

Trial Hearing
Procedural Matters

(Open Session)

ICC-01/14-01/21

1 International Criminal Court
2 Trial Chamber VI
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Mahamat Said Abdel Kani - ICC-01/14-01/21
5 Presiding Judge Miatta Maria Samba, Judge Maria del Socorro Flores Liera
6 and Judge Sergio Gerardo Ugalde Godinez
7 Trial Hearing - Courtroom 2
8 Tuesday, 8 November 2022
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:09] All rise. The International Criminal Court is now in
11 session. Please be seated.
12 PRESIDING JUDGE SAMBA: [9:31:35] Good morning, everyone.
13 Madam Court Officer, can you please mention the case.
14 THE COURT OFFICER: [9:31:43] Good morning, Madam President, your Honours.
15 Situation in the Central African Republic II, in the case of The Prosecutor versus
16 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21. And we're in open session.
17 PRESIDING JUDGE SAMBA: [9:31:58] Thank you very much.
18 Can I ask the parties to introduce themselves, please.
19 MS MAKWAIA: [9:32:02] May it please the Court. For the Prosecutor this morning,
20 myself, Holo Makwaia, senior trial lawyer; Leonie von Braun, trial lawyer; Le Bailly,
21 Brunhild, associate trial lawyer; and Lisa Tamm. Thank you.
22 PRESIDING JUDGE SAMBA: [9:32:20] Thank you very much.
23 Can I ask, Ms Pellet, to introduce herself for the victims. You're alone today.
24 MS PELLET: [9:32:26](Interpretation) Thank you, your Honour. The victims are
25 represented by myself, Sarah Pellet, counsel of the Office of Public Counsel for Victims.

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- 1 PRESIDING JUDGE SAMBA: [9:32:38] Thank you very much, Ms Pellet.
- 2 Jennifer Naouri, Ms, for the Defence, please.
- 3 MS NAOURI: [9:32:46](Interpretation) *Thank you, your Honour. Next to me today are
- 4 Mr. Jacobs, Manon Lanselle and behind us, we have Capucine Banet. And also, as I'm
- 5 concerned, I am Jennifer Naouri, lead Defence counsel.
- 6 PRESIDING JUDGE SAMBA: [9:33:03] Thank you, Ms Naouri.
- 7 And for the record, I note that Mr Said is in court.
- 8 Good morning, Mr Said. I hope you rested well.
- 9 MR SAID: [9:33:12](Interpretation) Good morning, your Honour. I'm fine.
- 10 PRESIDING JUDGE SAMBA: [9:33:18] Good.
- 11 Good morning, Madam Witness. I hope you rested well.
- 12 THE WITNESS: [9:33:28](Interpretation) Good morning. Good morning, your Honour,
- 13 Madam President. I am super well rested.
- 14 PRESIDING JUDGE SAMBA: [9:33:35] Good.
- 15 Now, we're going to continue with your cross-examination this morning, and it's my
- 16 understanding that Mr Jacobs will continue with the cross-examination.
- 17 Mr Jacobs, we would appreciate it really if you -- I know you did indicate that you'd try
- 18 to finish with this witness in this first session. Is that my understanding?
- 19 MR JACOBS: [9:34:02](Interpretation) Good morning, your Honour. Yes, I did suggest
- 20 that I would have one session for sure, and perhaps it might be one or two sessions.
- 21 That's what I said yesterday.
- 22 PRESIDING JUDGE SAMBA: [9:34:15] Well, yes. One or two sessions. In any event, if
- 23 you complete this first session, you know, the reason being that if we are to continue
- 24 into the next session and just use, like, 10, 15 minutes, we're going to lose the whole
- 25 remaining time, and we don't want to do that because we will be taking another

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1 witness. So, you know, we would just appreciate it if you really watch the time and
2 try, if you could, of course, finish this session. Thank you very much.

