so if I'm walking fast, it

24 takes about three and a half hours. If I am going a little slow, then it takes up to four

25 or four and a half hours. So it's really far from the camp, but I have to -- I have to go

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1 and work there.

2 Q. [10:19:56] And why? Is there no good land or usable land that is closer to the
3 camp?

4 A. [10:20:22] The land around the camp is finished. I mean by that, it's not fertile
5 enough because it has been used for farming for the last 20 years, over and over again.
6 So some people do farm these pieces of land but you don't get good crops out of it.
7 So all the land that are close to the camp are also very expensive to rent, so I couldn't
8 afford to pay for any of these lands.

9 Also, in our camp, we are surrounded by herders. I mean by that, tribes who herd
10 cows. They are Arab tribes, so we face a lot of problems during harvest time. So
11 for our own safety and to avoid any troubles, we try to go as far as possible from the
12 camp so there is no tension whatsoever between us and them. Nonetheless, tension
13 still happens. As refugees in eastern Chad, we always have this kind of tension.

14 Q. [10:22:27] And could you tell us a little bit more about how the farming process
15 works? Since the farm is so far away, if it's three or four hours, does that mean you
16 have to stay at the farm during the farming season, the harvest season?

17 A. [10:22:58] In general, the distance that I mentioned, this is for me, personally.
18 Some people go even further than that. Some people travel for two days and some
19 travel for one day, which means they have to stay on their farms. And when they go
20 there, they finish their work and the family splits into two parts. Part of the family
21 stays in the farm and the other part goes back to the camp so that they keep an eye on
22 their house and their belongings. And if you have no family that can help you keep
23 an eye on your house and also your farm, then you can be subjected to attacks on
24 your farm, and that's why you have to pay someone to look after the farm, which
25 means that the money that you get from harvesting your crops, you'll have to pay to

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1 whoever is looking after your farm.

2 And that's why most of the refugees, especially in the current time, they are -- they
3 are getting ready to move. Starting from May, we move to the farm and we clear the
4 land and we build places from straw and plastic to protect us from the rain, and we
5 start farming. We grow beans and sesame seeds and black-eyed beans. That is
6 how we practice our farming as refugees.

7 Q. [10:25:50] So does -- do your children, for example, come with you to the farm,
8 or do they remain at the camp?

9 A. [10:26:17] My children go with me, because until this moment, right now as I
10 speak to you, they might be in the farm right now cleaning the land.

11 Q. [10:26:36] And you've mentioned that the farming season starts in May, so how
12 long do you have to remain at the farm? How many weeks or months?

13 A. [10:27:01] People sometimes stay up to four or five months because the harvest
14 season starts in November -- November and December maybe. So whether you stay
15 on your farm or go back, it all depends on the time of harvesting your crops. So if
16 you start growing or cultivating early, then you can harvest early. If you start late,
17 then you harvest late. And it also depends on how clean and ready your land is for
18 farming.

19 Q. [10:28:03] And when you're out on the farm for this amount of time, are there
20 any difficulties or dangers from, say, insects or wild animals, anything like that?

21 A. [10:28:27] Of course, there are dangers and threats; the danger is from animals,
22 of course. So there are lions and other types of dangerous animals, because the area
23 where our camps are built are in forests and border areas, connected to other
24 countries. So we had an incident of a person got attacked and people saved him.
25 But because people are usually very scared of wild animals, they try not to go out at

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1 night. That's regarding dangerous animals.

2 As for attacks, so, yes, we also get subjected to attacks from other people. So, for
3 example, if you have daughters and you leave your daughters on the farm and you go
4 back to your house, and you have to travel for two days, those girls get sexually
5 assaulted. Some girls get threatened and some get raped. So we have a lot of
6 difficulties really, but we try our best to overcome these difficulties.

7 Q. [10:30:52] And is it the case, sir, that you keep some of the crops for your family
8 for food and you sell some of the crops?

9 A. [10:31:17] Yes. As I said, I plant corn, haricot beans and beans, so we keep the
10 corn in our homes. And from the beans, we make oil, and we keep some of the
11 haricot beans as food. And we also sell some of the sesame seeds and the beans in
12 order to buy goods for our children, such as clothing and shoes. Despite that, the
13 quantities would not be sufficient to buy all these things; however, we divide our
14 crops into two parts: One part to eat, to feed ourselves and the other part to sell and
15 to acquire or to buy the goods that we need such as clothing, salt and others.

16 Q. [10:32:46] Sir, I'd like to go back to the topic of education. And you've
17 explained to their Honours that you had finished the eighth grade when you had to
18 flee Bindisi and that you became a teacher in the community yourself once you
19 arrived at the camp in Chad. Did you ever have the opportunity to continue your
20 own education?

