

Trial Hearing
WITNESS: CAR-OTP-P-0622

(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 Judge
6 Sergio Gerardo Ugalde Godínez
7 Trial Hearing - Courtroom 2
8 Friday, 3 May 2024
9 (The hearing starts in open session at 9.34 a.m.)
10 THE COURT USHER: [9:34:48] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:35:13] Good morning, everyone.
14 Madam Court Officer, can you call the case, please.
15 THE COURT OFFICER: [9:35:25] 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, case reference ICC-01/14-01/21.
18 And we are in open session.
19 PRESIDING JUDGE SAMBA: [9:35:37] Thank you very much.
20 May I ask the parties to introduce themselves. Counsel for the Prosecutor.
21 MS MAKWAIA: [9:35:44] Good morning, your Honours, Madam President. For
22 the Prosecution this morning, Mr Thomas Bifwoli, Ms Brunhild Le Bailly, and myself
23 Holo Makwaia, senior trial lawyer.
24 PRESIDING JUDGE SAMBA: [9:35:57] Thank you very much.
25 Ms Pellet for the victims, your representation, please.

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1 MS PELLET: [9:36:04](Interpretation) Thank you, Madam President. The victims
2 are represented by Caroline Walter and by myself, Sarah Pellet, counsel for the Office
3 of Public Counsel for Victims.

4 PRESIDING JUDGE SAMBA: [9:36:17] Thank you very much, Ms Pellet.
5 Ms Naouri for the Defence, please.

6 MS NAOURI: [9:36:23](Interpretation) Thank you, Madam President, and good
7 morning. By my side we have *Maître* Jacobs, by his side Léa Allix, and behind me
8 Enora Perrot. And I am lead counsel, Jennifer Naouri, for Mr Said.

9 PRESIDING JUDGE SAMBA: [9:36:40] Thank you. Thank you very much,
10 Ms Naouri.

11 And for the record, we note that Mr Said is in court here with us.

12 A very good morning to you, Mr Said. I hope you do feel better this morning.

13 MR SAID: [9:36:52](Interpretation) Yes. Good morning, Madam President.

14 PRESIDING JUDGE SAMBA: [9:37:00] We note that the Prosecution is calling
15 P-0622 as its 31st witness.

16 The Prosecution originally sought to introduce P-0622's prior recorded testimony
17 pursuant to Rule 68(2)(b), which the Chamber rejected. Instead, the Chamber
18 allowed the introduction of P-0622's prior recorded testimony pursuant to Rule 68(3)
19 of the Rules. This is in decision numbered 555.

20 It is the Chamber's understanding that this witness will be testifying in Sango, so
21 I remind everyone of the importance of the need to speak slowly and to observe the
22 five-seconds rule between questions and answers.

23 The Chamber notes briefly that protective measures are confirmed for this witness by
24 virtue of decision numbered 605 and that the VWU recommends certain special
25 measures.

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1 A very good morning to you, Mr Witness.

2 WITNESS: CAR-OTP-P-0622

3 (The witness speaks Sango)

4 THE WITNESS: [9:38:22](Interpretation) Good morning, Madam President.

5 PRESIDING JUDGE SAMBA: [9:38:27] Now, Mr Witness, you're going to testify
6 before the International Criminal Court, so on behalf of this Chamber, I welcome you
7 to the courtroom.

8 THE WITNESS: [9:38:46](Interpretation) I thank you. I thank you for your
9 availability and for your welcome, for welcoming me to this court this morning to
10 enable me to tell the truth.

11 PRESIDING JUDGE SAMBA: [9:39:02] Thank you very much.

12 And you should have before you, Mr Witness, the solemn undertaking that any
13 witness who appears before us is supposed to take. Can you read that out for us,
14 please?

15 THE WITNESS: [9:39:27](Interpretation) I'm going to read out at a voice that
16 everyone can hear.

17 I solemnly declare that I shall speak the truth about the events that unfolded.

18 PRESIDING JUDGE SAMBA: [9:39:53] Can you read it out as it is written on the
19 document you have before you?

20 THE WITNESS: [9:40:09](Interpretation) I solemnly declare that I shall speak the
21 truth, the whole truth and nothing but the truth.

22 PRESIDING JUDGE SAMBA: [9:40:22] Thank you very much, Mr Witness. And do
23 you understand and agree to what you just read out?

24 THE WITNESS: [9:40:38](Interpretation) Yes, I have understood, and I consent to tell
25 the truth.

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- 1 PRESIDING JUDGE SAMBA: [9:40:49] Thank you very much.
- 2 Mr Witness, let me explain to you the protective measures that the Chamber has put
- 3 in place for you during your testimony.
- 4 We have in place for you voice and face distortion for the duration of your testimony.
- 5 Now, this means that no one outside the courtroom can see your face or hear your
- 6 real voice during your testimony.
- 7 There'll also be in place for you the use of pseudonym. In accordance with that, we
- 8 will all refer to you only as "Mr Witness" to make sure that the public does not know
- 9 your 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 relates specifically to you, or you are
- 14 asked to mention facts that might reveal your identity, we will do so in private
- 15 session.
- 16 I have a few practical matters you should have in mind when giving your testimony.
- 17 Everything we say here is written down and interpreted. It is, therefore, important
- 18 to speak clearly and at a slow pace. Please speak into the microphone you have
- 19 before you and only start speaking when the person asking you the question has
- 20 finished. To allow for the interpretation, everyone has to wait a few seconds before
- 21 starting to speak.
- 22 If you have any questions yourself or if you need a break, raise your hand so that we
- 23 know that you want to say something to us.
- 24 Have you understood all that I've said, Mr Witness?
- 25 THE WITNESS: [9:43:37](Interpretation) Yes, I have understood correctly.

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1 PRESIDING JUDGE SAMBA: [9:43:44] Okay. Thank you very much.

2 So now we are going to begin to take your testimony. I'm going to invite the

3 Prosecution to put questions to you.

4 Madam Prosecutor, your witness please.

5 MS LE BAILLY: [9:44:06](Interpretation) Thank you, Madam President.

6 QUESTIONED BY MS LE BAILLY: (Interpretation)

7 Q. [9:44:17] Good morning, Mr Witness.

8 A. [9:44:21] Good morning.

9 Q. [9:44:24] My name is Brunhild Le Bailly and I'm going to be putting questions to
10 you on behalf of the Office of the Prosecutor. If any of my questions are not clear,
11 please do not hesitate to say so and I shall rephrase. All right?

12 A. [9:44:40] I have understood.

13 MS LE BAILLY: [9:44:44](Interpretation) Madam President, could we please go into
14 private session for the purposes of identifying the witness?

15 PRESIDING JUDGE SAMBA: [9:44:51] Certainly.

16 Madam Court Officer, can we go into private session briefly please?

17 (Private session at 9.45 a.m.)

18 THE COURT OFFICER: [9:45:09] We are in private session, Madam President.

19 PRESIDING JUDGE SAMBA: [9:45:12] Thank you.

20 Madam Prosecutor, you may continue please.

21 MS LE BAILLY: [9:45:21](Interpretation) Thank you.

22 Q. [9:45:23] Mr Witness, could you please give us your full name?

23 A. [9:45:33] (Redacted).

24 Q. [9:45:51] Very well. And what is your date of birth?

25 A. [9:45:56] (Redacted).

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1 Q. [9:46:08] Very well.

2 MS LE BAILLY: [9:46:11](Interpretation) Madam President, with your leave, we can
3 now go back to open session for the continuation of my questioning.

4 PRESIDING JUDGE SAMBA: [9:46:21] Thank you.

5 Madam Court Officer, can we go back into open session please.

6 (Open session at 9.46 a.m.)

7 THE COURT OFFICER: [9:46:35] We're back to open session, your Honours.

8 PRESIDING JUDGE SAMBA: [9:46:38] Thank you.

9 Continue, Madam Prosecutor, please.

10 MS LE BAILLY: [9:46:45](Interpretation)

11 Q. [9:46:46] So, Mr Witness, do you remember that you were interviewed by
12 members of the OTP?

13 A. [9:47:01] Yes, I do remember.

14 Q. [9:47:05] And do you remember when you were interviewed?

15 A. [9:47:20] I have forgotten some dates.

16 Q. [9:47:29] Subsequent to these interviews, did you provide a written statement to
17 those members of the OTP?

18 A. [9:47:38] Yes. Everything had been taken down.

19 Q. [9:47:44] And did you reread and sign said statement?

20 A. [9:47:57] Yes, I did have the possibility of rereading the document and
21 appending my signature to it.

22 Q. [9:48:07] Very well. Now, Mr Witness, I would like to show you a document
23 and ask you whether you recognise it.

24 Madam Courtroom Officer, could we please bring up the document, tab 1 in our list,
25 and the ERN, which is confidential in nature and has not been yet formally submitted,

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1 is CAR-OTP-2022-0121.