3 MR JACOBS: [9:34:48](Interpretation) Of course, madam, your Honour.

4 WITNESS: CAR-OTP-P-2478 (On former oath)

5 (The witness speaks French)

6 QUESTIONED BY MR JACOBS: (Interpretation)(Continuing)

7 Q. [9:35:03] Good morning, Madam Witness.

8 A. [9:35:04] Good morning, counsel.

9 Q. [9:35:06] We are in public session.

10 MR JACOBS: [9:35:11](Interpretation) I think for sake of precaution, I think it is wiser
11 to go into closed session for my next set of questions.

12 PRESIDING JUDGE SAMBA: [9:35:19] Madam Court Officer, can we go into private
13 session, please.

14 *(Private session at 9.35 a.m.) (Reclassified partially in public)

15 THE COURT OFFICER: [9:35:34] (Redacted)

16 PRESIDING JUDGE SAMBA: [9:35:36] (Redacted)

17 (Redacted)

18 MR JACOBS: [9:35:40](Interpretation) (Redacted)

19 Q. [9:35:44] (Redacted)

20 (Redacted)

21 (Redacted)

22 A. [9:36:05] (Redacted)

23 (Redacted)

24 Q. [9:36:33] (Redacted)

25 (Redacted)

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9 (Redacted). And I'm
10 going to read quite a long passage.
11 So transcript 10 October 2022, T18, from page 16, line 24, first passage, to page 18, line
12 2.
13 So Director Mallo said -- and we're going to start a little bit lower to go faster. So I'm
14 starting at line 7 of page 17 in the French version:
15 "As far as I know, people had been arrested by Seleka soldiers and were being kept at
16 the OCRB. I stated it in my witness statement that one of the Seleka was Central
17 African and his name was Thaddee and he discreetly came to find me in my office to
18 tell me, 'Brother, aside from the people was in the cells, outside there are other brothers
19 of ours who are being held underground where Said sits.' I said to him, 'What
20 basement or what underground?' He said, 'Where Said sits, there's a basement and
21 there's people in it.' I thought he was joking around, but no, he said he was serious. I
22 said, 'Okay. Understood. I'll look into this with Said,' or 'I'll take this up with Said.'
23 "I think it was the following day that I approached Said to ask him if he could see me at
24 my office. Said came to me and I asked him whether, indeed, there was a basement
25 where he was and whether there were people in it. His first reaction took me by

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1 surprise because he said, 'Who told you that?' I told him that it was information that I
2 had heard and that I simply wanted to verify it. He said to me, 'Yes, it's true, there are
3 prisoners there, but they are Djotodia's prisoners and nobody was supposed to know
4 anymore about it,' and he left my office."

5 So I'm going to continue on on page 19, line 7 of transcript T18 of 10 October 2022. And
6 the question which is put to Director Mallo is:

7 "What happened after that conversation with Said where he referred to Djotodia?"

8 Answer:

9 "Well, Said went back to his office. And then after thinking about it for some time, I
10 think one day or one or two days later, I went back to him again and asked him if he
11 could come to my office. He came and I said, 'But, Said, the people who were in the
12 basement?' And then I lied to him, I said that it was the prosecutor who wanted to
13 know more about them. And I asked him if he could take them to me so that I could
14 note down their affiliation. Said told me that that -- well, that was impossible because
15 he might get into serious trouble with his supervisors or his superiors if he did that,
16 meaning Nouradine and Djotodia."

17 Then the question was put, "What happened then?"

18 Director Mallo's -- was the following:

19 "I approached him two more times, I think it was on the third time that he agreed. He
20 said that I should wait and he would see what he could do for me. And that's how it
21 came that, unknown to his soldiers, because he didn't want anybody to know or see
22 him take out the prisoners, he took them to my office. He -- or he took one prisoner to
23 my office, but he didn't want anybody else to know that he was doing that. So quite
24 promptly he brought one prisoner to my office. I said to him, 'I'll just note down his
25 affiliation, and then I'll take him back.' When he left, I immediately called a - well, how

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1 should I refer to him? - he was a partner, a Frenchman. His first name was Thierry, I
2 think. He came to my office. He entered by the eastern axis where there is a gate that
3 offers direct access to my office. And very promptly, he photographed the prisoner.
4 The prisoner barely moved his limbs and barely spoke to me. I told him to be quick
5 and then to leave because -- very quickly he did so and he left. He took the photos and
6 he left. I didn't have much time to question him because he found it very difficult to
7 speak. So I went to call Said to come and pick him up and to bring -- and to take him
8 back. And, well, that's how that went off."

