

Trial Hearing
WITNESS: CAR-OTP-P-0547

(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 María del Socorro Flores Liera and
6 Judge Sergio Gerardo Ugalde Godínez
7 Trial Hearing - Courtroom 1
8 Thursday, 6 October 2022
9 (The hearing starts in open session at 9.32 a.m.)
10 THE COURT USHER: [9:32:27] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:32:52] Good morning, everyone.
14 Madam Court Officer, can you please mention the case.
15 THE COURT OFFICER: [9:33:03] Good morning, Madam President, your Honours.
16 The situation in the Central African Republic II, in the case of The Prosecutor versus
17 Mahamat Said Abdel Kani, ICC reference 01/14-01/21.
18 And we are in open session.
19 PRESIDING JUDGE SAMBA: [9:33:17] Thank you very much.
20 Can counsel announce their representations, starting with the Prosecution, please.
21 MS MAKWAIA: [9:33:24] Good morning, Madam President, your Honours.
22 For the Prosecutor this morning, myself, Holo Makwaia, Leonie von Braun and
23 Ramu Bittaye. Thank you.
24 PRESIDING JUDGE SAMBA: [9:33:36] Thank you very much.
25 Ms Pellet.

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- 1 MS PELLET: [9:33:44](Interpretation) Thank you, your Honour. The victims are
2 represented by Tars Van Litsenborgh and myself, Sarah Pellet, counsel at the OPCV.
3 PRESIDING JUDGE SAMBA: [9:33:59] Thank you very much.
4 Defence, Ms Naouri, please.
5 MS NAOURI: [9:34:05](Interpretation) Thank you, your Honour.
6 I have Counsel Jacobs and Léa Allix. I've got Francois-Jacquemin, Sarah Valduriez,
7 Manon Lanselle, and we've got Capucine Banet. And I'm Jennifer Naouri.
8 PRESIDING JUDGE SAMBA: [9:34:24] Thank you very much, Ms Naouri.
9 And, for the record, I note that Mr Said is in court.
10 Good morning, Mr Said.
11 MR SAID: [9:34:35](Interpretation) Your Honour, good morning.
12 PRESIDING JUDGE SAMBA: [9:35:00] Good morning.
13 Good morning, Mr Witness. I hope you rested well yesterday.
14 WITNESS: CAR-OTP-P-0547 (On former oath)
15 (The witness speaks Sango)
16 THE WITNESS: [9:35:16](Interpretation) Good morning, your Honour. Good
17 morning, Prosecution and the Defence. And I'd like to greet everyone present in this
18 room.
19 PRESIDING JUDGE SAMBA: [9:35:34] Thank you very much. A very good
20 morning to you.
21 Mr Witness, we are going to continue this morning with your cross-examination by
22 Ms Naouri, the Defence. Now, I know that you have said a lot to us. You have
23 given us a lot of information, for which we are indeed very grateful, in respect of your
24 cooperation with the Court.
25 Now, the Defence has indicated that, if you answer the questions, you know, briefly,

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1 we will finish with your testimony today. Not to push you, because we really do
2 want to have your story, but I want to encourage you to remain calm, because it is
3 when you are calm that you will be able to answer the questions that the Defence will
4 ask you. If you get upset, you are going to give answers that, you know, may not be
5 necessary for now. So remain calm and just answer the questions. Have a cup of
6 water by your side so that that could help, hopefully, as you answer the questions. I
7 hope I am clear.

8 THE WITNESS: [9:37:17](Interpretation) I understand you, your Honour.

9 PRESIDING JUDGE SAMBA: [9:37:20] Thank you very much.

10 Ms Naouri, please.

11 MS NAOURI: [9:37:28](Interpretation) Thank you, your Honour.

12 QUESTIONED BY MS NAOURI: (Continuing)(Interpretation)

13 Q. [9:37:33] Good morning, Witness.

14 A. [9:37:37] Good morning, Counsel.

15 Q. [9:37:41] So we are just going to start off from where we stopped before the long
16 break. And we were speaking about the elements that were taken from your
17 house -- the objects that were taken from your house. We were talking about the
18 television. So there was a television, a TV set.

19 So we can actually stay in open session. And when there are identifying -- there is
20 identifying information, we will move to private session. So please be reassured,
21 Witness.

22 So after the television on the list, there was two deep freezers. Can you quickly tell
23 us if you remember the brand and how much they cost.

24 PRESIDING JUDGE SAMBA: [9:38:50] Sorry, Mr Witness, before you answer --

25 Ms Naouri, can you tell us where, if not on his statement, where he said two deep

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1 freezers. I can see from his statement two refrigerators. It might be an issue of
2 interpretation. Can you confirm that, whether you mean deep freezers or
3 refrigerators.

4 MS NAOURI: [9:39:28](Interpretation) Your Honour, I don't know how it was
5 interpreted, but I just took the word from the witness statement of the Prosecution
6 because I recalled the list of all objects that he said in his witness statement, in his
7 previous witness statement. So it's tab 11 of our notification list, CAR-2018-0389,
8 *page 0393. And it's transcription that dates back to Tuesday, page 49, line 19. And
9 I was just -- and there were two freezers; a plasma TV, two freezers, two remote
10 control devices, and socks. So this is basically what is in the transcription and also in
11 the witness statement, page 19 of the transcription -- page 40, line 19.

12 Q. [9:40:39] So, Witness, let's come back to the deep freezers. So do you remember
13 the brand and also the value? How much did they cost? I'm asking for a ballpark
14 figure here.

15 PRESIDING JUDGE SAMBA: [9:40:53] Ms Naouri, I'll ask again, do you -- you've
16 made reference to the transcript, but do you have the witness's statement before you
17 as part of your exhibits? That of OTP-2025-0566. Is that what you have before you?
18 Because when you look at paragraph 27 of that statement, it gives the list of items that
19 he is saying were taken from his house. Can you look at that list. What I have on
20 that list are two refrigerators. Now, there is a distinction between refrigerators and
21 deep freezers. That's the only point I'm making.

22 THE INTERPRETER: [9:41:40] Message for the -- for the Presiding Judge from the
23 English booth: Previously, the word "*congélateur*" in French was translated as
24 "fridge", but it is in fact "freezer". This is a correction made by the English booth.

25 PRESIDING JUDGE SAMBA: [9:41:54] Thank you very much, Mr Interpreter.

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1 Carry on with your questions.

2 MS NAOURI: [9:42:03](Interpretation) Thank you, your Honour.

3 I can't answer your question because the only thing I can do is read the transcription
4 and read the witness statement, the previous witness statement, and in both cases we
5 used the word "*congélateur*" in French.

6 THE INTERPRETER: [9:42:15] In French, the word is "*congélateur*", and in English,
7 the right translation for a "*congélateur*" is a "deep freezer". A fridge is a "*réfrigérateur*"
8 or a "*frigo*". The right translation for a "*congélateur*" is a "deep freezer". This is a
9 message from the English booth again.

10 PRESIDING JUDGE SAMBA: [9:42:32] Yes, the interpreters have explained, so carry
11 on. Thank you.

12 MS NAOURI: [9:42:39](Interpretation) Thank you, your Honour.

13 Q. [9:42:42] So I'm talking about deep freezers. Can you tell me -- can you answer
14 the question if you remember the brand and the price. Approximate price will be
15 enough.

16 A. [9:43:05] I'm going to answer the question like this: You see, the events date
17 back to a very long time, and you know that after my house was pillaged, I was
18 traumatised to such a point that I'm no longer in a position to remember the brand
19 and the price or the cost. You can -- you asked me questions on -- if you ask me
20 questions on clothes and socks, I'm really not in a position to give you any
21 information on that. I did not purchase all this at the same time. I paid for them
22 gradually. And I had many things shown to me, and I did not buy them. I did not
23 know that I'm going to be going through all this. So I bought all this. And when I
24 bought them, I really did not keep the bills -- or the receipts. So when you ask me
25 about the brand, and things like that, I'm not in a position to give you that

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1 information.

2 However, I can give you the brand of my computer. It was a Toshiba computer that

3 I used every day. And I would, you know, take it along with me, the computer.

4 But with regard to other objects, I really cannot give you any details. I do not

5 remember.

6 You see, after what I went through, I was traumatised, and this does not allow me to

7 retain information, anything whatsoever.

8 Q. [9:45:07] Witness, you filled out a victims participation form. This is

9 CAR-OTP-2135-3872 -- 3862, sorry. In this victims participation form, page

10 3866 - please do not worry, there is nothing identifying in what I'm going to

11 quote - you say: "A financial reparation is required" -- sorry. I'm just going to

12 tab 88.

13 So, again: "A financial reparations are a must, not only for the pecuniary damage

14 but also the psychological and physical damage. All my belongings were pillaged:

15 A generator, a Nissan car, a Mitsubishi pick-up, a motorbike, two deep freezers, one

16 computer, one plasma TV, two remote controls, clothes and socks." End of quote.

17 So I'm asking you the following question: Now, can you give us an estimation of the

18 amount that you're requesting as reparations. If you do not remember the price of

19 everything, it's not a problem. You can give us an estimation. So I'm going to

20 finish the list, and you just tell me if you remember the price or not.

21 So, Toshiba computer, do you remember approximately how much did you pay when

22 you purchased the Toshiba computer?

23 A. [9:47:22] I -- I'm -- I did not request for money. I requested for reparations. I

24 do not want money in cash, but if you have money to give me, you can pay me by

25 cheque. But, personally, I did not request for money. I requested for reparations.

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1 We -- I have been -- many of my objects were stolen. I haven't been able to assess the
2 value. So, please, do not force me to lie because I won't do that. Thank you so
3 much.

4 Q. [9:48:12] Witness, do you -- are you testifying that you do not remember the
5 price of any of the objects on the list? So just to jot down your memory; Nissan car,
6 Mitsubishi pick-up, a generator, motorbike, two deep freezers, plasma TV, two
7 remote control devices, clothes and socks.