2 Mr Witness, can you see the document up on the screen before you?

3 A. [9:48:59] Yes, can I see it.

4 Q. [9:49:01] Do you recognise this document?

5 A. [9:49:08] Yes, I do recognise it.

6 Q. [9:49:13] Madam Courtroom Officer, could we please scroll down the document.

7 Thank you.

8 Mr Witness, do you recognise a signature at the bottom of this page?

9 A. [9:49:34] This is my signature.

10 Q. [9:49:40] I'm going to be showing you another page of this very same document.

11 Madam Courtroom Officer, could we please move on to the next page, so that's 0122.

12 Mr Witness, can you see some names and signatures at the bottom of this page and do
13 you recognise a name and a signature?

14 A. [9:50:18] There is my name and my signature on this document.

15 Q. [9:50:25] So, is your name and signature in the first or the second column?

16 A. [9:50:35] It is in the second column.

17 Q. [9:50:41] So I'm going to be showing you a last page of this document.

18 Madam Courtroom Officer, could we please bring up the 0148 numbered page?

19 Mr Witness, do you recognise a name and a signature here at the bottom of this page?

20 A. [9:51:20] This is my signature and my name on this page.

21 Q. [9:51:31] Is this indeed the written statement that you provided to the
22 Prosecutor on 10 February 2016?

23 A. [9:51:47] Yes, indeed.

24 Q. [9:51:52] Very well. Thank you.

25 So I'm going to continue now with a number of questions. These are the additional

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1 supplementary requirements falling under Rule 68(3).

2 Now, Mr Witness, before appearing before the Court today to testify, have you had
3 the opportunity to reread and peruse your statement during a preparatory session
4 with the OTP via video link?

5 A. [9:52:31] I haven't really understood your question.

6 Q. [9:52:39] Mr Witness, do you remember having met me over a video link for us
7 to reread your statement together?

8 A. [9:52:52] Yes, I do remember that.

9 Q. [9:52:58] And at that moment in time, did you have the opportunity to bring any
10 corrections or any points of clarification to your statement?

11 A. [9:53:14] Yes, I did have the opportunity to bring a number of corrections.

12 Q. [9:53:21] Very well. I'm going to be showing you a document now to see
13 whether you recognise it.

14 Madam Courtroom Officer, could we please bring up the document at tab 18 and this
15 document, which is confidential in nature and has not been acknowledged as
16 formally submitted, is CAR-OTP-00036079.

17 Mr Witness, do you see the document up on the screen before you?

18 A. [9:54:05] Yes, I can see it.

19 Q. [9:54:09] So I'm going to be rereading the title to you for the record: "Annex A
20 on the register of preparation for witnesses for the preparation of P-0622".

21 Do you recognise this document, Mr Witness?

22 A. [9:54:31] Yes.

23 Q. [9:54:36] Madam Courtroom Officer, could we please bring up the second page,
24 which is 002. Could we please go to bottom of this page. Thank you.

25 Mr Witness, do you recognise this signature?

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1 A. [9:55:14] Yes, this is my signature.

2 Q. [9:55:20] And are these the notes of correction and clarification that you
3 provided to the Office of the Prosecutor?

4 A. [9:55:36] Yes, indeed.

5 Q. [9:55:42] So, Mr Witness, we have taken note of your corrections and
6 clarifications and your written statement, and I would like to know whether you have
7 told the whole truth to the best of your knowledge and recollection when you
8 provided all of this information?

9 A. [9:56:08] Yes, this is what I know and what I recalled, and it is indeed the truth.

10 Q. [9:56:22] Very well, Mr Witness. So now I have a last procedural question to
11 put to you.

12 I would like to know whether you agree that the judges use this written statement
13 and these notes of correction and clarification as an item of evidence in this case?

14 A. [9:56:48] Yes, I do agree.

15 Q. [9:56:54] Thank you, Mr Witness. And that concludes my questioning.

16 MS LE BAILLY: [9:57:00](Interpretation) Madam President, your Honours, I do
17 believe that this satisfies the procedural requirements under Rule 68(3), unless you
18 have anything to say to the contrary, and I would like to request that all these
19 documents be formally submitted regarding P-0622. These documents have not yet
20 been acknowledged as formally submitted, that is to say, documents 1 to 16 and
21 document 18 on the list, please.

22 PRESIDING JUDGE SAMBA: [9:57:37] Thank you very much, Madam Prosecutor.

23 And the witness, having agreed to the submission of his prior recorded testimony
24 together with its annex as in the form of clarifications and corrections, on the

25 understanding that the Defence and the Chamber have a right to put questions to this

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1 witness, the witness's prior recorded testimony and its associated materials are
2 accepted into evidence.

3 Thank you very much.

4 Mr Witness, we're going to invite the Defence counsel to put some questions to you
5 now in cross.

6 Ms Naouri, please.

7 MS NAOURI: [9:58:25](Interpretation) Thank you, Madam President. The
8 cross-examination will be conducted by *Maître* Jacobs.

9 PRESIDING JUDGE SAMBA: [9:58:37] Thank you very much.

10 Mr Jacobs, please.

11 MR JACOBS: [9:59:09](Interpretation) Thank you, Madam President.

12 QUESTIONED BY MR JACOBS: (Interpretation)

13 Q. [9:59:11] Good morning, Mr Witness.

14 A. [9:59:14] Good morning.

15 Q. [9:59:19] My name is Dov Jacobs and I'm going to be putting questions on behalf
16 of the Defence for Mr Said this morning. And as it was mentioned earlier,
17 everything that we say is being transcribed, and it is important for us to speak slowly
18 and for us to wait. So I need to wait after I put a question to you, and you need to
19 wait before you answer it. This is necessary for the record to be as accurate as
20 possible. Do you agree, Mr Witness?

21 A. [9:59:57] Yes, I fully understand.

22 Q. [10:00:01] Very well. Now we will start.

23 MR JACOBS: [10:00:05](Interpretation) Madam President, can we go into private
24 session briefly, please.

25 PRESIDING JUDGE SAMBA: [10:00:10] Yes.

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1 Madam Court Officer, can we go briefly into private session.

2 (Private session at 10.00 a.m.)

3 THE COURT OFFICER: [10:00:27] We're in private session, Madam President.

4 PRESIDING JUDGE SAMBA: [10:00:30] Thank you.

5 Mr Jacobs, you may continue please.

6 MR JACOBS: [10:00:40](Interpretation) Thank you, Madam President.

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)
2 (Redacted)
3 (Redacted)
4 (Redacted)
5 (Redacted)
6 (Redacted)
7 (Redacted)
8 (Redacted)
9 (Redacted)
10 (Redacted)
11 (Redacted)
12 (Redacted)
13 (Redacted)
14 (Redacted)
15 Now I would like to go back to an excerpt of your prior statement * which is tab 1 of
16 our notification list, for the French version; tab 1.4 for the English version. It's
17 CAR-OTP-2022-0121. I'd like to come back to paragraph 14, which is on page 0123.
18 And it's a document that was already shown to you, Mr Witness.
19 Thank you, Madam Court Officer.
20 I don't know whether you can see, Mr Witness, the excerpt of your statement,
21 paragraph 14: (Redacted)
22 (Redacted)
23 (Redacted)
24 (Redacted)
25 (Redacted)

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1 (Redacted)

2 (Redacted). And if

3 I am seeing well, the chronology of the facts was not taken down correctly.

4 Q. [10:08:16] Thank you for those clarifications, Mr Witness. It is very clear.

5 You said you stayed unemployed for three months, so that is not exact; is that correct,

6 Mr Witness?

7 A. [10:08:40] I didn't quite understand your question.

8 Q. [10:08:46] You have given us a different chronology, end of (Redacted)

9 (Redacted), and you said -- but I'm telling you that what is written in your statement

10 is not reflective of what happened because the last sentence -- the last sentence in

11 paragraph 14 starts, "I was unemployed, therefore, for three months."

12 The question is: Were you indeed unemployed during those three months?

13 A. [10:09:30] Before Bozizé's rebellion started I was unemployed, a brief

14 unemployment period, and in the meantime we applied to (Redacted) and so

15 we started (Redacted), and after that, I was temporarily

16 in the house. (Redacted)

17 (Redacted)

18 Q. [10:10:20] Very well, Mr Witness. We will move on.

19 You talked about an application file, so was there a competitive examination exactly

20 where were you recruited?

21 A. [10:10:50] I succeeded in passing a recruitment test, because after completing my

22 studies in the *lycée*, the institution sent our names to various institutions or enterprises

23 locally so that in case of need we could be contacted. So I was contacted by

24 (Redacted) and I passed a test and was recruited.

25 Q. [10:11:25] Thank you.

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1 Can you tell us something more about (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 A. [10:12:22] (Redacted). The appointment of the general manager,

7 or director general, is the responsibility of the state.

8 Q. [10:12:43] Very well.

9 And if you remember, of course, do you know the name of the director general at the
10 time of your recruitment?

11 A. [10:13:00] Yes, I still remember his name.

12 Q. [10:13:10] Very well. Can you tell us that name, Mr Witness?

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. [10:14:06] Thank you, Mr Witness. I will like to ask for your assistance, please,

19 because for the transcription when it comes to names sometimes they're difficult to

20 note down. So the three names that you mentioned are not in the transcript. You

21 talked about (Redacted), the first name that you mentioned. Can I ask you to

22 spell the family name of that first person, Mr Witness.