9 (Redacted)

10 (Redacted)

11 (Redacted)

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25 Q. [11:03:30] Thank you. And so during the interview, did the investigators take

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1 notes?

2 A. [11:03:35] Yes, of course. Everything that I said was noted as I said it.

3 Q. [11:03:57] Do you recall whether they recorded your interview using a
4 microphone or a camera?

5 A. [11:04:04] I don't know. I don't know. I wouldn't know because it was an
6 investigation, so I wouldn't know if they were recording me or not. What I did see is
7 how they took notes. They took notes of everything I said. I saw that because, of
8 course, I was present. As regards recording, I wouldn't know because that was their
9 job.

10 Q. [11:04:56] Thank you. And I see that an interpreter was present. What was the
11 role of the interpreter during the interview?

12 A. [11:05:01] The interpreter was there, was present. The role of the interpreter, as far
13 as I could see, was to assist the investigators if they had difficulty understanding what I
14 was saying. As I had the information, the interpreter explained that clearly in English
15 to them. So the interpreter was always available also when I put questions. If anybody
16 did not understand something, it was the interpreter who clarified the matter.

17 Q. [11:06:15] And what language did you speak to the investigators?

18 A. [11:06:19] I speak two languages: The national language Sango and French.
19 Sometimes I speak Sango. Sometimes I speak French. If -- in the case of investigators
20 who spoke French, then we would speak French together. If they did not speak French,
21 then I would speak in Sango and the interpreter would interpret that into English to
22 the investigator.

23 Q. [11:07:06] So if I understand correctly, when you spoke to the investigators you
24 spoke either French or Sango; is that right?

25 A. [11:07:18] Yes, I spoke -- when speaking to the investigators, I spoke Sango. But if

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1 an investigator spoke French, then I would speak directly to that investigator in French.

2 Q. [11:07:48] Now, Witness, I'd like to understand this well, because if I take your
3 witness statement --

4 MR JACOBS: [11:07:59](Interpretation) And I'll just give the reference one more time.
5 So it's CAR-OTP-2110-0745, tab 1 for the French version, and tab 2 for the English
6 version. And if we go to paragraph 4 on page 0746.

7 Q. [11:08:34] There, you say:

8 "I wanted the interview to be conducted in French. I fully understood and speak
9 French. The Sango-French interpreter was present during my interview, and the
10 investigators pointed out to me that he would be available to me if I needed to speak in
11 Sango."

12 Now, that's at paragraph 4.

13 MR JACOBS: [11:09:00](Interpretation) And if we go to page 0767.

14 Q. [11:09:12] So the penultimate page of your statement, 0767. 0767, to be clear. So if
15 we zoom in now on your statement, and this is the statement that you already
16 recognised yesterday, if we move a little further down, it says that:

17 "This statement is read out to me in French and Sango."

18 That's what you say before signing it. And then on the following page, so 0768, we see
19 the interpreter certification, which states that:

20 "The interpreter is duly qualified to interpret from Sango into French and from French
21 into Sango. And I, the interpreter, have been informed by (Redacted) that she speaks
22 and understands Sango and French, and that she wished to speak French during the
23 interview."

24 And then the interpreter states that you acknowledge that the facts and matters set out
25 in your statement are true.

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1 So there are a couple of matters that I want to clarify here. You said that you spoke
2 French and Sango during the interview; is that correct?

3 A. [11:10:56] Yes, of course.

4 Q. [11:10:59] Very well. And you state that the statement was read back to you in
5 Sango and in French. The interpreter states that he spoke to you in Sango. He doesn't
6 state that the statement was read back to you. Normally they do that. So you say that
7 you spoke in Sango and French in the interview; is that correct?