8 Do you remember the price of any of the objects or of none at all, the objects I just
9 quoted?

10 MS MAKWAIA: [9:48:59] Objection, Madam President. That question has been
11 asked and answered.

12 PRESIDING JUDGE SAMBA: [9:49:06] Indeed, Ms Naouri. We will take it that he
13 says he cannot remember the cost of all of those.

14 Mr Witness, can you confirm that for us, please. Do you remember the cost of any of
15 those items that Ms Naouri just referred to? And if you don't remember, it's okay for
16 you to say you do not remember.

17 THE WITNESS: [9:50:03](Interpretation) Counsel, you are forcing me to lie, or you
18 are trying to extract information from me. You're again asking questions on the
19 brand. And even when I -- for the clothes, I really am not in a position to tell you
20 what was the brand of the shoes or the clothes.

21 * I'm giving you an example. If I bought a suit for €1,500, for instance, you are going
22 to ask me for the receipt. So you're basically forcing me to lie. And I'm telling you
23 that I don't remember anything with regards to the cost. I do not have anything to
24 say with regard to this question, no answer to give you. Thank you.

25 PRESIDING JUDGE SAMBA: [9:51:07] Thank you very much, Mr Witness. Thank

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1 you.

2 Ms Naouri, please.

3 MS NAOURI: [9:51:14](Interpretation)

4 Q. [9:51:15] Thank you, Witness. Thank you, Witness.

5 So just to finish off with your list, can you tell us -- I'm not asking you the question of
6 the price. I'm asking you, where did you buy your Mitsubishi pick-up truck?

7 A. [9:51:46] Counsel, I bought that in Bangui. And there are many ways to

8 purchase equipment or an object. I can also acquire it by means of compensation.

9 For instance, if I work for you and you don't have money to actually pay me, you can
10 actually pay me by compensating, by giving me something in return.

11 If you want an estimation of the price, you undoubtedly have people in -- who

12 represent you in Central African Republic, and you can ask them what is the price of

13 a Mitsubishi pick-up truck. And these people will be in a position to give you that

14 information. I do not remember the price of the pick-up and the other objects, but

15 please do get in touch with your colleagues in Bangui. They will give you that

16 information.

17 When I acquired all this equipment or when I was asked the question during -- when

18 I filled out the form, I really did not expect such questions because I was not the only

19 person who sustained this damage.

20 I'm telling you that your client and his comrades came to -- came to our district,

21 Dubai and to Boy-Rabe. And these districts were like a mall. They would just

22 come and take whatever they want.

23 I'm listening to you.

24 Q. [9:53:54] Thank you, Witness.

25 I'm going to try and -- I am -- we are going to try and answer the question so that we

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1 can do this quickly. So I'm asking the Presiding Judge if we can move to private
2 session for my next question.

3 PRESIDING JUDGE SAMBA: [9:54:13] Madam Court Officer, can we please move
4 into private session. Thank you.

5 (Private session at 9.54 a.m.)

6 THE COURT OFFICER: [9:54:27] We are in private session, your Honours.

7 PRESIDING JUDGE SAMBA: [9:54:29] Thank you very much.

8 Ms Naouri, please put your questions.

9 MS NAOURI: [9:54:37](Interpretation) Thank you, your Honour.

10 Q. [9:54:38] You just said, page 9, line 24-26, "If I'm working for you and you do not
11 have the means to pay me, you can actually in compensation pay me by giving me a
12 vehicle."

13 So is this how you got your Mitsubishi pick-up truck?

14 MS MAKWAIA: [9:55:06] Objection, Madam President. Madam President, at
15 line 9:21 of the transcript, the witness clearly stated he bought it in Bangui.

16 PRESIDING JUDGE SAMBA: [9:55:17] I think that's the testimony I also have for
17 that particular Mitsubishi. That was the first answer that he gave, that he bought it
18 in Bangui, before he went on explaining about, you know, how he could be paid for
19 all the things that -- you know, for work that he might have done for people.

20 MS NAOURI: [9:55:43](Interpretation) Madam President, he said "acquire". And,
21 in fact, he can acquire it by some -- through someone who's given it to him. So I'm
22 just actually trying to elucidate that. So I'm just trying to find out if he bought it
23 from a retailer; if someone gave it to him and he acquired it. So it's a question of
24 clarification with respect to the transcription in French, because he used the word
25 "*acquérir*" in French, which would --

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1 MS PELLET: [9:56:20](Interpretation) I'm sorry, but since we are talking in French
2 and it's our mother tongue, there is a difference between bought and obtain in
3 another way. And he clearly said that he bought it. When you say "*acheter*" in
4 French, it means you pay it, so at least in the French I speak.

5 MS NAOURI: [9:56:45](Interpretation) Your Honour, the next time I'm going to ask
6 the witness to leave when we make an objection because the objective is to elucidate
7 clarity. He has been influenced now, and I really think that we must look at the
8 cultural aspect as well. And we know that the word "*acheter*" and "*acquérir*" could
9 actually have different realities. So we are here to understand the reality -- the
10 different realities. So it's the witness who has to answer and clarify the situation,
11 because the word "*acheter*" and "*acquérir*" in French could have different meanings
12 according to the cultural context.

13 PRESIDING JUDGE SAMBA: [9:57:25] But the testimony that we have, you know,
14 when you first put that question to the witness, Ms Naouri, his answer was that he
15 bought that vehicle in Bangui. Then he went on explaining as to how he could
16 acquire other -- not necessarily vehicles, but including vehicles and other things by
17 way of compensation for work that he would do for customers. So the evidence that
18 we have before us is that he bought that Mitsubishi in Bangui.

19 Allow me to put the question.

20 Mr Witness, can I have your attention, please. Yes. The Mitsubishi, that is, the
21 Mitsubishi pick-up truck, that you told the investigators about, is it your testimony
22 that that truck was bought in Bangui?

23 THE WITNESS: [9:58:49](Interpretation) That's exactly it, your Honour. I said that
24 I bought this vehicle in Bangui.

25 PRESIDING JUDGE SAMBA: [9:58:55] Thank you very much. Thank you very

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1 much, Mr Witness.

2 Ms Naouri, please.

3 MS NAOURI: [9:59:03](Interpretation)

4 Q. [9:59:05] Witness, where did you buy this vehicle in Bangui?

5 A. [9:59:18] Counsel Naouri, there are people who sell vehicles. For instance, you
6 are here, you can send a vehicle to Bangui to someone you know, and he can sell that.
7 And in my country, it's not like here. Now, since I'm here, I've got the possibility to
8 buy a vehicle and I can send this vehicle to Bangui, and I can drive it, and we
9 can -- we will put a board "for sale". And a person who is interested will come and
10 ask -- inquired about the price and buy it. And that's the answer I can give your
11 question.

12 Q. [10:00:06] Thank you, Witness.

13 From whom did you buy this vehicle?

14 A. [10:00:19] No, Counsel. It's really a question to put to me? There are people
15 who sell vehicles. There are even individuals.
16 You, for example, you can send a vehicle to somebody who can sell it. I don't
17 have -- I don't have the documentation to be able to remember the name of the person
18 who sold me the vehicle. I don't have his name. But if you buy a vehicle, the seller,
19 you have an agreement with, and you have the sales documentation, and you come to
20 an agreement thereon, also with regards to the guarantee, a document attesting that
21 the -- when you get the grey card, that the vehicle hasn't been stolen. It's put in your
22 name. You don't keep the sales document.

23 If you get it from a concessionary, then I would tell you. If I bought it from GACOA
24 SIV, I would tell you, because these are concessioners which sell new vehicles. There
25 is GACOA, for example. There's Renault and CFAO. And so some have closed,

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1 and there's just Renault and another. These are the ones that I know.

2 But if I got it from a concessionary, I would tell you that I got it from CFAO and

3 GACOA in such-and-such a year, and you could get the information from the garage

4 in their archives, and they would tell you which year the person purchased it.

5 But I got it from an individual, and I don't have the date. It is just material or

6 property. It's a tool that makes it possible for me to advance with my work. So the

7 project was just to make it possible to be able to use it and to have the means to buy a

8 truck, which would make it possible for me to (Redacted)

9 So I can't remember how I bought it, but these are your clients who put me in this

10 situation. And here I'm trying to defend myself above all.

11 Q. [10:02:58] So, Witness, do you have a grey card for this pick-up truck?

12 PRESIDING JUDGE SAMBA: [10:03:06] I think the witness's testimony is that he

13 doesn't have any documentation for that pick-up truck.

14 Yes, Mr Witness.

15 THE WITNESS: [10:03:26](Interpretation) I would like to answer this question.

16 In the beginning, I was asked to answer absolutely the questions. Madam Naouri, I

17 think that you are a renowned lawyer. You have a car. It's true that women

18 normally walk around with a small bag. Please present me the documentation for

19 your vehicle. The documentation must be in the vehicle itself. It could be the case

20 that the driver takes the vehicle, he goes with it, and as such, the relevant

21 documentation of a vehicle have to remain in the vehicle itself. But if you walk

22 around and you put the relevant documentation in a bag, what's going to happen if

23 there is an accident? The documentation concerning a vehicle must remain in the

24 vehicle itself.

25 PRESIDING JUDGE SAMBA: [10:04:41] Thank you, Mr Witness.

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1 Ms Naouri, please.

2 MS NAOURI: [10:04:51](Interpretation)

3 Q. [10:04:51] Very well. So the car registration document, the *carte grise*, it was in
4 the car, is that your testimony, when you purchased the car; is that correct, Witness?
5 Just to be clear in this regard.

6 A. [10:05:31] The insurance -- the insurance document, the registration documents,
7 the technical document, these were all in the car.

8 Q. [10:05:42] Thank you, Witness.

9 So the generator, where did you buy the generator from or obtain it from?

10 A. [10:06:08] (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted) If you want more information, your client knows

18 this locality well, and he would be able to give you information concerning what I am
19 telling you.