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 Q. [10:15:28] Very well. If I understand you correctly, you said (Redacted)

3 was appointed directly by the state; is that correct? And in that case, was it a

4 minister? The president? If you do not know, we will move on.

5 A. [10:15:51] Thank you. For the directors general in the Central African Republic

6 companies, it is the president who is responsible for appointing them.

7 Q. [10:16:05] Very well. And when you were recruited (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [10:16:57] And for how long did you remain in that position, Mr Witness?

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 MR JACOBS: [10:22:57] I'm sorry, I realise, Madam President, that the French

24 transcript has just stopped working.

25 PRESIDING JUDGE SAMBA: [10:23:11] We'll ask for help from the Registry. A

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1 moment, please.

2 Madam Court Officer, please.

3 MR JACOBS: [10:23:20](Interpretation) I think it has been updated. It is working

4 well now, Madam President. Thank you.

5 PRESIDING JUDGE SAMBA: [10:23:25] Okay. Thank you very much. Continue

6 please.

7 MR JACOBS: [10:23:38](Interpretation)

8 Q. [10:23:38] I will repeat my question, Mr Witness. (Redacted)

9 (Redacted)

10 A. [10:23:48] Thank you. (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. [10:26:04] Very well.

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1 Court Officer, can you please redisplay the prior statement of the witness, 1 for the
2 French and 1.4 for the English version. That is perfect. Paragraphs 15, 16 and 17.
3 Very well. Thank you very much.

4 Just to clarify a few things, if you look at paragraph 15 before you. Can you see it,
5 Mr Witness? It is written that:

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. [10:27:52] Very well. Thank you for that clarification.

14 A short while ago you said that you occupied this position before going to (Redacted).

15 And it's page 18, line 15. But I see here that it was (Redacted).

16 So, now, was it in (Redacted), Mr Witness, that you went to (Redacted) ?

17 A. [10:28:30] I went to (Redacted).

18 Q. [10:28:45] Thank you, Mr Witness.

19 And still on your prior statement, you told me -- I'm trying to find the reference so as
20 to be accurate, page 21, line 9. You said your position in (Redacted),
21 and then I see here (Redacted).

22 Is it the same thing, Mr Witness, or is there a difference?

23 A. [10:29:26] (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 A. [10:30:25] Yes, that is correct.

7 Q. [10:30:35] Thank you. So last question with regard to the excerpt that we have
8 before us.

9 You said a few moments ago that you (Redacted) in order to come back to
10 Bangui.

11 That's page 21, lines 4 and 5, for the record.

12 And I can see in your previous statement, paragraph 17, you say that "... (Redacted)
13 (Redacted)
14 (Redacted).

15 And I see that you said to the investigators from the OTP that (Redacted)
16 (Redacted). Is that the correct date, Mr Witness?

17 A. [10:31:27] (Redacted)

18 CAR at that moment in time was experiencing the Seleka rebellion moving towards
19 Bangui. (Redacted), because we
20 needed to go by and recuperate a number of people and take them back to Bangui.

21 Q. [10:32:22] Thank you, Mr Witness. We're going to come back to that a little
22 later on.

23 Now, in your prior statement you indicate -- and one moment, Mr Witness, I'm just
24 going to check a reference.

25 So in your prior statement -- could we please bring up the cover page, so that is

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1 page 0121.

2 Thank you. Could we please scroll down towards the bottom of the page. Perfect.

3 So we see here that at the time when you were speaking to the investigators in the

4 year 2016, (Redacted)

5 (Redacted). So that was your post at the time, Mr Witness?

6 A. [10:33:28] Yes. In the year 2016, that was my position, yes.

7 Q. [10:33:45] What does this position involve, Mr Witness?

8 A. [10:33:56] What position are you talking about?

9 Q. [10:34:06] (Redacted), what does that involve?

10 A. [10:34:23] (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. [10:35:04] Very well.

15 So this isn't a trade -- I don't quite know how to put this question to you, but it is not a

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [10:36:15] Very well, Mr Witness.

24 Now, for this to be comprehensive, that was your position in (Redacted). Now,

25 (Redacted), Mr Witness?

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1 A. [10:36:34] Yes, (Redacted)

2 (Redacted)

3 Q. [10:36:52] (Redacted) between 2013 and 2016?

4 A. [10:37:07] In 2013, the administration was somewhat chaotic. There was a great
5 deal of insecurity and the employees would come and go. There was no

6 administration as such within (Redacted) at the time. We would come, we would sit
7 under the trees, we would have a chat, and then we'd go home. We had realised that
8 there was a witch-hunt going on, which meant that it was rare to see staff on location.

9 (Redacted), which meant that people

10 were really reticent to go to work and went to work on an irregular basis.

11 Q. [10:38:16] Thank you, Mr Witness. That's very clear for 2013. But what about
12 2014, 2015 and 2016, (Redacted) at that time, or those
13 times?

14 A. [10:38:34] Well, that's what I was just telling you. (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. [10:39:20] Thank you, Mr Witness.

19 One second please.

20 (Counsel confers)

21 MR JACOBS: [10:39:42](Interpretation)

22 Q. [10:39:43] Very well. Now, at an earlier stage, Mr Witness, you talked to us
23 about your (Redacted)

24 (Redacted)

25 (Redacted). I'm referring you here to page 14, lines 20 to 22. Can

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1 you confirm that? (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Counsel confers)

7 MR JACOBS: [10:41:03](Interpretation)

8 Q. [10:41:03] I do understand, Mr Witness, but I just have one or two questions on

9 that point before moving forward.

10 When you say that (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 BY MR JACOBS: [10:42:23] Madam Courtroom Officer, could we please show a

19 document that is the tab number 26 on our list, so it's CAR-OTP-2034-2165, and it can

20 be shown to the witness.

21 THE COURT OFFICER: [10:42:45] Tab 27, for the record; I see it's the wrong tab

22 number in the English transcript.

23 MR JACOBS: [10:43:00] Thank you very much, courtroom officer.

24 Q. [10:43:13] So, now, Mr Witness, can you see that document before you?

25 A. [10:43:16] Yes, I can see it.

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1 Q. [10:43:20] So we can see here that it says (Redacted)

2 (Redacted)

3 Could we please go to page 2169, Madam Courtroom Officer.

4 Perfect.

5 So here we can see that there are (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 A. [10:44:56] I didn't really grab the thrust of your question.

15 Q. [10:45:17] As we're here to talk about this and it's (Redacted), I was wondering

16 if you could help us in any way, if it comes back to you, as the duties that (Redacted)

17 (Redacted). I would like to know if he had any other duties that

18 you know about.

19 A. [10:45:45] Well, everyone had their activities, and as to what he did or did not

20 do, I have no idea. I'm not going to tell you about something that I know nothing

21 about.

22 Q. [10:46:03] Very well, Mr Witness.

23 We can take this off the screen now. I would like for it to be formally submitted,

24 which is tab 27 on our list. CAR-OTP-2034-3165.

25 THE INTERPRETER: [10:46:44] Correction: 2034-2165. It is not on the list that the

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1 interpreter has before her.

2 MR JACOBS: [10:46:49](Interpretation)

3 Q. Now, Mr Witness, just to wrap up with this question: How many brothers and
4 sisters do you have?

5 A. [10:47:10] (Redacted).

6 Q. [10:47:32] Very well. I'm not going to come back to all your brothers and
7 sisters, but in their midst, is there somebody who worked, or worked, in the FACA or
8 the police, Mr Witness?

9 A. [10:47:58] (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. [10:48:56] Very well, Mr Witness. So I'm going to come back to the year 2013
15 now.

16 You explained to us at an earlier stage, in your prior statement you talked about

17 (Redacted)

18 (Redacted)

19 Now, my question to you is: Who organised the transportation (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. [10:50:59] Very well. And what day did you arrive in Bangui, Mr Witness?

5 A. [10:51:10] When we arrived in (Redacted), it was late. We spent the night there

6 and continued on foot. There were (Redacted) of us, and then we arrived in Bangui.

7 We directly went to ENERCA on foot.

8 Q. [10:51:34] Very well. So that we understand correctly, you say that you left

9 (Redacted). You spent the night in (Redacted) and on the next day you arrived in

10 Bangui and you went directly to (Redacted).

11 Have I understood the sequence of events correctly?

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 Q. [10:53:49] Well, that's very precise, Mr Witness, and we thank you very much

25 for that.

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1 So, you arrived in Bangui, if I understand you correctly, on (Redacted).

2 A. [10:54:10] We arrived in Bangui on (Redacted), indeed.

3 Q. [10:54:17] Very well.

4 (Counsel confers)

5 MR JACOBS: [10:54:32](Interpretation)

6 Q. [10:54:34] When you arrived in Bangui on (Redacted), if I understood you well,
7 you went directly to (Redacted)

8 (Redacted) ?

9 A. [10:54:57] (Redacted)

10 (Redacted)

11 Q. [10:55:32] I did forget to put a question to you.

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 Q. [10:56:09] Thank you, Mr Witness.