8 A. [11:11:35] Well, as I said earlier, I speak Sango and I speak French. Now, why is
9 this relevant. Well, some of the investigators had difficulty with the French language.
10 So if I spoke in French only, that person would not have been able to understand fully.
11 So I spoke in Sango and that interpreter interpreted the Sango into English. And that's
12 what I meant when I said sometimes I spoke French and sometimes I spoke Sango. But
13 if the investigator spoke French well, then we spoke with one another directly in
14 French.

15 Q. [11:12:20] Well, that's perfectly clear. Now, when you stated that your statement
16 was read to you in French and in Sango, what I imagine is, in fact, what happened is
17 you were given the French version and you read that?

18 A. [11:12:32] Yes, that's what I read.

19 Q. [11:12:43] So not in Sango?

20 A. [11:12:44] I re-read it in French. And the interpreter also interpreted it into Sango,
21 but it wasn't written in Sango. It was written in French.

22 Q. [11:13:02] Okay, thank you. That's very clear. One final question regarding the
23 language. You said sometimes there was interpretation into English, whereas we see
24 here that there was an interpreter who worked from Sango into French and French into
25 Sango but not into English. So who interpreted into English for the investigator?

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1 A. [11:13:21] Well, one time I met with two investigators, and the interpreter was
2 from the Central African Republic. Now, those people, they spoke French, but they
3 had some difficulties. So sometimes I would speak Sango and the interpreter
4 interpreted that, said it in English. But I, when I would speak directly with those
5 investigators, would speak in French.

6 Q. [11:14:32] (Redacted)

7 (Redacted)

8 (Redacted)

9 A. [11:14:47] (Redacted)

10 Q. [11:15:20] (Redacted)

11 (Redacted)

12 A. [11:15:28] (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. [11:16:40] (Redacted)

19 (Redacted)

20 A. [11:16:53] (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 Q. [11:17:29] (Redacted)

25 (Redacted)

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4 A. [11:21:43] (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 Q. [11:22:59] Thank you very much, Witness.

16 MR JACOBS: [11:23:00](Interpretation) Your Honour, that was my final question, in
17 fact.

18 PRESIDING JUDGE SAMBA: [11:23:02] That's okay. That was a long 15 minutes. The
19 idea is that, you know, we have to comply also with the Registry as to timing.

20 Do you have any questions in re-examination, Madam Prosecutor?

21 MS LE BAILLY: [11:23:18](Interpretation) Yes, in fact, I do have one question, your
22 Honours. May I put it now or after the break?

23 PRESIDING JUDGE SAMBA: [11:23:27] No, we can't wait for after the break. Can you
24 put your question and let me hear what you have to say, please.

25 MS LE BAILLY: [11:23:32](Interpretation) Yes, of course. Thank you, your Honour.

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1 QUESTIONED BY MS LE BAILLY: (Interpretation)

2 Q. [11:23:39] (Redacted)

3 (Redacted)

4 MS LE BAILLY: [11:23:46](Interpretation) (Redacted)

5 (Redacted)

6 (Redacted)

7 Q. [11:24:03] (Redacted)

8 (Redacted)

9 (Redacted)

10 A. [11:24:19] (Redacted)

11 (Redacted)

12 Q. [11:24:47] (Redacted)

13 MS LE BAILLY: [11:24:59](Interpretation) These are all our questions on behalf of the
14 Prosecution.

15 PRESIDING JUDGE SAMBA: [11:25:03] Thank you very much, Madam Prosecutor.

16 And, Madam Witness, on behalf of the Chamber, I want to thank you very much for
17 your cooperation and for your -- for helping the Court with your testimony these past
18 two days. We wish you well in your future endeavours, and we wish you a safe
19 journey back home. Thank you very, very much.

20 (The witness is excused)

21 PRESIDING JUDGE SAMBA: [11:25:27] I know that we should be hearing Witness P-
22 1167, the Prosecutor's ninth witness. Shall I, therefore, ask that we meet here after 30
23 minutes so that we can start the testimony of that witness, please.