20 Q. [10:07:36] Thank you, Witness.

21 And with regards to this generator, do you remember the brand of the generator? If
22 you don't remember, it's not a problem. I just want to put the question to you.

23 A. [10:07:54] It's a Bosch mark. I remember having told you that. I tell you what
24 I know. If I don't know, then I will tell you that I don't know.

25 Q. [10:08:11] Thank you very much, Witness.

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1 So the Almera Nissan car, where did you buy that from or obtain it from?

2 A. [10:08:27] I purchased it in the same -- where I purchased the pick-up truck.

3 It's just a small car that would take the children to school. It's used as a taxi where
4 we come from.

5 Q. [10:08:50] Very well. And for this car, did you also have the registration
6 documents, the insurance documents, et cetera?

7 A. [10:09:07] I thought I told you that I'd answered concerning the different
8 documentation concerning the vehicle. I already answered that question. I have
9 nothing to add in that regard.

10 Q. [10:09:27] Very well, Witness.

11 So the mobile computer, you said it was a Toshiba. Or the computer, you told us it
12 was a -- the laptop, was it a laptop computer, PC?

13 A. [10:09:51] It was a laptop.

14 Q. [10:09:57] Thank you, Witness.

15 So we're going to go to another issue, and we will stay in private session for this issue.

16 I would like to go back to Bachar, because you said, in the French transcript of
17 * 29 September, page 48, lines 17 to 19, that, "The person who gave the instruction
18 such that I be arrested to be beaten up was Bachar."

19 Now, my question is: Do you know -- or did you know this Mr Bachar at that time?

20 A. [10:10:51] Madam, I told you, when I was arrested, they didn't torture me.

21 What I said was that those were the people who arrested me there. And I also told
22 you that, after my arrest, I did not know the person. It was when the Chadian
23 colonel asked me the question to know who had arrested me and I hadn't answered.

24 I let him know that I didn't understand Arabic. And he put the question to know,

25 "But who was it who brought you here?" And it's that person who is behind me who

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1 said that it was Bachar who had brought me. And he said, "And these people?"

2 What I've told you is that I didn't know him. I only saw him once. The person that

3 I saw on several times was your client because we were together. It's your client that

4 I saw on several occasions.

5 I don't know if we're in private session. This is just a question. Yes, that's the only

6 person I know. I know Yaya. I know your client. I know Tahir. Those are the

7 people who I see regularly.

8 I told you that I only saw him once. I saw Bachar once only; Nouradine once, and I

9 repeat.

10 Q. [10:12:41] Witness, could you tell us who the Chadian colonel is that you were *
11 speaking about. That's on page 17, page 21.

12 A. [10:12:55] I don't know him very well. I saw him from a distance. And he
13 called me on that day to ask me questions. That was it. I was never in contact with
14 him. I speak about what I know very well. I've spoken to you about General Issa.
15 Perhaps he called me to ask me questions with regards to my state. I didn't know
16 him.

17 It was when I entered into the cell that the detained person told me that they were
18 together in the same village, and that's the reason why he put the question to me to
19 ask what was not good. He said -- he didn't know who had brought me there. And
20 I repeat what I said.

21 Q. [10:14:01] * Now, Witness, just to shed light on this, when you say, page 18, lines
22 16 to 17, "Perhaps he wanted to ask me questions about my state," who are you
23 speaking about there? Who was the person who possibly called you to question you
24 about your state?

25 MS MAKWAIA: [10:14:31] Madam President --

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1 THE WITNESS: [10:14:35](Interpretation) I wanted to speak about that Chadian
2 colonel.

3 MS MAKWAIA: [10:14:37] -- I was just going to ask for a --

4 THE WITNESS: [10:14:41](Interpretation) This Chadian -- I'm speaking about this
5 Chadian colonel.

6 PRESIDING JUDGE SAMBA: [10:14:46] I think the witness has answered the
7 question, Madam Prosecutor.

8 Yes, Ms Naouri, please carry on.

9 MS NAOURI: [10:14:59](Interpretation) Thank you.

10 Q. [10:15:00] And thank you, Witness, for having clarified what you said a moment
11 ago.

12 How did you know that he was a Chadian colonel? Could you tell us that.

13 A. [10:15:27] Madam, I think I told you that (Redacted) spoke to me.

14 He only spoke Arabic and French. And the colonel was from the same village as
15 him in Chad.

16 Q. [10:15:44] Thank you. That's very clear.

17 A. [10:15:47] And to add the following: What did he say? I told you that he
18 spoke in French. If you read my statement carefully -- reread my statement. What
19 did he say in French? I quoted one of his sentences. Nouradine and these
20 people -- he said that it was the Chadians who are carrying out abuses. Is that not
21 clear?

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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15 MS NAOURI:

16 Q. [10:30:55] So during your testimony with the -- or your statement with the *

17 Office of the Prosecutor you said that it was the Prosecutor who freed you, Transcript

18 14, page 36, lines 19 to 25. So could you confirm that this is Prosecutor Tolmo; is that

19 correct?

20 A. [10:31:23] Who was the Prosecutor at that time? It was Tolmo. It was thanks

21 to him that I am here before the Chamber to provide my testimony. It's thanks to

22 him. I was freed by this Prosecutor Tolmo.

23 Q. [10:31:48] Thank you, Witness.

24 And you also say, transcript 14, page 36, line 9: "I'm telling you that on the 31st,

25 when Binoua and the prime minister came, there was also the mayor of Bimbo."

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1 Now, just for clarity purposes, can you tell me the 31st of what month when you say
2 the 31st.

3 A. [10:32:33] Counsel, it was 31 August; 31 August 2013.

4 Q. [10:32:48] * Thank you, thank you witness.

5 A. [10:32:49] It was a Saturday, to the best of my recollection.

6 Q. [10:32:54] Thank you, Witness.

7 You spoke about this ceremony where Binoua was present. So, again, page 36,
8 transcription 14, line 9. Were there other people who were present? If so, who?

9 A. [10:33:29] Counsel, I think I was clear in my witness statement. If I knew
10 someone else, I would have told you so. I spoke about madam mayor from Bimbo.
11 Might I add, there was the prime minister, the minister of security -- of public security
12 Binoua, and I mentioned him, and there was the Prosecutor. And if he was not there,
13 how could he free me up? It's after that that he -- it's after he came that he freed up
14 the detainees.

15 I think I told you in my witness testimony that I don't know if Said was there on that
16 particular day. I don't know. Because we were taken out of the underground cell
17 and put in another cell. And when we were underground, we could actually hear
18 from -- we could actually hear the noise outside.

19 I don't know if he was there during -- when we were freed or not. You asked me to
20 be brief, but ask me questions in a direct way so that I can be brief and finish off with
21 you and go back and meet my family.

22 Q. [10:35:19] Thank you, Witness.

23 Please be reassured that we are doing our best to help you get back to your family,
24 but I have to comply with rules. In accordance with these rules, I'm going to quote
25 what you said to the investigators. So this is the 2018 witness statement, tab 4,

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1 English version, CAR-OTP-2078-0292, page 0232, paragraph 49: "On that day, there
2 was a ceremony in the presence of the Minister Binoua, the Prime Minister Tiangaye,
3 and the Prosecutor Tolmo, the Commissioner Mallo, the police woman and a
4 journalist and a lady deputy."

5 Now, does this extract from 2018 jot down your memory?

6 A. [10:36:54] I did not say that the president of the assembly was there.

7 THE INTERPRETER: [10:36:58] Message from the Sango booth: Could you ask the
8 witness to take -- overlapping. Counsel is overlapping.

9 THE WITNESS: [10:37:09](Interpretation) I'm sorry. Please don't interrupt me.

10 Can I answer?

11 At each ceremony, all the authorities were there. I spoke to you about madam
12 mayor from Bimbo. Tolmo was there. The commissioner was there. But these are
13 the people who are most concerned by the ceremony. Binoua was there. The
14 figures representing authorities were there. And they made us go out, and they
15 actually set us apart. We did not participate in the ceremony.

16 (Redacted)

17 (Redacted) The journalists were there, and they were taking statements from
18 the detainees to broadcast them on the radio.

19 At that point of time, the concession was dissolved. There was no deputy who was
20 exercising their functions. There were no deputies at that point of time. The
21 constitution was dissolved. The National Assembly was dissolved. There were no
22 deputies; none at all. I think I have answered your question.

23 MS NAOURI: [10:39:07](Interpretation)

24 Q. [10:39:08] Thank you, Witness. Thank you for this clarity. We are going to
25 move on to another subject.

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1 We are going to give you a piece of paper. It's the court officer who will actually
2 give you a piece of paper to make a drawing. So, from your memory, can you
3 actually draw out a map of the OCRB. And I'm going to ask you to put numbers,
4 and then your drawing is going to be projected. And we are going to comment on
5 the numbers that you put.
6 So, first of all, we're going to give you a piece of paper, and you draw the map of the
7 OCRB from your memory. Put a number on the place, and we will then comment
8 together on your drawing.
9 MS MAKWAIA: [10:40:15] Madam President.
10 PRESIDING JUDGE SAMBA: [10:40:17] Madam Prosecutor.
11 MS MAKWAIA: [10:40:18] There is no foundation whatsoever for this sketch or
12 diagram that counsel is asking the witness to draw and then to comment on it,
13 Madam President. I object to this. If there is a contradiction, an inconsistency
14 testing his credibility, the appropriate questions have to be put. Thank you.
15 PRESIDING JUDGE SAMBA: [10:40:41] Ms Naouri, what's the relevance of that
16 sketch? Although I see the witness is very, very much happy to do the sketch. But
17 what's the relevance, actually? Are you in dispute of the exhibits, the photos that
18 were shown to him about the OCRB, or what?
19 MS NAOURI: [10:41:12](Interpretation) Your Honour, first of all, to answer the
20 objection of my -- the Prosecution, there is a foundation, because he was actually
21 detained at the OCRB. He explained what was the organisation of the various
22 buildings. So the foundation is the core of his testimony. He was detained at the
23 OCRB. He explained to the Prosecution how he saw the OCRB.
24 Now, the second question with respect to what we think is -- it's useful to come back
25 on this. I cannot actually answer this in the presence of the witness because I will

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1 influence him and his drawings. So if you wish for more details on the crucial need
2 of this exercise for the Defence, and so that we can make our case, it will be with
3 pleasure. We will give more information, but it will be cautious that it is not in the
4 presence of the witness.