16 So, Madam Courtroom Officer, could we please bring up number 19 on our list,
17 which is CAR-OTP-00000510. I think I've said tab number 19, it would seem to me.

18 So this is a telephone analysis report prepared by the Office of the Prosecutor.

19 I don't know whether it's of any interest to show this document to the witness or not
20 because it is in English.

21 So the Prosecutor made a report on your telephone numbers, Mr Witness.

22 I just want to confirm your telephone numbers with you. Document

23 CAR-OTP-00000510.

24 So may I continue? Could this please be brought up on the screen, Madam

25 Courtroom Officer, for the Chamber and for the parties for us to be able to refer to the

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1 telephone numbers.

2 Thank you. And could we please bring up page 3 of this document.

3 Very well. So the first number that I have before me is (Redacted) -- oh, it's

4 disappeared. (Redacted)

5 THE INTERPRETER: [10:58:18] Repetition.

6 MR JACOBS: [10:58:20] Could we please go up the document, please, so that

7 everyone we can see the numbers.

8 (Redacted). Thank you very much.

9 Let me say that number out loud again. I think I read out too many numbers at

10 once -- (Redacted).

11 Now, does that number ring a bell, Mr Witness?

12 A. [10:58:56] It is my number.

13 Q. [10:59:06] Very well. And you were using it in 2013, were you, Mr Witness?

14 A. [10:59:12] Yes. That was the number that I have used since 2013 (Redacted)

15 and to date.

16 Q. [10:59:28] Very well. And the second number that we have, (Redacted), does

17 that ring a bell?

18 A. [10:59:41] That is also my number.

19 Q. [10:59:55] And you were using that number in 2013, were you, Mr Witness?

20 A. [11:00:01] Yes.

21 Q. [11:00:09] Perfect.

22 MR JACOBS: [11:00:12](Interpretation) Madam President, I can see the time.

23 I think it's a good time for us to take a break.

24 I do apologise. I would like to formally submit the OTP investigative report, so

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1 that's tab 19 on our list.

2 PRESIDING JUDGE SAMBA: [11:00:31] Thank you very much.

3 Mr Witness, we're going to have a short break here and we'll resume at 11:30. I rise
4 the court for 11:30 please.

5 THE COURT USHER: [11:00:44] All rise.

6 (Recess taken at 11.00 a.m.)

7 (Upon resuming in open session at 11.32 a.m.)

8 THE COURT USHER: [11:32:58] All rise.

9 Please be seated.

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

11 Mr Witness, we are going to continue with your cross-examination by Mr Jacobs.

12 Mr Jacobs, your witness. We hope we'll have some time saved so that we have some
13 questions also from the Bench for this witness, him being the last witness for this
14 block, at least for this week. Thank you very much.

15 Mr Jacobs, you may ask questions of this witness, and we are in open session, just for
16 you to know.

17 MR JACOBS: [11:34:05](Interpretation) Thank you, Madam President. For the rest
18 of -- for the follow-up of my questions, I think we may need to return to private
19 session, Madam President.

20 PRESIDING JUDGE SAMBA: [11:34:27] Can we go back to private session, please,
21 Madam Court Officer.

22 (Private session at 11.34 a.m.)

23 THE COURT OFFICER: [11:34:41] We are in private session, your Honours.

24 PRESIDING JUDGE SAMBA: [11:34:43] Thank you very much.

25 Mr Jacobs, your witness, please.

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1 MR JACOBS: [11:34:45](Interpretation)

2 Q. [11:34:48] Very well. Good morning once again, Mr Witness.

3 A. [11:35:01] Good morning.

4 Q. [11:35:03] Before the break, we confirmed your telephone numbers. We will
5 continue with your phone numbers for a few minutes.

6 Court Officer, I think we will take over control for the next elements, if that is
7 possible.

8 THE COURT OFFICER: [11:35:28](Interpretation) Defence has control, evidence
9 channel 2.

10 MR JACOBS: [11:35:43](Interpretation)

11 Q. [11:35:44] Very well.

12 Tab 20 on our list should be displayed. It is CAR-OTP-00000685. It is a spreadsheet
13 of telephone analyses prepared by the OTP, and I don't know whether he has the
14 right channel.

15 Can you see it, Mr Witness?

16 A. [11:36:15] Yes, I can see it on the screen.

17 Q. [11:36:20] Third column -- or, rather, third tab, lines 6 and 7, you can see the part
18 that is highlighted to facilitate. So, you had a communication with somebody
19 known as (Redacted). Can you see that on the screen, Mr Witness?

20 A. [11:36:52] Yes, I can see that.

21 Q. [11:36:57] Very well. Can you tell us how you got to know (Redacted),
22 Mr Witness?

23 A. [11:37:09] (Redacted)

24 (Redacted)

25 (Redacted), that is how I got to know

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1 her.

2 Q. [11:38:04] Very well. To your knowledge, was she occupying a position in the
3 government in 2013, after March 2013?

4 A. [11:38:20] She was not in the government.

5 Q. [11:38:41] Very well. Still on that page, 6 June 2013, line 8, a conversation with
6 someone known as (Redacted)

7 (Redacted). Can you see that highlighted line, Mr Witness?

8 A. [11:39:21] Yes, I can see it. (Redacted) is someone I know. We know
9 each other very well. Under President Bozizé he occupied a position, and myself
10 and him, we have kept a good relationship to date.

11 Q. [11:39:55] Just coming back a little bit, you have told us that (Redacted)
12 (Redacted) - I can see that it is correctly spelt in the transcript - you said under
13 Bozizé's tenure he occupied a position. Can you be more specific? Which position
14 did he occupy, Mr Witness?

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. [11:41:04] Thank you very much, Mr Witness.

21 Just to be complete, I can see that his position is not in the transcript, but you said that
22 he was (Redacted), and you specified what it was, but it is not in my transcript here.

23 Can you repeat?

24 (Redacted)

25 (Redacted)

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1 Q. [11:41:52] Very well. And you know that -- you say that you knew him or you
2 know him very well. When did you come to know him? Was it during or before he
3 was at the presidency of the republic?

4 A. [11:42:16] We were working in collaboration. (Redacted)
5 (Redacted), we used
6 to work in collaboration.

7 Q. [11:42:35] Very well. So this call of (Redacted), it is true that it was a long time
8 ago. Do you remember what you talked about in that call with (Redacted) ?

9 A. [11:43:04] When we called each other, we talked about (Redacted). He had
10 taken refuge. He had fled to (Redacted). He called me to
11 know whether he could come back to the country. I said yes, he could come back,
12 because there was calm. When he returned to Bangui, shortly afterwards I was
13 arrested and he also was arrested. We were both detained together at the OCRB. I
14 was arrested and later on he was arrested and brought to the OCRB and we were
15 detained together.

16 Q. [11:43:46] Thank you for those clarifications, Mr Witness.

17 Court officer, you can take back control. We are done with this document. And
18 after that, I would like tab 21.

19 And before that, I will ask for the formal submission of the Excel spreadsheet, that is
20 CAR-OTP-00000685. That is to be entered into the evidence.

21 And I will go to the next item. Court officer, if it's possible, please kindly display
22 tab 21. It is CAR-OTP-2005-2526.

23 THE COURT OFFICER: [11:45:05](Interpretation) Apologies.

24 MR JACOBS: [11:45:16](Interpretation) Absolutely, Court Officer. Thank you.

25 Q. [11:45:36] Very well. Can you see the document, Mr Witness?

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1 A. [11:45:44] Yes, I can see it on the screen.

2 Q. [11:45:47] Very well. You can just show him the first page of the document.

3 We can see: (Redacted).

4 The previous page, Madam Court Officer.

5 Thank you very much. So cover page: (Redacted)

6 (Redacted). Can you see that, Mr Witness?

7 A. [11:46:39] Yes, I can see the document.

8 Q. [11:46:46] Perfect. Page 2529, please. I have seen that it is the R01 version that

9 has appeared. I think a small technical matter in the binder. Is it possible to

10 display the unredacted version? It's the same ERN, but not R01. I think it's R02, if I

11 have understood correctly. I think that should -- I don't know where the difficulty is.

12 THE COURT OFFICER: [11:48:12](Interpretation) R01, we have just R01. We have

13 just now presented it in the unredacted version.

14 MR JACOBS: (Interpretation) [11:48:30] Thank you, court officer. We can go back

15 to that page 2529. Can you see the document, Mr Witness?

16 A. [11:48:41] Yes, I see it.

17 Q. [11:48:44] At the top, we can see (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 And if we can scroll down a little bit on the page so that you can see, Mr Witness.

23 Then there is a first line: "We are in the office of the investigations commission

24 hearing the person mentioned hereunder, questioned separately, declared to us on

25 this at (Redacted)".

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1 And then there is the name (Redacted). That is your name, Mr Witness?