24 I'll rise the Court and ask that we meet in 30 minutes. Thank you very much.

25 THE COURT USHER: [11:25:51] All rise.

Trial Hearing
WITNESS: CAR-OTP-P-1167

(Open Session)

ICC-01/14-01/21

- 1 (Recess taken at 11.25 a.m.)
- 2 (Upon resuming in open session at 11.59 a.m.)
- 3 THE COURT USHER: [11:59:20] All rise. Please be seated.
- 4 PRESIDING JUDGE SAMBA: [11:59:36] Well, it's close to morning, but good morning,
- 5 everyone. Yes, it's still morning.
- 6 I was going to ask -- I see new faces at the Prosecution's desk, and another person for
- 7 Rule 74, and I notice a change of face by Ms Naouri. So I'm going to ask for
- 8 representation by counsel. And another added face to even Ms Pellet.
- 9 So kindly give your representation before we start dealing with this or hearing this
- 10 witness.
- 11 MS MAKWAIA: [12:00:18] Thank you, Madam President. For the Prosecution counsel
- 12 table, myself, Holo Makwaia, Leonie von Braun, and Yuichiro Omori. Thank you.
- 13 PRESIDING JUDGE SAMBA: [12:00:30] Thank you very much, Ms Makwaia.
- 14 Yes, Ms Pellet.
- 15 MS PELLET: [12:00:36](Interpretation) Thank you, your Honour. Indeed, I am joined
- 16 by Adeline Bedoucha for the representation of victims.
- 17 PRESIDING JUDGE SAMBA: [12:00:47] Thank you very much.
- 18 Ms Naouri, the new counsel on your left, maybe if you can announce his
- 19 representation.
- 20 MS NAOURI: [12:00:57](Interpretation) Absolutely. On my left is Simon Appriou.
- 21 Other than that, we are the same composition as we were this morning.
- 22 PRESIDING JUDGE SAMBA: [12:01:05] Yes, indeed.
- 23 Counsel, Rule 74, can you announce your representation, please.
- 24 MS BURUMA: [12:01:09](Microphone not activated)
- 25 THE INTERPRETER: [12:01:15] Microphone, please.

Trial Hearing
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(Open Session)

ICC-01/14-01/21

1 MS BURUMA: [12:01:17] I'm sorry. As legal adviser to the witness, Tamara Buruma.

2 PRESIDING JUDGE SAMBA: [12:01:28] Welcome to the courtroom, counsel.

3 And for the record, for this particular witness, I note that Mr Said is in court.

4 Mr Witness, good afternoon. Now I can say good afternoon. It's past 12.00. Good
5 afternoon, Mr Witness.

6 THE WITNESS: [12:01:51](Interpretation) Good afternoon.

7 PRESIDING JUDGE SAMBA: [12:01:53] We note that the Prosecution has now called
8 its ninth witness. We understand that this witness will be testifying in Sango. So I

9 would remind everyone once again of the importance of the need to speak slowly for
10 the interpreters and to observe the five-seconds rule between questions and answers.

11 We note briefly that protective measures are confirmed to this witness by virtue of
12 Decision No. 481. Further, the Chamber notes that the VWU does not recommend any
13 further special measures.

14 Mr Witness, you are going to testify before the International Criminal Court. And on
15 behalf of the Chamber, I welcome you to this courtroom.

16 You should have in front of you a solemn declaration that every witness is expected to
17 read out and testify to before this Court. If you have it before you, as I'm sure you do,
18 can you read it out loud for us. Thank you.

19 THE WITNESS: [12:03:27](Interpretation) I solemnly declare that I will tell the truth,
20 the whole truth, and nothing but the truth.

21 WITNESS: CAR-OTP-P-1167

22 (The witness speaks Sango)

23 PRESIDING JUDGE SAMBA: [12:03:43] Thank you very much, Mr. Witness. And do
24 you understand and agree to what you have just read?