5 PRESIDING JUDGE SAMBA: [10:42:20] In any event, the witness is making a sketch.

6 I mean, objections and responses are to be given if the witness is in court so that he
7 will understand. I don't know whether you have any doubts that he was at the
8 OCRB, and if that is so, I mean, it is for you to say so. But having him to sketch
9 where he was at, especially knowing, you know, the disposition of this witness in
10 respect of his psychological stance, what we see him doing here, breaking down
11 many times, I don't know whether that's the right procedure, but let's see what he is
12 going to sketch and let's hear what you have to say. I'm sure he is almost done.

13 Thank you very much, Mr Witness. Thank you very much.

14 THE COURT OFFICER: [10:45:54] For the Chamber's information, parties and
15 participants, the document is placed under the projector and will be visible on your
16 respective screen, evidence channel 2.

17 MS NAOURI: [10:46:48](Interpretation)

18 Q. [10:46:48] Thank you, Witness. We can see your sketch, and thank you for
19 having taken the trouble of putting the main items of the sketch.

20 So can you tell me, in your sketch, where is the main entrance of the OCRB? Can
21 you put number 1, for instance, where there is the main entrance of the OCRB.

22 You've got to do that on the paper.

23 Can you put number 1 where you have the main entrance of the OCRB. Can you
24 put number 2 for the second entrance of the OCRB.

25 A. [10:49:00] It's the second gate. The emergency gate, which is to this side. And

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1 this opens on to a road.

2 Q. [10:49:17] I've taken note that you have put a "V" to designate the road. Can
3 you put number 3 for the steps at the entrance behind the OCRB.

4 A. [10:49:45] Number 3 on the steps.

5 Q. [10:49:54] Thank you, Witness.

6 Then number 4, which would be the central hall of the OCRB.

7 A. [10:50:13] Is that the entire area?

8 Q. [10:50:17] You are saying that the square in the middle of your paper is the
9 entire building of the -- the main building of the OCRB. Can you -- you're nodding,
10 but can you say "yes" into the microphone, please.

11 A. [10:50:39] (No interpretation)

12 Q. [10:50:39] Right. Now, in this central square, can you -- I see that you put "DG
13 OCRB". I think -- okay. Tell me what does DG OCRB mean, which is in your
14 central square.

15 A. [10:50:59] Here it's the office of the DG of the OCRB. It's Commissioner Mallo,
16 that's his office.

17 Q. [10:51:11] Right. Can you now tell me --

18 A. [10:51:20] Here, where I have "BS", it's Said's office. I put BS to designate Said's
19 office. And here, it's the underground cell. That's the door that leads to the cell.
20 This door here, it opens -- yes.

21 Q. [10:51:47] Thank you, Witness.

22 We're just going to go step by step so that we can remember what you've said. So
23 we know what BS is. We've taken note. And then you've got a little triangle there.
24 Left to the BS, what is that? Can you just say that again, that little triangle next to BS.

25 A. [10:52:12] Are you talking about this triangle here to the left? That's just a door.

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1 In architecture, doors are represented by triangles.

2 Q. [10:52:25] Now, where does this door lead to? I see that there's a room on the
3 side.

4 A. [10:52:34] This door opens into a room where there is the underground cell.

5 And this is the hole. And this is a room. So I'm making a distinction between the
6 room and the hole. So this -- so on the surface there, you have the room, and there
7 are two levels. You've got the room and then the hole and the cellar. And you
8 have -- it's level 00.

9 It's like here. We're in a room, and perhaps there is a cellar. So it's important to
10 have a door and target and identify the area where the hole is, and this is what I've
11 done on the drawing.

12 Q. [10:53:34] Thank you, Witness. We've understood that the rectangle is where
13 the hole is.

14 Now, can you tell us what the little -- what are the parallel lines that you've drawn?

15 Yes, exactly, those parallel lines.

16 A. [10:54:02] So these are the windows. So these are the windows.

17 Q. [10:54:12] Thank you, Mr Said -- sorry. Thank you, Witness. I think it's time
18 for lunch, and I'm tired. I apologise. Again, five minutes and we would have
19 finished a major chunk before the break.

20 Now, in this big rectangle in the middle of the page, can you tell us where the other
21 officers of the OCRB are.

22 A. [10:54:49] Counsel, I told you that I'm here to tell you the truth. And I know
23 that I was removed from this jail to -- and led to the DG's office in the OCRB. I do
24 not know the entire geography of the building. It is the first time I'm entering there.
25 I have never been there before. It's the first time I'm setting foot there.

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1 Now, why did I draw this? Now I'm giving you the explanations again. Because I
2 was taken from there and led to the DG's office. It's (Redacted) who took a
3 photo of me, and then I was removed from the cell and taken to the office. I left
4 through the gate to take the car.
5 So number 4, I remember, I recollect, because General Issa is there. But I really
6 cannot tell you the entire geography of the building. I am telling you the whole
7 truth before you and before the Chamber. I've actually -- I'm under oath to speak the
8 truth.

9 Q. [10:56:16] Please say what you know and we will move ahead like this. Right.
10 Do you know where was General Issa's dwelling? You spoke about General Issa.
11 So can you tell us where was his dwelling.

12 A. [10:56:40] I told you that he was here in this room. He would use it as a
13 bedroom. I don't know if it's a room where his office or his room. He was there. I
14 was in -- I was in this -- in the office. There's -- there's also -- we went through that
15 door as well. There's another door there.

16 Q. [10:57:21] Can you --

17 THE INTERPRETER: [10:57:25] I'm sorry. Overlapping.

18 MS NAOURI: [10:57:29](Interpretation)

19 Q. [10:57:30] Right. It's number 5, can you tell us -- can you put a number 5.
20 So where there is number 5, it's Issa's dwelling; am I right? Can you confirm that,
21 please. Can you say "yes".

22 A. [10:57:48] Madam, you asked me to put number 5 for Said. Please do not
23 confuse me. You asked me to -- you never said General Issa. General Issa -- give
24 me a number, and I will put the number against where General Issa was there.
25 Thank you so much.

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1 Q. [10:58:11] So number 5 -- we've understood number 5. So put number 6 for

2 General Issa.

3 Thank you, Witness.

4 Can you now lower your sketch a bit because I cannot see the top portion. Can

5 you -- can you lower your sketch a bit because we can see the bottom but not the top.

6 Thank you.

7 Now, can you tell us what is G1 and G3 that I see.

8 A. [10:59:05] It's G4. It's -- and it's G3. G3, this is where I was, but I don't know

9 what that corresponds to, to be honest. The first day, I was taken here to this cell.

10 The last day, I was released and taken to that cell. The first cell -- the first day -- the

11 first day to the right, and the last day to the left. I can also put a number if you wish.

12 Q. [10:59:48] So we are going to specify that. G3 is your first -- the first day and

13 G4 is the last day; am I right?

14 You are nodding your head. Right.

15 I can see the time, your Honour.

16 A. [11:00:09] That's it.

17 THE INTERPRETER: [11:00:10] Message from Sango: Could you please ask the

18 speakers to wait for the interpretation before people speak.

19 And this is also a message from the English booth. There is a lot of overlapping.

20 Thank you.

21 PRESIDING JUDGE SAMBA: [11:00:28] Ms Naouri, I hope you got that message

22 from the interpreters.

23 Thank you very much.

24 Mr Witness, we are going to break off for a little bit, and we will come back after 30

25 minutes for the rest of the morning session.

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1 Thank you very much.

2 THE COURT USHER: [11:00:51] All rise.

3 (Recess taken at 11.00 a.m.)

4 (Upon resuming in private session at 11.32 a.m.)

5 THE COURT USHER: [11:32:45] All rise.

6 Please be seated.

7 PRESIDING JUDGE SAMBA: [11:33:16] Good morning, again, everyone.

8 And for the record, I note we are in private session.

9 Ms Naouri, you continue with your questioning of this witness, please.

10 MS NAOURI: [11:33:37](Interpretation) Thank you, your Honour.

11 Q. [11:33:39] Witness, we are going to go back to where we stopped before the
12 break. So I'll just wait for you to be shown the picture.

13 So, Witness, we all have your sketch here. Would you be so kind as to tell me what
14 the letter "R" corresponds to.

15 THE INTERPRETER: [11:34:31] And could the sketch be shown on the screen for the
16 benefit of the interpreters.

17 THE WITNESS: [11:34:37](Interpretation) "R" corresponds with the tap. This says a
18 tap in this place.

19 MS NAOURI: [11:34:51](Interpretation)

20 Q. [11:34:52] Thank you, Witness.

21 So could you tell us what the cells were made of. G3 and G4, what were these cells
22 made of? What were they built where?

23 A. [11:35:24] The roof was made with concrete, concrete slabs, but it wasn't strong
24 concrete similar to what I can see here. Yes. At the top there were slabs put on a
25 wall.

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1 I was shown a picture here, and I've already told you that it was inside the cell where
2 there were plastic bottles which were used as a urinal. And there was also a bucket.
3 And the door was metal.

4 Q. [11:36:44] Thank you, Witness.

5 So could you tell us what the other rectangles were on the right. For example, if you
6 give the number 7 -- 7, 8, 9. Because I see that there are three rooms. Could you tell
7 us what numbers these rooms, 7, 8, 9, correspond to.