2 A. [11:50:08] Yes, that is my name.

3 Q. [11:50:09] Very well.

4 And if we can scroll down to the bottom of the page, please.

5 Can you see the signature on the bottom left, Mr Witness?

6 A. [11:50:27] Yes, I can see it. It is my signature.

7 Q. [11:50:33] Very well. If we can scroll up a bit once again, so we can see there in
8 the second paragraph: (Redacted)

9 (Redacted)

10 (Redacted)

11 Can you see that sentence, Mr Witness?

12 A. [11:51:18] Can I answer in relation to that?

13 Q. [11:51:31] Absolutely. I'm going to put a few questions to you. I simply
14 wanted to lay the foundation. You confirmed that you were questioned by a judicial
15 police officer in relation to (Redacted).

16 A. [11:51:59] Thank you. I think that the sentence is not correct.

17 Q. [11:52:21] Which sentence, Mr Witness?

18 A. [11:52:22] I do not agree with the sentence saying that (Redacted).

19 Q. [11:52:38] Very well. To be clear, this sentence does not say that (Redacted)
20 (Redacted)

21 (Redacted). And further details, if we look at this statement

22 that you -- the report that you signed at that time, the first sentence, (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 I pause for the interpretation.

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 To begin with, I will stop here and put a question to you, in a moment, once the
6 interpretation is finished.

7 From this statement to the judicial police that you gave in (Redacted), you said that
8 you returned to Bangui on (Redacted). Is that correct?

9 A. [11:54:51] The events took place a very long time ago and I believe I no longer
10 remember all the dates. When we arrived Bangui, first of all, I left (Redacted)
11 and arrived Bangui on the 15th.

12 Q. [11:55:32] Very well. I will continue reading.

13 You say: (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 So I will put a few questions of clarification. If I understood correctly, (Redacted)

18 (Redacted)

19 (Redacted)

20 A. [11:56:30] The events took place a long time ago, so I no longer remember the
21 dates, but I confirm that (Redacted)

22 (Redacted). I no longer remember the precise

23 date.

24 Q. [11:56:58] Very well. I understand, Mr Witness. There is a chronology here.

25 (Redacted); is that correct?

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1 A. [11:57:06] Yes, that is correct.

2 Q. [11:57:13] And you handed over (Redacted) who was
3 returning to Bangui?

4 A. [11:57:19] Yes, correct.

5 Q. [11:57:22] And if I understand you well, (Redacted) never arrived in Bangui?

6 A. [11:57:29] When the colleague who was supposed to take (Redacted)
7 (Redacted)

8 (Redacted) contacted me, I

9 explained the situation to him. We were still in the process of talking about that
10 when both of us were arrested.

11 Q. [11:58:11] Very well.

12 Can we turn to the next page, that is page 2530.

13 Now, it's no longer the month of (Redacted), we are talking about (Redacted),

14 Mr Witness. (Redacted)

15 (Redacted)

16 (Redacted)

17 A. [11:59:05] Mmm-hmm.

18 Q. [11:59:11] Just to be clear, you were talking about (Redacted)

19 (Redacted) never received; is that correct,

20 Mr Witness?

21 A. [11:59:27] Yes, that is correct. (Redacted)

22 (Redacted).

23 Q. [11:59:39] Very well. Now, we continue.

24 It is written: (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 So, Mr Witness, I have a number of questions to put to you. So on that day you had
12 a rendezvous (Redacted), if I have understood you
13 correctly?

14 A. [12:01:30] No, it was not with a view (Redacted). You
15 know, we would see each other every now and then. Sometimes he would call me
16 and say, "Younger brother, I'd like to go out for a beer", or he would ask me to help
17 him with money, because at the time he was unemployed. I was still employed and
18 I did receive a salary at the end of the month. So, on occasion, I would call him and
19 we would meet up (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted) was somebody who was a well-known individual and when we were

25 walking around together -- I was told that he was in such and such a bar. And when

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1 he was drinking his beer, (Redacted) the Seleka saw him and
2 they walked back, they came and they took us all away.
3 They took everything that I had on me -- my telephone -- and they said, "Ah, these are
4 the ones that we were looking for."
5 So they took us and they took us to (Redacted) by car and, once we arrived
6 there, they said that it was a better idea to take us to the OCRB. Once we got to the
7 OCRB, (Redacted).
8 I spent (Redacted) at the OCRB, and the gentleman who is here today, I'd like to
9 congratulate him because he did not do any -- us any harm. He was not the chief
10 there. It was Mahamat Ali, a Chadian chief. It was on (Redacted) that he came
11 and he said that it would be a better idea to transfer us elsewhere.
12 So I was then taken and transferred to the Camp de Roux where I was -- where I
13 joined some of my co-workers who had been taken there before me.
14 Q. [12:04:20] Thank you very much for those specific details, Mr Witness. Thank
15 you, Mr Witness.
16 If we go down somewhat on this page, a little higher up, please, I was just checking,
17 thank you:
18 (Redacted)
19 (Redacted)
20 (Redacted)
21 (Redacted)
22 (Redacted)
23 (Redacted)
24 (Overlapping speakers)
25 Q. [12:06:25](No interpretation)

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1 THE INTERPRETER: [12:06:20] The interpreter was not allowed to finish the
2 interpretation before the question was put.

3 THE WITNESS: [12:06:28](Interpretation) (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. [12:07:47] Thank you, Mr Witness. Could you please give me a second. I'm
17 just making sure that I haven't forgotten to put any questions to you with regard to
18 this document. Very well. Well, I have finished with this document.

19 MR JACOBS: [12:08:39](Interpretation) So, Madam Court Officer, could I please
20 request that it be formally submitted, and it is tab 21. I would request that it be
21 formally submitted, both the redacted and the unredacted versions, and I'm going to
22 give CAR-OTP-2005-2526.

23 Very well. Madam courtroom officer, could we please take over control for the
24 following questions. We are going to be showing the Excel document once again
25 with regard to the telephone contacts of the witness.

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1 THE COURT OFFICER: [12:09:44](Interpretation) The Defence has the control and
2 it's going to be evidence channel 2.

3 MR JACOBS: [12:10:00](Interpretation) Perfect.

4 Q. [12:10:17] So, Mr Witness, can you see this document once again, this Excel
5 document with telephone calls?

6 A. [12:10:24] Yes, I can see it up on the screen.

7 Q. [12:10:30] Very well. So, from 10 June - that's this greyed line - on 10 June 2013
8 to 6 July 2013, there are a number of telephone exchanges, whether it be via telephone
9 or SMS, with Nouredine Adam. Could you please explain to us what the nature of
10 these communications were, or was, with Nouredine Adam at that moment in time?

11 A. [12:11:09] It was at the moment in time when my telephone had already been
12 taken away from me. I never had any communication with Mr Nouredine. I saw
13 him at the Hotel Ledger for the very first time and I never spoke to him. I never had
14 any exchanges with him.

15 Q. [12:11:39] Very well, Mr Witness. Thank you very much for that clarification.
16 Just under that - so that's from line 21 - we can see that you were in contact with an
17 individual by the name of Mahani Constant Belfort.

18 You can see it between 1 September 2013 and -- it's quite a long list, I'm not going to
19 read through all that list, but we can see that there are quite a number of telephone
20 communications with Mahani, Constant Belfort.

21 Could you please tell us who that individual is, Mr Witness?

22 A. [12:12:26] When we were arrested, our telephones were taken away from us. I
23 did not have a telephone any more. I was no longer using that number under the
24 reign of President Samba-Panza. When I tried to get that number back, I had
25 difficulties with the Telecel number -- company, but I don't know anything about

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1 these exchanges with my number.

2 Q. [12:13:09] Very well, Mr Witness. It's important for us to clarify. So, just to be
3 clear, you do not know this individual?

4 A. [12:13:15] No, I do not know this individual.

5 Q. [12:13:21] Very well, Mr Witness. Thank you very much indeed.

6 So I have finished with this item of evidence and I think I did request for it to be
7 formally submitted at an earlier stage, but I'm going to confirm again that I am
8 requesting for it to be formally submitted.

9 THE COURT OFFICER: [12:14:20] Tab number, please?

10 MR JACOBS: [12:14:27](Interpretation) It's number 20, madam courtroom officer,
11 tab 20.

12 THE COURT OFFICER: [12:14:47](Interpretation) Yes, I can confirm that it has
13 already been formally submitted.

14 MR JACOBS: [12:14:52](Interpretation)

15 Q. [12:14:53] Now, Mr Witness, do you remember when you were contacted by the
16 Office of the Prosecutor of the ICC for the very first time?

17 A. [12:15:12] Yes, I do remember.

18 Q. [12:15:15] Do you remember the date, Mr Witness?

19 A. [12:15:27] These events don't date back to yesterday. I do not remember the
20 date but I do remember the year. It was in the year 2016. Yes, rather, 2016.

21 Q. [12:15:41] Very well, Mr Witness. So I'm going to be helping you with the
22 document. This is CAR-OTP-00025628 and it's tab 26 on our list of notifications, on
23 our list of evidence.

24 MR JACOBS: [12:16:03](Interpretation) It is in English and I do not see any reason
25 why we should not show it to the witness. Perfect.

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1 Q. [12:16:32] So, Mr Witness, this is a report established by the investigators of the
2 Office of the Prosecutor on contacts with you. And if we could go down the
3 document a little bit, I am going to read it out. We only have it in English. We can
4 see that on 10 October 2015, P-0622 - that is to say you - "was called by an Investigator
5 who told him that they were interested in meeting him to ask him questions. P-0622
6 confirmed that he was detained at the OCRB in 2013 for two months and he expressed
7 his willingness to meet with the investigators. The Investigator then received a
8 missed call from P-0622 on 10 and 11 December 2015."