21 A. [10:33:25] After I arrived to Chad, I was given the chance of the -- or the
22 opportunity to get some education. In 2007 -- I don't remember the exact year, but I
23 think that was in 2007. That was when an organisation came and this organisation
24 said that it would like to help students who did not complete their secondary
25 education, and I was among the students who were -- who were nominated to be

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1 chosen.

2 And students were selected based on an exam, so I took this exam and I was among
3 those who were selected to continue their secondary education. This organisation is
4 called the Global African University.

5 When they came they provided us with books. They gave us all the subjects that
6 were covered in secondary education and they told us that our education will be
7 remote education, and what we had to do is that we had to exert our own efforts and
8 read these books and these materials, and then the organisation would submit us to
9 exams in two phases -- the first phase and the second phase. If you passed these two
10 phases, the organisation would give us a certificate indicating that we have completed
11 our secondary education.

12 I exerted personal efforts, and with the help of some friends and brothers, I was able
13 to be granted this certificate that is called the certificate of the Global African
14 University. So this gave me a motivation and I became a bearer of a secondary
15 education certificate through this organisation.

16 Q. [10:38:02] Thank you, sir. Now, I understand that you were also able to
17 continue your education some years later and attend a university. I don't want you
18 to mention in public the name of the university or the programme, the area of study
19 that you pursued, but I did want to ask you a little bit about that. How long did that
20 process take and how was it that you were able to go to a university?

21 A. [10:38:58] In 2012, and when it comes to my university studies, there was an
22 educational grant that is called the motivation grant or scholarship. So they were
23 selecting some people from each camp. So I had to sit for an exam and then I was
24 selected to go to the university, and I did go to the university where I studied for
25 three years, so three years to get my bachelor degree.

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1 Q. [10:40:04] You pursued your high school degree and your university degree in
2 very difficult circumstances, and perhaps this is a little bit -- you'll find this to be a
3 little bit of a strange question, but why is it that education is so important for you?

4 A. [10:40:38] Education is the future. I was totally aware that through education I
5 could change my life and others' lives, and through education I could help others as I
6 could meet and sit together with different populations, and that is through education.
7 We also have a famous saying that goes as follows: "Life is built with education and
8 also death is built with education or our ending, and without education we'll not be
9 able to make any progress." So this was a strong belief, and I believe that through
10 education I could treat all the wounds that I suffered from or that my community
11 suffers from.

12 Q. [10:42:12] And, sir, if you are able to answer this question, do you happen to
13 know, in the almost 19 years you've been in the camp, how many university
14 graduates are there from the various refugee camps in eastern Chad over the past 19
15 years, to your knowledge?

16 A. [10:42:50] The number of graduates is very low. I was from the first batch of
17 people from refugee camps who got this university degree. So it took me
18 approximately 10 years to get this education or this degree. And the number of
19 graduates is very low compared to the number of refugees and the population density
20 of refugees. So this percentage, or this number, that was between 7 and 8 is very low
21 compared to the total number of refugees present in the camp.

22 Q. [10:44:09] I'd like to ask you now, sir, if you would like to tell or address the
23 Judges on this subject, what are your hopes for the future and what hopes do you
24 have for your children?

25 A. [10:44:45] Just like other people wish, I wish for a life full of happiness and

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1 well-being, because myself and other refugees wish to get good education, prosperity
2 and well-being for our children. I also hope that I can continue my journey and
3 return to my homeland, to my home village, because no matter the difficulties that I
4 might face, I have to continue and reach two phases in my life. I want to get a
5 master's degree and then a PhD.

6 I don't know when I would get such an opportunity; however, I am ready for this and
7 I'm dreaming of this. And in case I am not able to get a PhD, I would like to get a
8 master's degree at least. This is what I would like to tell the Judges.

9 I don't know if this was the last question.

10 And if it was the last question, I would like to say in this regard and on this great day,
11 I would like to say that as refugees or even -- I've been a refugee for 20 years. I have
12 been in a refugee camp for 20 years, so we lived all the tragedies in life. We did not
13 know the true meaning of life. We only lived in dire situations. As a result, I
14 spared no effort and I overcame all the obstacles in order to come here and sit, or
15 stand, before you and talk to you about everything I have been through and
16 everything that the Darfurian people have gone through, especially the refugees and
17 the displaced persons who were displaced because of this war.

18 I would like to say that we like justice and we want justice. We want that all those
19 who turned our lives into humiliation and suffering and exhaustion to be held
20 accountable. We want those who destroyed us to be held accountable. These
21 people destroyed our future and the future of our generations. And in this moment
22 I am presenting to you my voice and the voice of all Darfurian refugees present
23 everywhere around the world, and I would like to tell you that we want peace. We
24 want to return to our homeland. It's enough now.