8 A. [11:37:17] These are all cells. This cell that you can see, on the day of my
9 liberation, I heard people screaming there. And on the day that I was -- got out of
10 there, there was a person who was acting as if they had a mental disorder. That
11 person was taken out and was brought into the cell. And after the ceremony, I heard
12 people crying out in the cell saying, "Excellence Binoua, we are from the Central
13 African Republic forces. Please take pity on us." I heard people crying out from
14 these cells.

15 However, our cell -- out of the three cells that you can see here, there was a terrace,
16 and you could sit there. And it was 1 to 2 metres. But our cell didn't have a terrace.
17 But in this cell, you couldn't sit down there.

18 Q. [11:38:48] Very well. Thank you, Witness.

19 Could you indicate to us on your sketch where the police station or the police post
20 was. And I would ask you to put the number 10 for the police station here.

21 A. [11:39:10] You are talking about the police post? Well, when I was there, I
22 didn't see a police post or station. I saw one person who was sitting in this place.
23 There was a table here, and the person who registered me was there, but there was
24 nobody here. This was just a warehouse, a storage area. There was nobody there.
25 However, I did see people here, sat with four tables, there were benches. But there,

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1 or where I've marked an arrow, it was in that place that I was registered. I was
2 registered here. And I was taken there. And afterwards, I was taken here. And
3 my name was deleted from the register. And then I was taken ...

4 Q. [11:40:15] Witness, I'm sorry, but when you are showing us the different areas,
5 we didn't have this information. So what's important for us is to mark everything,
6 and you know that everything you've already said has already appeared in the
7 transcript, so don't worry about that.

8 What I'd like to do is to go back to the police post, and I'm going show you an exhibit.
9 And it's annexed to your statement of 2015. And it's item CAR-OTP-2018-0423, tab
10 11 of our list of notifications. So that's going to be displayed.

11 THE COURT OFFICER: [11:41:06](Interpretation) Does the Defence still need the
12 sketch? Because I have assistance when it comes to be showing the exhibit you've
13 just mentioned.

14 MS NAOURI: [11:41:16](Interpretation) This is an excellent question. So, in the
15 ideal case, they would be alongside each other, but if it's not possible, then we can go
16 without it.

17 So we will show the exhibit that I've just mentioned, but we will come back to the
18 sketch later.

19 THE COURT OFFICER: [11:42:52] The item is now visible in evidence channel 1.
20 Thank you.

21 MS NAOURI: [11:43:09](Interpretation)

22 Q. [11:43:09] Do you see this drawing, Witness? Can you see it?

23 THE INTERPRETER: [11:43:17] Overlapping speakers.

24 MS NAOURI: [11:43:21](Interpretation)

25 Q. [11:43:21] So this is a sketch that you drew when you met the investigators of

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1 the Office of the Prosecutor in 2015, and you added a legend thereto. And I will tell
2 you what it is. This is item CAR-OTP-2018-0410 that I'm quoting, at paragraph 146.
3 First item for the -- tab 1 for the French version; tab 2 for the English version thereof.
4 I'm sorry, paragraph 156, you say: "Where it concerns the map of the OCRB, I
5 indicate that this legend makes you better understand the configuration of the
6 location." And what you say is: "A is the main entrance of the OCRB; B is the
7 secondary entrance of the OCRB; C is the steps or stairs or the entry hall to the OCRB;
8 D is the main hall of the OCRB; E is where the underground area was; F, access to the
9 cellar and the archives; G1 to 8 are the cells in reinforced concrete; H is the office of
10 the director general of the OCRB; I is General Issa's accommodation; J is the -- F is the
11 witness." Then you have the -- "M is the compound of the OCRB, and O is the police
12 post of the OCRB. P is the interior door of the OCRB. R is the tap which is in the
13 courtyard of the OCRB. S is a small table which is in room E. T is the place of
14 torture which is next to the neighbouring wall of Moov Telecom VCE and the toilet.
15 X is the hall with F, how you get to the cellar and the archive, and the entire area is
16 50x50." So that's the legend that's indicated in your statement. And what is of
17 interest is to me is O in particular. We've spoken about the police post and the
18 OCRB. Could you tell me where point O is on your drawing or your sketch, Witness.
19 And does it refresh your memory?

20 A. [11:46:31] Madam, I'm going to answer your question. If you look well at the
21 letter G, I told you that there is a warehouse in front of that letter. So I was
22 registered there before I was taken there. Now you are showing me the diagram or
23 the sketch. It helps me remember the facts. So I was taken from this place to be
24 brought there, and from there I was brought here. That's it, yes.
25 I told you that I was taken here in order to be brought to the office of the director

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1 general of the OCRB. So I left that cell in order to go to that office.

2 Now, when (Redacted) took pictures of me and then they took me the

3 inspector -- when (Redacted) took pictures of me, there was a window in this

4 place and there was a window here. And my torturers were sat here, and they saw

5 me when I arrived, when I was brought in. And I was made to go -- well, this is the

6 path I took in order to get there. And from there, I saw police here in this area. But

7 this place that I call the police post ...

8 Q. [11:48:22] Now, just so that we have all the information on the transcript. Now,

9 here, first of all, you've put a read mark or red dot, and you made a first arrow to the

10 DG's office. And this is the first trip, journey. Let's go through it step by step. So I

11 know that for you, your -- you remember everything well, but we have to know

12 exactly what corresponds to each different arrow.

13 So the first arrow that you drew from the room to the DG, which one is that? And

14 then you've got the second arrow from DG which goes to the other room. So I'm

15 going to put questions about that. But let's go step by step through this.

16 So the first one is the arrow that -- where you have put a point or you've put a line

17 going to the DG.

18 A. [11:49:23] Can you we go through it? Let's do it.

19 So, firstly, I was taken out of the cell in order to go to the DG. That was the first path

20 or the first trip.

21 Q. [11:49:40] Very well. And thereafter?

22 A. [11:49:50] Secondly, it is the pathway that goes from the DG to the inspector's

23 office so that I'm questioned. And my torturers saw me, and they went to get me to

24 take me to the cell.

25 Q. [11:50:13] That's very clear. Thank you very much. Very clear, indeed.

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1 Which inspector are you speaking about? Could you please clarify that.

2 A. [11:50:27] I do not know the name of the inspector, but it's the commissioner, the
3 general director of the OCRB, who asked the policemen to take me to the inspector
4 such that I would be questioned. He hadn't started putting questions to me when
5 my torturers saw me through the window and they came to get me in order to take
6 me to the hole.

7 Q. [11:51:03] Very well. Thank you for this clarification. It's very clear.

8 Now, I wanted to go back to O, the letter O, that you've indicated was for the police
9 post of the OCRB. Now, legend O, is it correct with regards to your diagram or
10 sketch?

11 A. [11:51:34] Maître, what do you mean by "*guérite*"? You said that O was the
12 representative of the post of police and now you are now saying that it's something
13 else. No, there is a clear difference between the police post and that. You speak
14 French. When I was -- got out of there, in order to take me, I saw that there was
15 police sitting at that level, and the people were registered -- were registered there at
16 the guardhouse. And I saw there were police there at the guardhouse.

17 Now, if you want to consider that as a police post, I would be in agreement with you.
18 Perhaps it is a place where the detained persons were received and the entry was next
19 to that place. And now there is a door there. There is a door when you enter, you
20 will find these people.

21 Were there police there in order to orient people coming in? I don't know that.

22 Q. [11:52:59] Thank you, Witness.

23 I read your previous statement. So in letter O, it said, "The guardhouse of the
24 OCRB." And this is something that you said, so that's the reason why I read it out.

25 Now, the last point on this diagram, you wrote three cells, but you can see five. Why

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1 is there a difference in the number of cells between your diagram from 2015 and your
2 diagram now?

3 A. [11:53:51] Madam, when I made this sketch, I was traumatised. If you read my
4 statement well, you will see I said that the cell number 3 was in the middle. Now, in
5 this diagram, I've -- you have between four other cells, and I said that I spent difficult
6 times there. And you can grant me that.

7 Now, even if -- well, if I hadn't made that sketch or if it wasn't close to the reality, you
8 would say that it's lies. But I would state that there were three cells, and I was put in
9 the middle cell. And I think that there must be an error with regards to this sketch.

10 Q. [11:55:09] Thank you for these clarifications, Witness.

11 Your Honour, we would ask the sketch that the witness has just been -- made by the
12 witness to be tendered into evidence, and as such, it needs an evidence number. I'm
13 sorry, both sketches, the paper one and the annexes to the other exhibit.

14 PRESIDING JUDGE SAMBA: [11:55:39] Thank you.

15 Madam Court Officer, can you give it an ERN mark, please.

16 THE INTERPRETER: [11:55:45] Exhibit 2018-0423.

17 THE COURT OFFICER: [11:55:49] Thank you, Madam President.

18 The sketch and hard copy will bear the number CAR-REG-0002-0014, and the second
19 one annotated by the witness on the screen will bear the number CAR-REG-0002-0015.
20 Thank you.

21 PRESIDING JUDGE SAMBA: [11:56:09] Thank you very much.

22 Ms Naouri, please.

23 MS NAOURI: [11:56:28](Interpretation) Thank you, your Honour.

24 Q. [11:56:29] So we are going on to another issue now, Witness, and we are in
25 private session.

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1 Could you explain to us how you got into contact with the Office of the Prosecutor of
2 the International Criminal Court.

3 A. [11:57:01] Madam, but we haven't yet finished with regards to the sketch. I
4 made other sketches as well, and you haven't put questions about those. I put P and
5 T, but I made a sketch, and you've got out another sketch. I would like us to finish,
6 to finish with this sketch before speaking about this. I've got things to say about this
7 sketch, and asking me how I met the Office of the Prosecutor or came into contact
8 with the investigator of the Office of the Prosecutor, why? We have to -- you should
9 ask the investigators. They can explain it to you.