9 PRESIDING JUDGE SAMBA: [12:17:31] Just for the transcript for the record, the
10 date there is 10 December 2015. What came through on the transcript is
11 10 October 2015.

12 Carry on, Mr Jacobs.

13 MR JACOBS: [12:18:01](Interpretation) Thank you, Madam President. And I can
14 confirm that the French transcript does indicate 10 October 2015. So it's all okay on
15 the French transcript front.

16 PRESIDING JUDGE SAMBA: [12:18:16] So is it 10 October you need or is it
17 10 December? Can you look at the document exhibited on the screen.

18 MR JACOBS: [12:18:35](Interpretation) No, I can confirm it was indeed
19 10 December 2015, as it is up on the screen, Madam President.

20 PRESIDING JUDGE SAMBA: [12:18:48] Thank you very much.

21 MR JACOBS: [12:19:00](Interpretation)

22 Q. [12:19:01] So, Mr Witness, does this document assist you in remembering that it
23 was 10 December 2015 that the investigators from the OTP contacted you for the first
24 time?

25 A. [12:19:23] As I said to you, these events took place a very long time ago now, so

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1 I have forgotten some of the dates. I no longer recall precisely.

2 Q. [12:19:41] Very well. So let's move forward.

3 In this excerpt it is written that you confirmed that you had been detained. So when
4 the investigators called you, did they already know something about what had
5 happened to you?

6 A. [12:19:53] As I have already told you, the events took place a very long time ago.
7 I don't have all the details. I think that when they contacted me for the first time, I
8 went to meet with my lawyer. We lodged a complaint. And when the
9 investigations started at the gendarmerie, I, myself, lodged a complaint.

10 Q. [12:20:30] Very well. And when the investigators of the OTP contacted you,
11 did they tell you how they had got hold of your telephone number?

12 A. [12:20:46] I didn't ask them that question.

13 Q. [12:21:01] So you weren't curious to find out how the investigators had got hold
14 of your telephone numbers?

15 A. [12:21:22] I did answer -- ask a number of questions in that regard, but I didn't
16 get an answer from them.

17 Q. [12:21:41] Very well. We can see up on the screen that there were a number of
18 contacts, I'm not going to come back on all of them, on 17 December, 20 January 2016.
19 I'm not going to come back to all of these contacts made between you and the Office
20 of the Prosecutor.

21 Now, at that moment in time, did you meet with the investigators physically?

22 A. [12:22:40] Yes, I did meet them. I met the investigators in the flesh.

23 Q. [12:23:01] Very well. I do believe that I have finished with this investigator's
24 report, so I request for it to be formally submitted. It is item CAR-OTP-00025268 and
25 that corresponds to tab 26 of our list of evidence.

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1 So, Mr Witness, as you indicate that you find it difficult to remember the dates, I'm
2 going to assist you somewhat and we are going to be bringing up document
3 CAR-OTP-2020-0320, page -- I'm sorry, that's tab 22. Thank you.
4 I'm going to help you to read this document, because it's in English, Mr Witness. At
5 the top, we can see that there is written "Screening Note". In fact, this is a document
6 that in French is called a prior interview. It's an interview during which questions
7 are put to an individual about the facts. All right, Mr Witness?

8 A. [12:25:09] Yes, I'm following you.

9 Q. [12:25:15] If we go on to the next page, that's 0321, please. So we can see your
10 name here and that you were called over the telephone on 20 January 2016 for a
11 duration of 11:25 to 11:35. That's the first screening note.

12 Does that help you remember, Mr Witness?

13 A. [12:26:00] As I said, from 2016 until now, there are some events that I might
14 have forgotten the details of.

15 Q. [12:26:27] Very well. And one last question, I don't know whether you can see
16 on the third line there is written the word "Interpreter" against which is written the
17 word "None", meaning there is no interpreter present. Do you remember what
18 language you used when you were discussing matters with the Office of the
19 Prosecutor's investigators?

20 A. [12:26:58] When they met me, we were speaking French and Sango.

21 Q. [12:27:23] Very well. Thank you very much for that point of clarification,
22 Mr Witness.

23 I am requesting the formal submission of this screening note which is tab 22,
24 CAR-OTP-2020-0320.

25 So I would like to come back briefly on your prior statement that we spoke about

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1 earlier and that has been admitted. I just want to bring a number of points of
2 clarification to that document.

3 So, when you spoke to the investigators in order to record your prior statement,
4 which language did you provide that statement in, Mr Witness?

5 A. [12:28:28] I made my statement in French.

6 Q. [12:28:37] Very well. And what language did you speak to the investigators in
7 at that moment in time?

8 A. [12:28:53] As I told you, I was speaking two languages: French and Sango.

9 Q. [12:29:09] Very well. But the investigators themselves -- we might need to
10 bring up the recorded statement to facilitate discussion, so that's tab number 1 on our
11 list, CAR-OTP-2022-0121 and for the English version it is 1.3, tab 1.3.

12 Very well. Could we please go to page 0122, so that's the next page, please. Perfect.
13 Could we go up a little bit, please.

14 Mr Witness, can you see your prior statement in front of you?

15 Can you see it, Mr Witness?

16 A. [12:30:46] Yes, I can see the document.

17 Q. [12:30:48] Very well. We can see "interviewer" and then we see (Redacted)
18 and then "investigator". Do you remember that investigator and do you remember
19 whether that investigator spoke French?

20 A. [12:31:10] There was one who spoke English and another one who spoke French,
21 if I remember correctly.

22 Q. [12:31:23] Very well. And the one who spoke English -- but it is written
23 "interpreter", "none". So was it his colleague, was it the other person who was
24 interpreting for him? How did it happen?

25 A. [12:31:49] It was the one who was speaking French who was translating what I

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1 said into English.

2 Q. [12:31:59] Very well. Thank you for that clarification, Mr Witness.

3 So, this statement, the prior statement was taken in (Redacted). Do you confirm that,
4 Mr Witness?

5 A. [12:32:26] Yes, that is correct.

6 Q. [12:32:28] Who took the decision for you to meet in (Redacted), Mr Witness?

7 A. [12:32:36] It was at the time when I was told that I -- they had to meet me in
8 (Redacted). I also had planned to travel, so I agreed to travel to (Redacted) to give
9 my statement.

10 Q. [12:33:10] Very well. And who reimbursed your expenditures? Or, to be
11 more specific, who made for your trip?

12 A. [12:33:20] I can see it was his colleagues, because it is one of -- they were the
13 ones who had invited me to come for my statement.

14 Q. [12:33:45] And so you spent so many -- many days in (Redacted), you spent
15 several days in (Redacted). Did you have to notify your superiors at the (Redacted) ?

16 A. [12:34:07] Yes. You know, I work in an administrative service and before you
17 leave it, you have to have an authorisation. So I submitted an application and my
18 hierarchy authorised me to leave the country. That is how I was able to travel to
19 (Redacted).

20 Q. [12:34:32] Thank you, Mr Witness. At the time the investigators took your
21 prior statement, did they ask you any "yes" or "no" questions?

22 A. [12:34:52] Never.

23 Q. [12:34:58] Very well. We will move on a little bit.

24 So, after taking your prior statement, you remained in contact with the investigators
25 of the OTP. Do you confirm that, Mr Witness?

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1 A. [12:35:25] No. Since 2016, we have not had any contact, up until, if I'm not
2 mistaken, up till 2023-2024. So from 2015, and as from 2017, we had contacts, but
3 very briefly, until 2023-24.

4 Q. [12:36:06] Very well, Mr Witness. And the contacts that you had, what were
5 they all about?

6 A. [12:36:15] Our conversations related to the complaint that I had lodged. I had
7 forgotten many things. It was such a long time ago that I forgot many things. I
8 have forgotten many topics of our conversation.

9 Q. [12:36:45] Thank you very much, Mr Witness.

10 I would like to show you tab 25 in order for us to proceed further.

11 CAR-OTP-2135-2808, and that can be shown to the witness.

12 I'm not going to read the entire report to you, Mr Witness, it takes time, but I note that
13 in paragraph 2 it is said that you could have the phone numbers of two of your
14 friends, (Redacted).

15 In paragraph 3 it is written that on 25 October you were contacted to know whether
16 you had been able to obtain the number of (Redacted).

17 On 26 October, still talking about this topic, you state that you went to (Redacted)'s
18 house, where his close people stayed, and they told you that the family had left for
19 Bangui. On the 11th, that's about a month later, you were once again called, that is
20 on 11 November, to know whether you had had the numbers. On 13 December, that
21 is -- you were called once again to know whether you had obtained the phone
22 numbers.

23 So this is in the report of the investigators, so can you confirm that these phone
24 contacts were to help you find the number of (Redacted) ?

25 A. [12:39:12] Yes, I do recall.

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1 Q. [12:39:19] Very well, Mr Witness.