25 Today, we do not have any identity. On my identification card, they wrote "refugee".

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1 I am stateless. I do not have any nationality to belong to. This means that I'm just a
2 displaced person.

3 I would like to return to my homeland. I want peace and I want that all those who
4 made our life miserable to be held accountable.

5 And I would like also to convey the calls and the demands of my family and those
6 who were damaged by this war. In fact, this war had impacted us and harmed us a
7 lot, so I told you my story. But this is the story of refugees, and the story of each
8 refugee or displaced person is different. We need compensation. We need to be
9 compensated for every harm that we have endured.

10 And at this moment, allow me not to take too long, I would like to express to you my
11 deepest gratitude and acknowledgment for what you are doing for the human beings
12 and for humanity. We salute your efforts. But I'm unable to find any words to
13 express to you how grateful and delighted I am because of what you are doing for
14 others. All I will say is: May God be with you and may God bless you and to be
15 able to continue on this path, because thousands of people are waiting to hear your
16 voice and to see your deeds.

17 I would like to extend my gratitude also to those who helped me at the beginning that
18 I have met. So when I was given the tent, there was "UN" written on this tent.
19 When I was given oil, on the bottle of oil, the word "UN" was written. When I was
20 given books, on these books "UNICEF" was written. When I was given a bag, on this
21 bag "EU" was written.

22 So I was wondering what do these words mean, what do these letters mean or these
23 acronyms. Later on, it turned out, or I found out that "UN" stands for the United
24 Nations and "EU" means European Union. This is when I became aware that these
25 people are those who saved our lives. They provided us with food, clothes and

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1 water.

2 Therefore, I would like to salute all the peoples of the European Union, the people of
3 the United States, because their aid and their deeds supported us always, even if they
4 did not know us and we do not know them. Therefore, I would like to extend to you
5 my deepest gratitude on behalf of the Darfurian refugees and displaced persons.

6 Thank you.

7 Q. [10:54:31] Sir, I just want to thank you on behalf of the team of the legal
8 representative of victims for your willingness to come and appear before their
9 Honours. We are in your debt as well. Thank you.

10 MR SHAH: [10:54:48] No further questions, Madam President.

11 PRESIDING JUDGE KORNER: [10:54:51] Thank you, Mr Shah.

12 I take it the same applies as yesterday, no questions from any of the parties.

13 Sir, that completes what you have to say before us.

14 I'll just check whether -- any questions?

15 I think you've covered the events both during the conflict and your time in the camp
16 very fully. We are very grateful to you for coming to court and undertaking, as we
17 know, a long journey, and in due course, if appropriate, what you have described to
18 us will be taken into account.

19 So thank you very much, sir. And that concludes your appearance at this court. If
20 you would like to go with the court officer.

21 THE WITNESS: [10:55:46](Interpretation) Thank you.

22 (The witness is excused)

23 PRESIDING JUDGE KORNER: [10:56:13] Mr Shah, I didn't notice until this morning,
24 but did he have papers with him?

25 MR SHAH: [10:56:25] I believe he was taking notes as I was asking questions.

1 That's -- that's what it appeared to me.

2 PRESIDING JUDGE KORNER: [10:56:33] I see. So it's not that he came to court
3 with a pre-prepared statement that he was reading?

4 MR SHAH: [10:56:39] No. No. That's my not understanding, no.

5 PRESIDING JUDGE KORNER: [10:56:42] Right. All right. Thank you very much.
6 Yes. Right. Mr Laucci, you asked for an *inter partes* status conference, which we'll
7 do, but I gather we have to adjourn because the tape has to be changed or something
8 has to be changed. So we'll take the half-hour break to 11:25 and then, in the light of
9 the topic, the status conference will be in private session.

10 Yes, thank you.

11 THE COURT USHER: [10:57:11] All rise.

12 (Recess taken at 10.57 a.m.)

13 (Upon resuming in private session at 11.36 a.m.)

14 THE COURT USHER: [11:36:20] All rise.

15 Please be seated.

16 (Redacted)

17 (Redacted)

18 (Redacted)

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20 (Open session at 12.10 p.m.)

21 THE COURT OFFICER: [12:10:40] We're back in open session, Madam President.

22 PRESIDING JUDGE KORNER: [12:10:43] Yes, well, simply for the purposes of the
23 public, such as are left, I'm sorry. The matters that we were dealing with were
24 discussed in private session and we're now adjourning the case.

25 Thank you very much.

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- 1 THE COURT USHER: [12:10:55] All rise.
- 2 (The hearing ends in open session at 12.10 p.m.)