10 It wasn't easy for them to get a hold of me. I was very, very cautious. They did
11 everything they could in order to get a hold of me. And I don't know how they
12 managed to get witnesses, but I don't have an answer to your question in this regard.
13 That's the question you can put to the investigators, how were they able to find me.

14 Q. [11:58:16] Witness, do you know (Redacted)

15 A. [11:58:32] Yes, I know him. I know him very well. That was the first person
16 who contacted me.

17 Q. [11:58:44] How did he contact you?

18 A. [11:58:55] Madam, I can't explain to you how this person managed to get hold of
19 me. That's their work techniques, but when you gave me the name, yes, I did
20 recognise the name. But I couldn't tell you how they managed to get in touch with
21 me. This person has a different work. I don't know how he managed to get hold of
22 me in order to make it possible for the people who are here to meet me.

23 I told you that people take risks in the field. If people didn't take risks, they
24 wouldn't be able to find different witnesses. And you know that when there are
25 crisis in certain places, you really have to take risks in order to be in contact with the

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1 victims and the witnesses. If you can actually go to such countries during crisis
2 times, you will know the people, and you can actually defend them properly.

3 Q. [12:00:22] Witness, you said in page 45, 10 and 11 lines, you said, "I know him
4 very well. I know him very well." And then you're telling in line 18 that this one
5 has a different job. Now, can you tell me, what was this person's job? And we're
6 talking of (Redacted)

7 A. [12:01:04] When I said he has another job, what I wanted to say was, he was not
8 a member or an employee of the ICC. So I have nothing else to add.
9 When he met me for the first time, he was not alone. He was with a lady. And I
10 did not want to speak to them in the start, and then I -- they convinced me, and I
11 wanted the whole world to know what happened to me. The investigators, in fact,
12 of the ICC met me only later. And, of course, he -- they went through this person to
13 get in touch with me. And this person contacted me and said that other people from
14 the ICC will come to meet me and ask questions, and I must talk to them. It's thanks
15 to this person that I accepted to meet the people that came from the ICC.

16 Q. [12:02:38] Thank you, Witness.

17 Can you explain how did you meet this gentleman for the very first time.

18 A. [12:03:09] What gentleman are you referring to?

19 Q. [12:03:13] The same one, (Redacted) please.

20 A. [12:03:25] I can give you the date. It was on 13 August. It was raining. It
21 was raining cats and dogs, and that's when we met and I explained what happened to
22 me, what I lived through. It was on 13 August 2014, if I'm not mistaken.

23 Q. [12:03:54] Thank you for this information, Witness.

24 Now, you met him on 13 August 2014. So you were working together. What was
25 the background? What was the context? Can you explain.

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1 MS MAKWAIA: [12:04:13] Madam President, it is not the witness's evidence that
2 they were working together. The witness has explained how he was put in contact
3 with this person. So I'm objecting to the way the question is framed.

4 PRESIDING JUDGE SAMBA: [12:04:27] Yes, Ms Naouri.

5 MS NAOURI: [12:04:33](Interpretation) Your Honour, I don't know if there is an
6 error in the interpretation, but it was the suggestion of context. I never said that they
7 worked together. I said, can you explain the context. Did you work together?
8 Were there other means? It was just a question on context.

9 PRESIDING JUDGE SAMBA: [12:04:54] What came through from the English booth
10 is actually that they worked together. So you may want to, you know, rephrase.
11 What came through is that they worked together, the witness and this (Redacted)

12 MS NAOURI: [12:05:27](Interpretation) Your Honour, I'm going to rephrase my
13 question to avoid any doubts.

14 Q. [12:05:34] Witness, can you explain how and in what context did you meet
15 (Redacted) on 13 August 2014. Kindly provide the context.

16 A. [12:05:58] Madam, your Honour, I told you we met, and he introduced -- and he
17 asked me questions on what happened to me. I asked him to introduce himself.
18 And he showed me a document, and he convinced before I could actually explain
19 what happened to me. I told him everything. And then after some time, the
20 employees of the International Criminal Court came, and they tried to contact me.
21 They couldn't do so.

22 Then they basically followed the same path that this gentleman took to meet me.

23 And this is when -- and they took the same way. They called me -- he called me, and
24 they said that there are people from the ICC and they want to meet you. He advised
25 me to meet them and tell them what happened. I met the investigators, I showed my

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1 ID, and I told them that I am the victim myself.

2 Counsel, I'm not going to tell you how they managed to meet me. I can't tell you

3 the -- I can't tell you that. This person has taken risks to basically get hold of me.

4 These are people who take risks by going to the field at difficult times to contact

5 victims, to contact witnesses. But if I tell you how they work, their techniques, it

6 would be -- it is tantamount to betraying them.

7 You know what happened in Burkina Faso. You see, you want me to explain how

8 they work, how they do their job. You're -- even if it's the Presiding Judge and the

9 Prosecutor, I will not tell them, because these people are saving lives in the field, and

10 it's a professional secret. So I think I've answered your question, so let's move on to

11 another question now.

12 Q. [12:08:18] Witness, you said that you know (Redacted) very well, and you

13 accepted to provide testimony further to his request. Now, why do you trust this

14 person personally, on a personal level?

15 MS MAKWAIA: [12:08:38] Objection, Madam President. Relevance.

16 PRESIDING JUDGE SAMBA: [12:08:42] Yes, Ms Naouri, what's the relevance of that

17 question, please?

18 Please hold on. Let me hear what the witness wants to say. Hold on, Ms Naouri.

19 Yes, Mr Witness.

20 THE WITNESS: [12:09:03](Interpretation) You asked me the question why I trust

21 him. Counsel Naouri -- if I get to know that Counsel Naouri is -- is the counsel of the

22 Court, and if I'm told that a counsel from the ICC is going to come to meet victims, to

23 meet people who have suffered, and if I were not a victim, I could put Counsel

24 Naouri in touch with other victims. And after that, if they gave me Counsel Naouri's

25 name, I would say, "Yes, I do know her."

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1 But let me see this person, Counsel Naouri, if this is the person I know as a lawyer,
2 and I will put her in touch with other victims, because I know that Counsel Naouri
3 works for the Court. And when you introduce yourself, you are going to give me
4 the proof that it's the ICC that sent you to look for information on the victims. You
5 just can't go with hands in your pocket and do this job. You have a mission order,
6 documents, a badge that prove that you are actually coming from -- you are
7 representing the Court.

8 So this person who convinced me -- you see, people who -- there are people who
9 brought him to me. I trust these people. And I know that this person is not going
10 to mislead me. You can actually do an inquiry on this.

11 At that point of time, I -- I was very cautious. Even the employees of the Court
12 couldn't even come near me. It's because I trusted certain people. And this is why
13 these people convinced me to talk. But the way -- but to tell you -- I cannot tell you
14 the way they contacted me. It's their techniques they use to do their work. You are
15 here, you know, in an air-conditioned room, but you actually don't know how people
16 work in the fields, especially in countries -- in countries where there is a crisis and get
17 in touch with victims. You don't know how people do that. So please ask me
18 another question, counsel.

19 PRESIDING JUDGE SAMBA: [12:12:25] Carry on, Ms Naouri, yes.

20 MS NAOURI: [12:12:32](Interpretation) Thank you, your Honour.

21 Q. [12:12:35] You just said, page 50, line 18 to 21, that "these people convinced me
22 because they led me to him and I trust these people and know that these people are
23 not going to mislead me." So who are these people who led you to meet (Redacted)

24 A. [12:13:20] I cannot answer that question, counsel. You think it's your
25 phraseology that's going to lead me to say things that I don't want to say? These

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1 people who came went through employees, state civil servants, and it's these civil
2 servants who reoriented them, and they work step by step.

3 If you, Counsel Naouri, you wake up and come and meet -- want to meet me, I will
4 not receive you. It's something that happened between the states. If the
5 government of my country has given -- had not given its authorisation for people to
6 be tried here, I wouldn't be, you know, in this Court. I wouldn't be before you. It's
7 because the government of my country has accepted and has signed the agreement.
8 And it's subsequent to this that the ICC started working in the country and carrying
9 out investigations.

10 This is a convention that my country signed with international institutions in the field
11 of human rights. So this is what I can say, counsel. But I will never give you the
12 way they proceeded to work. If you know their names, you can actually tell them to
13 me.

14 Q. [12:14:56] Thank you, Witness.

15 You are saying that these people who came, page 51, French transcript as of line 20,
16 these people who came would go through these civil servants of the state, and these
17 people -- these civil servants would orient them. Which civil servants of which state
18 are you talking about?

19 A. [12:15:24] Counsel, I have nothing else to say on that subject. I have told you
20 that these people have taken risks to come to our country, and you have the results.
21 But I cannot betray their secret. I cannot tell you anything more. Here I'm going to
22 do nothing at all. I'm going to say nothing at all.

23 If you have the right information -- if you have information on this subject, you can
24 tell me, but, again, I'm repeating, I will provide -- I will not provide you with the
25 names of these civil servants.

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1 Q. [12:16:05] Thank you, Witness.

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

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13 Q. [12:26:52] Thank you, Witness.

14 Witness, have you been offered compensation to encourage you to cooperate with the
15 OTP, the Office of the Prosecutor?

16 A. [12:27:22] I don't understand why you're asking such questions. What
17 compensation have I received? Even the investigators, did they give me anything at
18 all? Who could give me money to -- and buy my cooperation with the OTP? Do
19 you think everyone is illiterate, stupid? Do you think I'm stupid? I've clearly told
20 you that I am doing this witness deposition without any constraints, and not on
21 religious grounds either. I'm doing this statement so that the truth comes out. It's
22 not for financial compensation. You can -- can you give me the name of the person
23 who has given me money?