2 I would like to ask for the formal submission of this document and it is tab 25. 25,
3 CAR-OTP-2135-2808.

4 Mr Witness, just a minute, I am cutting out certain things to try to finish.

5 Now, Mr Witness, do you remember having been in contact with the investigators of
6 the Office of the Prosecutor in 2021?

7 A. [12:40:34] I have already told you that I really cannot remember. Maybe if you
8 could be more specific, perhaps I could remember well.

9 Q. [12:40:57] Absolutely, Mr Witness. Let's do that.

10 I would like to refer to tab 23 on our list, and it is CAR-OTP-2130-4060. Once again,
11 tab 23. I don't see any reason why it should not be shown to the witness, even
12 though it's in English.

13 Thank you, Court Officer. If you can scroll back up a little bit.

14 You can see, Mr Witness, once again, it is a screening note, that is a prior interview,
15 and you can see the date, 1 April 2021. Can you see that, Mr Witness?

16 A. [12:42:04] Yes, I can see that.

17 Q. [12:42:08] Very well.

18 I would like to go to page 4062. That is page 3 of the document. Thank you very
19 much, Court Officer.

20 So, at the top it is stated that on 22 February 2021, the investigator contacted you by
21 telephone, P-0622, that is you, and informed you of the CAR II A case relating to
22 Mr Said. And during that interview, the witness said that he had information about
23 Mr Ngaïssona and he said he was preparing more information for the Ngaïssona trial
24 in relation to an individual first identified as Mandebelet and the killing of a boy in
25 the Boy-Rabe area.

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1 And then we have -- I cannot read out everything for you, Mr Witness. We have
2 four pages of information that you gave to the investigators relating to Ngaïssona in
3 Boy-Rabe.

4 Do you remember that conversation, Mr Witness?

5 A. [12:43:44] No, I no longer remember it, no.

6 Q. [12:43:50] Very well. Just to be clear, Mr Witness, you do not remember having
7 ever discussed the Ngaïssona case with the investigators of the OTP of the ICC?

8 A. [12:44:20] They asked me -- they asked me the question. Ngaïssona and myself
9 lived in the same neighbourhood. They asked me questions about him. And you
10 know that the Seleka ransacked everything in Ngaïssona's home. So talking about
11 Ngaïssona, it is possible, but to talk at length about him, I no longer remember.

12 Q. [12:44:51] Thank you, Mr Witness.

13 I would like to ask for the document to be submitted formally, that is,
14 CAR-OTP-2130-4060, tab 23.

15 Last small question, Mr Witness. Now, regarding all these contacts that you had
16 with the Office of the Prosecutor, did they give you a telephone?

17 A. [12:45:29] No, they never gave me a telephone.

18 Q. [12:45:35] Very well. And when you met with the investigators, did they
19 pay -- did they reimburse some of your expenses, like transportation fares?

20 A. [12:46:02] Yes. They paid for the transportation expenses, but they did not give
21 me any more amounts apart from that.

22 Q. [12:46:27] Very well. And if you remember, do you remember the amounts
23 that were reimbursed to you for the totality of your trips or your transportation fares?

24 A. [12:46:43] It is not up to me to provide that information -- that information to
25 you. Please, you can contact your collaborators to have an idea of the amounts that

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1 they gave to me.

2 PRESIDING JUDGE SAMBA: [12:47:04] But, Mr Witness, do you remember at all?

3 If you recall, you could state whether or not -- I mean, the amount that was given to
4 you. If you don't remember, you could also say so. But please answer the question.

5 THE WITNESS: [12:47:32](Interpretation) Very well. Thank you.

6 PRESIDING JUDGE SAMBA: [12:47:41] Do you remember how much was given to
7 you for -- as reimbursement for transport costs to and from the interview location?

8 THE WITNESS: [12:47:57](Interpretation) Yes, I remember. Sometimes they would
9 give me 4,000 CFA francs.

10 PRESIDING JUDGE SAMBA: [12:48:16] Thank you very much, Mr Witness.

11 Mr Jacobs, please.

12 MR JACOBS: [12:48:22](Interpretation) Madam President, that was indeed my last
13 question. I have no further questions for the witness. Thank you.

14 PRESIDING JUDGE SAMBA: [12:48:40] Thank you very much, Mr Jacobs, and
15 thanks for management of time.

16 May I ask the Prosecution, do you have any question in re-examination, please?

17 MS LE BAILLY: [12:48:52](Interpretation) Yes, Madam President, one question on
18 one topic.

19 PRESIDING JUDGE SAMBA: [12:49:10] Put your question, please.

20 QUESTIONED BY MS LE BAILLY: (Interpretation)

21 Q. [12:49:17] Mr Witness, I will come back to something you said in your

22 cross-examination, and it is transcript 71, French version, page 25, lines 6 to 9. And I
23 quote you, you said that at one point (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [12:51:08] Can you elaborate a little bit more on the fact that the (Redacted)

10 staff were worried or disturbed. Did anything in particular happen?

11 A. [12:51:22] Yes, indeed, because the Seleka (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted). This means that the staff

15 members were worried and did not come to work.

16 Q. [12:52:12] Thank you, Mr Witness. That is all for now. Thank you.

17 PRESIDING JUDGE SAMBA: [12:52:14] Thank you very much, madam Prosecutor.

18 Mr Witness, and the Defence in particular, I note that we should break off for lunch at

19 1 o'clock, but I want to rise the Court for a few minutes so that we do this: We ask

20 one or two questions from the Bench, so that we don't have a reason to come back

21 after the lunch break so that Mr Said would have enough time to rest in the afternoon.

22 So, if you could afford us just five minutes, we'll be back.

23 And I'm going to ask the Registry to accommodate us for that time.

24 I rise the Court, please.

25 THE COURT USHER: [12:53:03] All rise.

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1 (Recess taken at 12.53 p.m.)

2 (Upon resuming in open session at 12.59 p.m.)

3 THE COURT USHER: [12:59:53] All rise.

4 Please be seated.

5 PRESIDING JUDGE SAMBA: [13:00:11] Good -- well, good morning, everyone, I

6 still have one second.

7 Good morning again, everyone, and thanks for your understanding, Mr Witness and

8 Mr Said.

9 We are going to put questions to you from the Bench, Mr Witness, and I'm going to

10 ask Judge Ugalde to put his questions to you. Thank you.

11 JUDGE UGALDE: [13:00:35] Thank you, Madam Presiding Judge.

12 Good morning, Mr Witness. I'm going to ask you a couple of questions.

13 Sorry, one minute, please.

14 PRESIDING JUDGE SAMBA: [13:01:05] Madam Court Officer, can we go into

15 private session, please.

16 (Private session at 1.01 p.m.)

17 THE COURT OFFICER: [13:01:21] We are back to private session, Madam President,

18 your Honours.

19 PRESIDING JUDGE SAMBA: [13:01:25] Thank you very much.

20 Judge Ugalde, please.

21 JUDGE UGALDE: [13:01:29] Thank you, Madam Presiding Judge.

22 So, Mr Witness, the questions are the following, so I'm going to be asking one at a

23 time.

24 Earlier you were shown a statement you gave in the context of a (Redacted)

25 (Redacted) at CAR-OTP-2005-2526 in November 2014, in which you

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1 describe being arrested (Redacted)

2 (Redacted)

3 In this statement you gave to the Prosecution investigators, you describe being

4 arrested (Redacted)

5 (Redacted)

6 (Redacted)

7 Given the difference of the statements in terms of locations and circumstances of your

8 arrest, could you please clarify for this Court when you were arrested - so the date, so

9 was it (Redacted) ? - with whom were you arrested -- that is,

10 the individuals, the persons that were with you? And if you could also specify how

11 long time were you detained at the OCRB? Thank you, Mr Witness.

12 THE WITNESS: [13:03:55](Interpretation) I thank you. We were arrested at

13 (Redacted). I'd just finished work. There was (Redacted) and

14 some colleagues who were with me. We had been walking together. We had been

15 going together. When we got close to the (Redacted) had come out

16 to say that he was at the bar.

17 We crossed over the road and we met him, and he said that he was the one having a

18 beer. So, amongst the individuals who were in the vehicle, the vehicle that was

19 parked up at that (Redacted), there was the (Redacted).

20 They took us to the (Redacted) and that was the first time that we met that person.

21 Our general had come. You know, at that moment, every time -- everyone was a

22 *général*. He got out of a car; he went to discuss with other people. And from 8 p.m.,

23 they took us to the OCRB. If I'm not mistaken, I spent (Redacted) at the OCRB -- if

24 I'm not mistaken. The director of the OCRB did not have any power, because it was

25 Nouradine who was the one who was the big chief there. And on the (Redacted) we

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1 were taken from the OCRB to Camp de Roux. That's what happened.

2 JUDGE UGALDE: [13:06:00] Thank you, Mr Witness. And do you remember the
3 month when you were arrested?

4 THE WITNESS: [13:06:13](Interpretation) It was in the month of (Redacted).

5 JUDGE UGALDE: [13:06:24] Thank you, Mr Witness. Now, I'm also going to refer
6 in another question to paragraphs 78 and 79 of your prior statement at
7 CAR-OTP-2029-2010. In this statement that you gave, you stated the following:

8 "The torture we were subjected to at the OCRB lasted five to ten minutes at a time. It
9 was administered in the main hall of the OCRB's administrative building.