25 THE WITNESS: [12:03:54](Interpretation) Yes, I understand.

Trial Hearing
WITNESS: CAR-OTP-P-1167

(Open Session)

ICC-01/14-01/21

- 1 PRESIDING JUDGE SAMBA: [12:04:02] Good. We will continue.
- 2 So, Mr Witness, let me explain to you the protective measures that the Chamber has
- 3 put in place for your testimony.
- 4 The following measures are put in place to protect you. Voice and face distortion has
- 5 been put in place for the duration of your testimony. This means that no one outside
- 6 the courtroom can see your face or hear your real voice during your testimony.
- 7 We have also put in place the use of a pseudonym. In accordance with that, we will all
- 8 refer to you only as "Mr Witness" to make sure that the public does not know your
- 9 name.
- 10 When you answer questions that will not give away who you are, we will do so in
- 11 open session, which means that the public can hear what is being said in the
- 12 courtroom.
- 13 When you are asked to describe anything that is related specifically to you, or you are
- 14 asked to mention facts that might reveal your identity, we will do so in private session.
- 15 And, lastly, I have a few practical matters you should have in mind when giving your
- 16 testimony. Everything we say here is recorded and interpreted. It is, therefore,
- 17 important to speak clearly and at a slow pace. Please speak into the microphone and
- 18 only start speaking when the person asking you the question has finished.
- 19 Now, you will know that the person asking the question is finished when the speaker
- 20 turns off his or her microphone. After that, please wait for five seconds to allow the
- 21 interpretation to finish.
- 22 If you have any questions, including if you need a break, just raise your hand and we
- 23 will know that you want to say something to us.
- 24 Do you understand all I've said, Mr Witness?
- 25 THE WITNESS: [12:07:15](Interpretation) I've understood you well.

Trial Hearing
WITNESS: CAR-OTP-P-1167

(Open Session)

ICC-01/14-01/21

- 1 PRESIDING JUDGE SAMBA: [12:07:17] Thank you very much.
- 2 Now, we are going to start with your testimony, and we'll allow the Prosecution to put
- 3 questions to you and wait for your answers.
- 4 For the attention of parties, we're in open session.
- 5 Madam Prosecutor, please. The Prosecutor, please.
- 6 MS VON BRAUN: [12:07:43] Thank you, Madam President. I was just wondering
- 7 whether we have to acknowledge the Rule 74 issue before we start, or is that not part of
- 8 the ...
- 9 (Trial Chamber and court officer confer)
- 10 PRESIDING JUDGE SAMBA: [12:08:16] Because it's not understanding that there is
- 11 any issue in the view of the Chamber, the counsel herself has not asked that she makes
- 12 any submission.
- 13 MS VON BRAUN: [12:08:29] All right. Thank you. Then that's clarified.
- 14 PRESIDING JUDGE SAMBA: [12:08:31] Thank you very much.
- 15 QUESTIONED BY MS VON BRAUN:
- 16 Q. [12:08:50] Good afternoon, Mr Witness. We have met before. My name is Leonie
- 17 von Braun and I will be asking you questions on behalf of the Office of the Prosecutor
- 18 this afternoon. I will speak slowly as instructed by Madam President. And if you do
- 19 not understand a question I ask, please do not hesitate to tell me. I will then rephrase
- 20 my question or pose it in a different way. Please also indicate at any time when you
- 21 need a break, and we will try to accommodate you in that regard.
- 22 Now, my first few questions concern your identity and personal background.
- 23 MS VON BRAUN: [12:09:51] So I would request to move into private session.
- 24 PRESIDING JUDGE SAMBA: [12:09:53] Madam Court Officer, can we go into private
- 25 session, please.

Trial Hearing
WITNESS: CAR-OTP-P-1167

(Private Session)

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- 1 *(Private session at 12.10 p.m.) (Reclassified partially in public)
- 2 THE COURT OFFICER: [12:10:11] We're in private session, your Honours.
- 3 PRESIDING JUDGE SAMBA: [12:10:14] (Redacted)
- 4 (Redacted)
- 5 MS VON BRAUN: [12:10:18] (Redacted)
- 6 Q. [12:10:18] (Redacted)
- 7 A. [12:10:22] (Redacted)
- 8 Q. [12:10:53] (Redacted)
- 9 A. [12:10:55] (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 Q. [12:11:33] (Redacted)
- 13 (Redacted)
- 14 A. [12:11:40] (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 Q. [12:12:46] (Redacted)
- 20 (Redacted)
- 21 A. [12:12:51] (Redacted)
- 22 (Redacted)
- 23 Q. [12:13:34] (Redacted)
- 24 (Redacted)
- 25 A. [12:13:40] (Redacted)

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1 ten days before I got back to Sibut.