24 Q. [12:28:30] I'm going to read the second statement dating back to 2018. Tab 3 in
25 the French version, tab 4 in the English version, CAR-OTP-2068-0292, page 0294,

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1 paragraph 5. You say that: "I met the members of the OTP again on 31 May, 1 June
2 and 3 June 2018. This is where I told them -- gave them -- talked about my diagnosis
3 and my eye problems. And the OTP agreed to reimburse the frames and the glasses
4 that was prescribed to basically help me read the first and the second witness
5 statement. * Once I had glasses, I received a copy of my first statement dated 17
6 november 2015, and I could read it in order to answer the additional questions."

7 Now, can you confirm that you've actually received a pair of glasses, Witness.

8 A. [12:29:47] Counsel Naouri, let me answer that. I'm a man. I'm not a child.

9 I'm a responsible man. Do you understand me? Listen to me well. I'm not

10 threatening you, but this is my way of talking. I'm being very honest here. And I

11 have to speak the truth and nothing but the truth. Why did you ask the question

12 that we've given you an incentive to cooperate with the ICC? Why are you saying

13 that?

14 Q. [12:30:34] Witness, I have other items to show you. I just asked you if you have

15 received compensation, and here I have -- I'm actually doing my work, and here I

16 mentioned glasses.

17 PRESIDING JUDGE SAMBA: [12:30:52] Yes, Madam Prosecutor.

18 MS MAKWAIA: [12:30:53] I object to the term "compensation", Madam President.

19 There is actually a procedure, and perhaps we can have the witness removed for three

20 minutes so I can speak freely, Madam President.

21 PRESIDING JUDGE SAMBA: [12:31:08] Well, Madam Prosecutor, the witness has

22 his hand up. So maybe let me listen to what he has to say.

23 MS MAKWAIA: [12:31:18] I'm obliged, Madam President.

24 PRESIDING JUDGE SAMBA: [12:31:23] By which, Mr Witness, I want to urge that

25 you do not get upset, like I've been asking of you, so that, you know, with a clear

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1 mind, you can answer certain questions. But I'm happy to listen to what you have to
2 say. Carry on, Mr Witness.

3 THE WITNESS: [12:31:59](Interpretation) Thank you, your Honour.

4 I would ask you to tell Madam Naouri to put direct questions to me. Please ask me
5 questions directly on the glasses and I will answer. She shouldn't go through
6 contortions in order to insinuate that I was corrupted, or that I've been given
7 compensation such that I would give my statement. No.

8 When did I give my statement? I did it -- when did I receive the glasses? Your
9 client did that. Look at my age. At this age, should I have problem with my
10 eyesight? My father, everybody, they had eyesight which was working well. They
11 don't -- my father doesn't need glasses. You see, what happened such that I wore
12 glasses. You know when I started, I started to go and see the opticians, it was the
13 NGO OBONI who took me to see the eye specialist to take measures.

14 I didn't even have the means to buy the medicine. I was the NGO that helped me to
15 go and see the doctors. But I told you that when the investigators of the Office of the
16 Prosecutor came, they gave me documents to read. And I said that I couldn't read
17 them because I've been prescribed lenses, but I didn't have the financial means to buy
18 them.

19 So if they give me glasses, what's the problem with that? I am before you without
20 my glasses, but it's written in large print on the screen. But when it is about written
21 matters in small letters, then I can't read it.

22 Do you want me to sign the Prosecutor's document without reading it? Am I a
23 sheep, a sheep that would do that type of thing? I am -- imagine that if the
24 document that the Prosecutor provided me with incriminated me. I would sign it
25 without reading the content of the document?

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1 Madam, yes, they bought me glasses. And why? Because I told them -- I told them
2 that I could not read the documents they provided me with. I informed them that I
3 had prescriptions to buy glasses, but I did not have the money to buy them. And
4 that is how these people told me, okay, they would ask for instructions from their
5 superiors. And in the case of acceptance, they would provide me with glasses such
6 that I would be able to read my statement prior to signing it.

7 Take the time to look at me, and -- you're looking everywhere else. It's not. Good;
8 it's not polite.

9 Yes, he gave me glasses to make it possible for me to read my statement and to sign it.

10 Yes, madam.

11 PRESIDING JUDGE SAMBA: [12:35:38] Thank you very much, Mr Witness. I think
12 what you have just stated is very clear from the paragraph 5 which Ms Naouri
13 referred to. And we do take note that the statement that was referred to you was in
14 2015 for you to read, in fact, from this paragraph 5.

15 Ms Naouri, if you would want to maybe respond to the Prosecutor's objection in light
16 of the word "compensation", whether or not the witness was in fact, you know,
17 cooperating with the OTP because of being compensated, or in the words of the
18 witness, of him being corrupted. Thank you.

19 MS NAOURI: [12:36:38](Interpretation) So I never used the word "corrupted".

20 That's the first thing that I would say. And, indeed, I did ask if the witness had
21 received compensation. I didn't say financial compensation, but whether he got
22 anything by way of return. And we have a first element here which shows that he
23 did get something. That's in the case file. So I used the information that I have
24 there. So I have information, I put the basis thereof, and then I asked questions with
25 regards to the different elements to give the witness to give the opportunity to explain.

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1 I was very careful not to say "financial compensation". I asked if he had anything in
2 return for the fact of testifying today. And the elements here show that.

3 PRESIDING JUDGE SAMBA: [12:37:26] Now, that one is not very clear to us,
4 Ms Naouri, because the question you put, and from what we see, that witness made a
5 statement in 2015. The glasses you are talking about, the reading glasses, that
6 question came in, or that information came in 2018, when he was asked to read his
7 statement of 2015. At least from the document I have before me as per tab 4 that you
8 referred to and paragraph 5 thereof.

9 MS NAOURI: [12:38:13](Interpretation) So I read the 2018 statement. 2018
10 statement, they speak about the 2015 statement where he explains that there was a
11 diagnosis and that he was given an invoice for the consultation, and with that invoice
12 he got glasses.

13 Q. [12:38:35] So you were compensated with regards to the glasses.
14 If you would allow me, your Honour, I also wanted to show the witness an
15 investigative report where the question is addressed with. I put a foundation, I put a
16 basis, the witness answers, and now I'm going to show him the elements in the case
17 file which talk about compensation. I can't say anymore, otherwise I will directly
18 influence the witness. But we have the elements. I am thinking of tabs 8 of our list
19 of notification, which continues to show what I explained. Thank you, your Honour.

20 PRESIDING JUDGE SAMBA: [12:39:11] Before we go to tab 8, maybe let me hear
21 what the witness has to say because his hands are up.

22 Yes, Mr Witness.

23 THE WITNESS: [12:39:33](Interpretation) Thank you, your Honour.

24 What makes me sad is not the question put my Madam Naouri, but when she refers
25 to the glasses, that is what makes me angry. All that was necessary was to put the

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1 question directly with regards to the glasses. She insinuated saying, was I provided
2 money to encourage me to cooperate with the International Criminal Court. That's
3 what she wanted to insinuate. She wanted to say that I cooperated with the ICC
4 because I received compensation. I'm not an idiot.

5 THE INTERPRETER: [12:40:20] Says the witness in French.

6 THE WITNESS: [12:40:24](Interpretation) Maître Naouri is speaking in French.

7 There are no children. We are all adults here. We can understand the insinuations
8 that she is making.

9 PRESIDING JUDGE SAMBA: [12:40:36] That's okay, Mr Witness. Let's just go
10 through this phase.

11 And, Ms Naouri, you referred to tab 8. You may want to continue with your
12 questioning, please.

13 MS NAOURI: [12:40:56](Interpretation) Thank you, your Honour.

14 Q. [12:40:59] Indeed, at tab 8, and it's an investigative report, CAR-OTP-2130-7845,
15 page 7845. It is indicated, speaking about you: "He said that he envisaged
16 withdrawing his cooperation with the Office of the Prosecutor because he didn't feel
17 respected. He established a distinction between the investigative teams and the
18 victims -- witness assistance. He said, only the information and not the victims were
19 important."

20 PRESIDING JUDGE SAMBA: [12:41:43] Which paragraph?

21 MS NAOURI: [12:41:43] (No interpretation)

22 THE INTERPRETER: [12:41:47](Interpretation) Could the document be displayed
23 for the interpreters. Thank you.

24 Thank you. It's been displayed.

25 MS NAOURI: [12:41:57](Interpretation) Paragraph 2. So I will go back.

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1 Q. [12:42:00] That he had the impression that only the information was important
2 and not the victims. And I've been told that for the translation -- so he said he was
3 considering withdrawing cooperation with the OTP as he felt disrespected and made
4 a distinction between investigative and witness support teams saying he felt only the
5 information and the not victims were important to the ICC. These are not official
6 translations, so I will go back to it.
7 So, Witness, just to be clear, we are in page 7845, investigative report. What they say
8 concerning you is the following: "He said that he was considering withdrawing
9 cooperation with the Office of the Prosecutor as he felt disrespected and made a
10 distinction between the investigative and witness support teams, saying that he had
11 the impression that only the information and not the victims were important to the
12 ICC. The investigator reassured him that the OTP is a single entity which operated
13 as a team, that the rights of witnesses and victims was extremely important, and that
14 a decision would be communicated to him within the next days."

15 Do you remember this exchange, Witness?

16 MS MAKWAIA: [12:43:31] I think in fairness to the witness, counsel should read this
17 paragraph from the beginning where you get context to the third line, I think, that
18 she's read.

19 PRESIDING JUDGE SAMBA: [12:43:50] Ms Naouri, because, as you say, this is an
20 investigative report, is it? It's not the witness's statement or anything. So maybe
21 for him to understand properly how he got to make the statement, the utterances that
22 you just read out, could you maybe refer him to the beginning of that paragraph,
23 beginning "On 20 October", so that he can also follow and give you an accurate
24 answer for the record.