10 [...] The various forms of torture practised were as follows: The so-called 'arbatachar'
11 method, which involves binding the hands and feet behind the back, stretching the
12 shoulders; severe blows to the body with the butt of a rifle; slaps" --

13 Sorry, I missed my --

14 "...slaps; truncheons blows to the soles of the feet whilst the subject is in a kneeling
15 position; and so on."

16 In paragraph 84, you subsequently clarify that you and other detainees were tortured
17 with truncheons and hit violently on the soles of your feet.

18 So, my question to you is: Could you clarify for the Court whether you were also
19 personally subjected to what you describe as *arbatachar*?

20 THE WITNESS: [13:08:35](Interpretation) Thank you. No, I was not personally
21 tortured according to the *arbatachar* technique. It was individuals who were
22 detained alongside me.

23 You know, at that moment in time everyone was a chief. Everyone was taking their
24 detainees to the OCRB and doing what they wanted with them.

25 When we were taken there to the OCRB, we were hit on the first day. I spent

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1 (Redacted) at the OCRB. That was the manner in which people were being treated
2 there.

3 You know, each chief would bring their own detainees and it was he who would
4 come along and treat them in the manner in which he deemed fit. So I can't say what
5 didn't happen, I can't lie.

6 Even when it concerns (Redacted), when we were taken at a given moment in time,
7 there were things happening at the OCRB, because Mr Said had asked money from
8 relatives and he was given 2,500,000. When he saw (Redacted), he was -- he felt
9 sorry for him and the money came -- and handed over the money and he had then
10 forgotten (Redacted).

11 But I can't lie to you. Mr Said didn't torture us. The ones who were torturing us
12 were the ones who did not speak Sango or French, and when you were taken there,
13 they would do with you what they wanted to.

14 For example, the person who had arrested me alongside (Redacted), was a general,
15 General Ali was his name, and he was the one who had taken us to the OCRB, and on
16 the way he was torturing us.

17 JUDGE UGALDE: [13:10:27] Thank you, Mr Witness. In light of what you just said,
18 then could you please confirm whether at the time when you were detained and
19 when these tortures were taking place to people that you saw, according to you? So
20 you confirmed that Mr Said was at the OCRB when this happened, even though you
21 said that it wasn't Mr Said carrying out the torture. But can you confirm whether
22 Mr Said was there at that time?

23 THE WITNESS: [13:11:09](Interpretation) I thank you. I will repeat once again: I
24 cannot testify falsely. Mr Said was the director of the OCRB, but, you know, it was
25 the chiefs who would bring the detainees and who would do with them what they

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1 wanted to. I can say that the OCRB had become a bit of a herd, and each chief would
2 bring their own merchandise, if you like. As soon as a chief would bring somebody
3 along, they could do with them what they wanted to. There were no real policemen
4 at the OCRB; there were only Seleka members present.

5 JUDGE UGALDE: [13:12:02] Thank you, Mr Witness. I have one last question for
6 you.

7 Again in your prior recorded statement, in paragraphs 234 to 236, you describe the
8 arrival of Seleka soldiers in Boy Rabe in June 2013 who chased you, shot and killed a
9 young girl.

10 You describe seeing some Seleka soldiers going into a compound where they raped a
11 young girl called (Redacted).

12 Could you tell the Court, please, how you knew that these persons were Seleka
13 soldiers? How do you manage to identify that they were Seleka soldiers? These
14 are the soldiers that went into the compound and allegedly raped (Redacted).

15 THE WITNESS: [13:13:13](Interpretation) I thank you.

16 (Redacted)

17 (Redacted). The

18 Seleka had come and they had started to loot the Boy Rabe neighbourhood. We had
19 all run away. There were many of us to flee. We hid ourselves in the bushes.

20 (Redacted) was inside the house with her younger sisters. There were no boys with
21 them, and she was the eldest. I believe that if you were to send someone to
22 investigate, they will tell you this. The people then went into the house. They raped
23 her in front of her younger sisters. She couldn't bear it and today she is no longer
24 alive. At approximately 6 p.m. it started to rain and they took a neighbour's car, by
25 the name of (Redacted) (phon) and they didn't manage to get it to run, so they took

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1 this Nissan car along -- they pulled it along the road. We heard when we went
2 outside (Redacted) crying and I asked what had happened and the sisters said that
3 the people who had come had raped her. Two months later, she couldn't bear it and
4 she died.

5 JUDGE UGALDE: [13:15:05] Thank you, Mr Witness. But the question -- I
6 appreciate that you are explaining to us, but the question was how do you identify
7 that these persons who allegedly raped her were Seleka soldiers? How do you
8 manage to say, "Yeah, I saw these people and they were Seleka because" -- so what we
9 want is for you to tell us how do you identify they were Seleka?

10 THE WITNESS: [13:15:47](Interpretation) I thank you.
11 At that moment in time, people who were in vehicles coming into the neighbourhood
12 where there were a number of inscriptions, and there were only the Seleka who were
13 looting that neighbourhood. Some of them had -- they had a balaclava on their
14 heads, and everyone knew that it was the Seleka who had come into the
15 neighbourhood and who had raped (Redacted).

16 JUDGE UGALDE: [13:16:23] Thank you, Mr Witness. Madam Presiding Judge, I
17 have no further questions.

18 PRESIDING JUDGE SAMBA: [13:16:28] Thank you very much.

19 Judge Flores, do you have any questions for this witness?

20 JUDGE FLORES LIERA: [13:16:34] No, I don't have more questions. Thank you.

21 PRESIDING JUDGE SAMBA: [13:16:36] Thank you very much, judge.

22 Mr Jacobs, do you have any reaction to the questions asked by the bench?

23 MR JACOBS: [13:16:45](Interpretation) Madam President, just two very brief points.

24 QUESTIONED BY MR JACOBS: (Interpretation)

25 Q. [13:17:10] Mr Witness, you have just talked about -- just to correct the

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1 transcription, page 65, lines 22 to 25, you talked about several "*disparaître*" descriptions
2 in relation to the vehicles; is that correct?

3 A. [13:17:36] I didn't quite understand your question.

4 Q. [13:17:52] It is just to correct the transcript, if necessary. It is written that there
5 were several inscriptions, in French "*disparaître*", but I heard "disparate". That is
6 different. That concerns the French transcript. I just wanted to correct the
7 transcript, Mr Witness.

8 A. [13:18:30] I said the vehicles with which the Seleka went into the
9 neighbourhoods had several colours, and everyone based on those vehicles could
10 know that it was the Seleka going into the neighbourhoods.

11 Q. [13:18:56] Very well. Last question. Now, regarding the incident that you
12 have just discussed with the honourable judge, I understand that you were hiding in
13 the bushes, so you did not see the incident yourself, you cannot know who were the
14 perpetrators, Mr Witness; is that correct?

15 A. [13:19:19] I did not see those people, but when I was in hiding in the bushes
16 behind our house, one could simply see a little bit of that from very far, and when the
17 Seleka left I went to (Redacted) and I saw (Redacted). She was crying. I asked her
18 what was happening. She was not answering. It was her younger sister who told
19 me that the Seleka had raped (Redacted). I asked them to leave the house, and
20 (Redacted)

21 Q. [13:20:20] Thank you, Mr Witness. I have no further questions,
22 Madam President?

23 PRESIDING JUDGE SAMBA: [13:20:27] Thank you very much.

24 Madam Prosecutor, do you have any questions at all in reaction? I know they have
25 the last say, but just in case you have anything to say.

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1 MS LE BAILLY: [13:20:44] No, thank you, Madam President.

2 PRESIDING JUDGE SAMBA: [13:20:46] Thank you very much.

3 Now, Mr Witness, thank you very much for -- Madam Court Officer, can we go back
4 into open session, please. Thank you.

5 (Open session at 1.21 p.m.)

6 THE COURT OFFICER: [13:21:09] We are back to open session, Madam President.

7 PRESIDING JUDGE SAMBA: [13:21:13] Thank you very much.

8 Mr Witness, we have come to the end of your testimony.

9 On behalf of the Chamber, I wish to thank you very much for your cooperation with
10 us. We wish you well and we wish you a safe journey back home. We wish you
11 good luck in your future endeavours.

12 Thank you very much.

13 (The witness is excused)

14 PRESIDING JUDGE SAMBA: [13:21:36] On which note, I believe we are going to
15 adjourn this matter until we next meet, I think in May, some two weeks from now,
16 when we will continue with the next Prosecution witness.

17 Mr Said, I do wish you well. I hope that -- I wish you a speedy recovery during this
18 period, so you will have some more time to rest.

19 I'm going to adjourn till May. And I wish to thank also our abled interpreters. We
20 are very grateful for the job you are doing. Thank you very much.

21 This matter stands adjourned, please. Thank you.

22 THE COURT USHER: [13:22:30] All rise.

23 (The hearing ends in open session at 1.22 p.m.)