2 Q. [13:00:33] Thank you very much.

3 MS VON BRAUN: [13:00:35] Madam President, I see the time and it's -- yeah, for the
4 break.

5 PRESIDING JUDGE SAMBA: [13:00:42] Yes.

6 Mr Witness, we're going to stop here for now so that we can all go and have some
7 lunch. We shall come back after lunch and resume with your testimony, which will be
8 at 2.30. It will start at 2.30.

9 So I'm going to rise the Court and ask that we all meet here at 2.30, please.

10 THE COURT USHER: [13:01:07] All rise.

11 (Recess taken at 1.01 p.m.)

12 (Upon resuming in open session at 2.31 p.m.)

13 THE COURT USHER: [14:30:56] All rise. Please be seated.

14 PRESIDING JUDGE SAMBA: [14:31:16] Good afternoon, everyone.

15 Mr Witness, we're going to continue with your questioning by the Prosecution.

16 Madam Prosecutor, please, if you may, carry on.

17 MS VON BRAUN: [14:31:40] Thank you, Madam President.

18 Q. [14:31:42] And, Mr Witness, I will have a few follow-up questions concerning --

19 PRESIDING JUDGE SAMBA: [14:31:50] Okay, we're in open session. Just so you
20 know, please.

21 MS VON BRAUN: [14:31:54] Yes.

22 Q. [14:31:55] I will have a few follow-up questions for you concerning issues you
23 raised before the break. And when answering my questions, just try to answer them
24 very slowly so that we capture everything that you have to say. Just as a reminder. If
25 it starts going too fast, I will also intervene to let you know.

Trial Hearing
WITNESS: CAR-OTP-P-1167

(Private Session)

ICC-01/14-01/21

- 1 MS VON BRAUN: [14:32:28] Now I would request to go back into private session,
- 2 Madam President.
- 3 PRESIDING JUDGE SAMBA: [14:32:33] Madam Court Officer, can we please go back
- 4 into private session.
- 5 *(Private session at 2.32 p.m.) (Reclassified partially in public)
- 6 THE COURT OFFICER: [14:32:49] We are in private session, your Honours.
- 7 PRESIDING JUDGE SAMBA: [14:32:51] Thank you very much.
- 8 Madam Prosecutor, please go ahead.
- 9 MS VON BRAUN: [14:32:54] (Redacted)
- 10 Q. [14:32:55] (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 MS NAOURI: [14:33:31](Interpretation) (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 PRESIDING JUDGE SAMBA: [14:33:57] (Redacted)
- 18 (Redacted)
- 19 MS VON BRAUN: [14:34:00] (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 PRESIDING JUDGE SAMBA: [14:34:33] (Redacted)

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- 1 (Redacted)
- 2 A. [16:00:27] (Redacted)
- 3 (Redacted)
- 4 Q. [16:01:01] (Redacted)
- 5 MS VON BRAUN: [16:01:04] Then this item can be removed. And I see the time,
- 6 Madam President, so I would stop for today, of course.
- 7 PRESIDING JUDGE SAMBA: [16:01:15] Yes, thank you very much, Madam
- 8 Prosecutor.
- 9 Mr Witness, we're going to stop here for today. Tomorrow, you shall continue your
- 10 testimony. The Prosecutor will put questions to you. But I'm going to ask that you do
- 11 not discuss your testimony with any other person when you leave this courtroom
- 12 today.
- 13 So I'm going to rise the Court and ask that we meet here tomorrow at 9.30 in the
- 14 morning. Thank you very much.
- 15 THE COURT USHER: [16:01:48] All rise.
- 16 (The hearing adjourned in private session at 4.01 p.m.)