25 MS NAOURI: [12:44:27](Interpretation) Of course. No problem.

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ICC-01/14-01/21

WITNESS: CAR-OTP-P-0547

1 Q. [12:44:29] So I will start again. The -- well, with what they explained to us, the
2 investigators: "On 20 October 2020, the investigator met with P-0547. P-0547 stated
3 that his recurrent headaches and mental breakdowns were unbearable, and that he
4 would be a terrible witness on the stand if this was not addressed as he gets nervous
5 and breaks down under pressure. He reiterated that he was even -- he had even
6 experienced months paralysis in his arm. He said that he was considering
7 withdrawing cooperation with the Office of the Prosecutor as he felt disrespected.
8 And he made a distinction between investigative and witness support teams, saying
9 that he felt that only the information and not the victims were important to the ICC.
10 The investigator reassured him that the Office of the Prosecutor is a single entity
11 which operated as a team, that the rights of witnesses and victims were extremely
12 important, and that a decision would be given to him within the next days."
13 So I will put the question to you again, Witness. Do you remember this exchange,
14 and did it happen like that? Or do you have anything to tell us with regard to that
15 exchange?

16 A. [12:45:59] Madam Naouri, when I was suffering, were you there? Were you by
17 my side? These investigators called me to hear my news and I told them. And I
18 asked for the ICC to ensure a certain health coverage for victims. If I die before the
19 trial, would I come to testify? You see, the trauma can kill. A heart attack can kill.
20 You see, I had the impression that the investigators were just putting questions and
21 putting questions to have information. The investigators, I asked them for health
22 coverage. It was the NGO OBONI who took me to the hospital. Counsel, if you
23 couldn't sleep for two weeks, this is what happened to me. I couldn't sleep for two
24 weeks. I wasn't working. I was at home. I didn't know who eat. I didn't know
25 how to live, how to meet the needs of my children. And you know the situation that

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1 I've been through. I told you that, even if you were an investigators of the Office of
2 the Prosecutor, I would tell you the same thing. And the investigator explained to
3 me clearly that the Office of the Prosecutor was not meant to give money to people.
4 The Office of the Prosecutor was only looking for the truth with regards to what
5 happened such that the trial can take place. And it was only afterwards, when
6 somebody is sentenced that if the property of the person is seized, that you can carry
7 out a reparations or compensations because of the -- on the basis of a judicial decision.
8 The Office of the Prosecutor has no vocation to give money to anyone at all. Their
9 work is to bring together the information. And I told them, given my situation,
10 given what happened to me, given my health, which was deteriorating, and if I die,
11 how will I be able to help them?

12 Maître Naouri has -- I have made an abdication on behalf of all the victims of Burkina
13 Faso, of Mali, all victims here, even victims in Ukraine. If the International Criminal
14 Court wants information, you also have to think about health coverage for witnesses
15 and victims. And that has to be put in writing such that we know that if a witness
16 who is meant to come to testify, if that person needs medical assistance, psychological
17 assistance -- I'm not asking for money. I am here and have been here for a certain
18 time. What can I earn? Can I be reimbursed for everything I lost? (Redacted)
19 (Redacted) everything they pillaged? Do I even know the quantity of goods that I
20 lost? But if I'm still alive, then I can fight. But I lost everything. Everything.
21 With these investigators, I spoke to them about it, and now you are insinuating that
22 it's because they gave me money to cooperate. And you are accusing me of getting
23 money for answering your questions. I'm helping you answer the questions in the
24 interest of your client, to establish the truth. Nobody gave me money. I was in a
25 difficult situation. Don't take me backwards. I have suffered a lot.

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1 Q. [12:50:58] Witness, are you okay? Do you need a little break?

2 A. [12:51:13] It's not up to you to ask if I have to rest or not. I don't even need you
3 to speak to me about that. I don't need rest. Just continue to put your question. I
4 will answer them.

5 PRESIDING JUDGE SAMBA: [12:51:34] Ms Naouri, how much more time would
6 you need to go on with this witness, please?

7 MS NAOURI: [12:51:45](Interpretation) Thank you, your Honour. With regards to
8 the issues, I think I need another 10 minutes, but I think I still have -- well, it would
9 depend on the speed and the completeness of the answers of the witness. But I think
10 I still have 30 to 45 minutes, in addition to the ten minutes that I've got of today.

11 PRESIDING JUDGE SAMBA: [12:52:10] I know we will not be sitting this afternoon,
12 and we are getting close to 1 o'clock for lunch break. Is there anything you think -- is
13 there any question you think you can cover in five minutes, five-six minutes before
14 we break for lunch?

15 MS NAOURI: [12:52:31](Interpretation) Indeed, your Honour, I can finish an issue
16 today and come back with the remaining issues next time.

17 PRESIDING JUDGE SAMBA: [12:52:44] All right.

18 Mr Witness, let's go on for a little bit more, for five minutes, and we will break for
19 lunch. And Ms Naouri will finish her cross-examination tomorrow.

20 Yes, Ms Naouri, please carry on.

21 MS NAOURI: [12:53:08](Interpretation) Thank you, your Honour.

22 Q. [12:53:10] So, Witness, to follow up on what you said, after this exchange with
23 the investigators, following that, did you receive any care, reimbursement for care,
24 health care from the Office of the Prosecutor? Did they do anything for you
25 following the exchange we've just spoken up, in terms of medical treatment? And if

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1 you don't remember, I can refresh your memory, if you wish.

2 PRESIDING JUDGE SAMBA: [12:53:51] Well, why don't you do that, Ms Naouri.

3 MS NAOURI: [12:53:58](Interpretation) Very well, Madam President.

4 Q. [12:54:01] So in an investigator's report of 9 August 2021, tab number 8,

5 CAR-OTP-2030-7846, page 7846, paragraph 4 -- well, you don't say it. The

6 investigators state that: "On 20 October 2020, the -- our OTP field coordination

7 office -- officer informed the investigator that P-0547 had been reimbursed for his

8 medical costs and was able to continue with his medical treatment."

9 So the investigator told us that you were reimbursed medical costs, medical expenses;

10 is that correct?

11 A. [12:55:05] That's what I told them.

12 Q. [12:55:17] Do you have any -- did -- did you have any evidence of the medical

13 treatment, supporting documents of the medical treatment that you've received?

14 A. [12:55:32] I'm sorry?

15 Q. [12:55:17] Did you show to the Office of the Prosecutor any bills, any supporting

16 documentation in order to reimburse your medical costs?

17 A. [12:55:55] Madam, I provided them with the invoices and the prescriptions.

18 And it's thanks to the medicine they provided me with that they helped me to boost

19 my morale and to be able to walk 5 kilometres to be able to get work (Redacted)

20 knowing that I couldn't work for a long time in the sun. I gave them all the bills.

21 And when you receive money, well, in exchange, you make a receipt. It's not like

22 water; you drink it and you go. No.

23 So also for victims, this -- for example, this carafe was brought for us, and the water

24 that's in it, as the judge said, who asked me to regularly drink water, all that is

25 purchased for us. And the people who brought that, all these objects, they received

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1 a bill.

2 So I repeat, I provided all the bills, all the receipts.

3 Q. [12:57:09] Witness, I have two questions left in the remaining time.

4 Do you remember how much the total medical costs were?

5 A. [12:57:32] I have no idea, to be honest. You're asking me questions about these
6 different treatments. There were sleeping pills, for example. Shall I bring you the
7 remaining sleeping pills? Right until this very day, I still have to take sleeping pills
8 in order to sleep. Why? Because my biological clock is no longer working correctly.
9 Can you hear that?

10 Madam, you are putting -- you are rubbing salt into the wounds. When I bought
11 medicine, I also provided them with the supporting documents, with the receipts.
12 There was evidence that showed that I -- it was a doctor who provided me with all
13 this different documentation. You could contact the people who sold me these
14 medicine. Their telephone numbers are on the invoices.

15 Q. [12:58:32] Thank you, Witness.

16 So the last question, and you have the investigative report of 20 October 2020. Since
17 21 October 2020, you had other reimbursement of expenses from the Office of the
18 Prosecutor, to the best of your knowledge.

19 A. [12:58:56] I know nothing about that. If you have the evidence, well, show it.
20 I have the impression that you once again are taking me to a very traumatic period.
21 You are asking me questions which are bothering me.

22 I told you that I provided all the documentation. I know that they bought me glasses
23 and that they reimbursed the medicine that I purchased. And thanks to that, I was
24 able to have my health back.

25 And, furthermore, a lot of other people contributed to me getting my health back. It

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1 wasn't only the Office of the Prosecutor. It was not only the Office of the Prosecutor.
2 There were so many others, associations; the Red Cross, the Flora NGO, OBONI NGO.
3 There were other people. There were people who took me to hospital for
4 examinations. And there were also my family who contributed to eyesight
5 examinations.

6 And what could the International Criminal Court provide that was very important?

7 Do you know the amount of money spent by my family to buy medicine to save me?

8 And for these little things, for nothings, you put repeated questions to me about these

9 trifles. If you want to reimburse all the different expenses, say it clearly. I'll call my

10 family so that they can send every single bill and you can reimburse them. I think

11 I've answered your question.

12 It's the contribution of lots of different people which made it possible for me to stay

13 alive. And today, I'm sitting before your court. I thank them and I thank you, you

14 who put the question to me.

15 PRESIDING JUDGE SAMBA: [13:01:17] Okay. Okay. Thank you very much,

16 Mr Witness, and we appreciate your being here today to help the Court. At this

17 stage, Mr Witness, however, I'm going to ask that we break off for today. We will

18 come again tomorrow, and Ms Naouri will finish off with her cross-examination so

19 that, you know, you can go back to your family.

20 I'm going to ask that you do not discuss your testimony with any other person

21 outside this courtroom. I know you gave the assurance that you do not talk to

22 people about what happens here, so we appreciate that.

23 I'm going to rise the Court and ask that we come tomorrow at 9.30, please.

24 THE COURT USHER: [13:02:12] All rise.

25 (The hearing ends in private session at 1.02 p.m.)