

Trial Hearing
WITNESS: CAR-D29-P-5013

(Open Session)

ICC-01/14-01/18

1 International Criminal Court

2 Trial Chamber V

3 Situation: Central African Republic II

4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard

5 Ngaïssona - ICC-01/14-01/18

6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and

7 Judge Chang-ho Chung

8 Trial Hearing - Courtroom 1

9 Tuesday, 14 May 2024

10 (The hearing starts in open session at 9.33 a.m.)

11 THE COURT USHER: [9:33:41] All rise.

12 The International Criminal Court is now in session.

13 Please be seated.

14 PRESIDING JUDGE SCHMITT: [9:34:10] Good morning, everyone.

15 Good morning, Madam Witness. I hope you had a good rest and I have to say you

16 get to experience, at least weatherwise, The Hague from its best. We normally don't

17 have such weather here in The Hague I have to say.

18 Court officer, please call the case.

19 THE COURT OFFICER: [9:34:34] Good morning, Mr President, your Honours.

20 Situation in the Central African Republic II, in the case of The Prosecutor versus

21 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.

22 And for the record we are in open session.

23 PRESIDING JUDGE SCHMITT: [9:34:50] Thank you very much.

24 The presence of nearly everyone is unchanged. Prosecution, Mr Garcia, I think is the

25 same composition, if I see it correctly.

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1 MR GARCIA: [9:35:00] Yes, good morning, Mr President, your Honours. Indeed
2 the composition is the same. Thank you.

3 PRESIDING JUDGE SCHMITT: [9:35:04] This also applies for the representatives of
4 the victims.

5 MS RABESANDRATANA: [9:35:11](Interpretation) Yes, apart from Maître Paolina
6 Massidda.

7 PRESIDING JUDGE SCHMITT: [9:35:16] Yes. Indeed you are right, yes.
8 And Mr Suprun, of course, also.

9 MR SUPRUN: [9:35:23] Good morning. No changes on my side. Thank you.

10 PRESIDING JUDGE SCHMITT: [9:35:25] Well, it's always more difficult with the
11 Defence team of Mr Yekatom.

12 MS DIMITRI: [9:35:31] Good morning, Mr President. It's the same composition.
13 I believe Mr Tiangaye is also following remotely.

14 PRESIDING JUDGE SCHMITT: [9:35:38] Thank you very much.
15 Mr Knoops.

16 MR KNOOPS: [9:35:41] No changes, Mr President. Good morning, everyone.
17 Thank you.

18 PRESIDING JUDGE SCHMITT: [9:35:43] We continue with the examination of
19 Madam Witness. We are in open session. And it's now the turn of Mr Garcia by
20 the Prosecution.

21 You might tell us if we can stay in open session or if we have to go to private session.

22 MR GARCIA: [9:35:57] Your Honours, I would like to briefly start in open session,
23 but then I'm going to ask to go into closed -- private session, but --

24 PRESIDING JUDGE SCHMITT: [9:36:05] Absolutely.

25 MR GARCIA: [9:36:07] -- just for a brief amount of time. Then I'll come back in

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1 public.

2 PRESIDING JUDGE SCHMITT: [09:36:05] Yes, absolutely.

3 MR GARCIA: [09:36:07] Thank you very much.

4 WITNESS: CAR-D29-P-5013 (On former oath)

5 (The witness speaks French)

6 MR GARCIA: [9:36:16](Interpretation)

7 Q. [9:36:17] Good morning, Witness.

8 A. [9:36:18] Good morning.

9 Q. [9:36:19] So we've had the opportunity to meet briefly --

10 A. [9:36:22] Yes.

11 Q. [9:36:24] -- yesterday. So the reason why we are here, I'm going to ask
12 questions on behalf of the Prosecution. And quite simply, by way of advice, we have
13 to remember, because we're both speaking in French, is to wait a few seconds before
14 answering the question in such a way as our words can be transcribed in a correct
15 manner.

16 A. [9:36:51] No problem.

17 Q. [9:36:52] Is that okay to you?

18 A. [9:36:54] Yes.

19 Q. [9:36:55] So please if you -- if I put a question to you and you don't understand
20 the question, please don't hesitate above all to tell me clearly so that you can
21 understand the question. I will reformulate it or try to change the question such that
22 you can understand it.

23 A. [9:37:14] Very well. Thank you.

24 Q. [9:37:20] So what I'm going to do, Madam Witness, given that -- or given the
25 circumstances, is that on certain occasions I'm going to ask us to go into private

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1 session and afterwards I will return into open session. I shall indicate it to the
2 Chamber and you shall also know.

3 A. [9:37:36] Yes.

4 Q. [9:37:37] So, I will ask you once again, I know that we are both speaking in
5 French at the same time, so please wait a few seconds before answering.

6 A. [09:37:44] Very well.

7 Q. [09:37:46] I will put my hand up, not to stop you but it's just to ask you -- or to
8 show you just to stop for a few seconds.

9 A. [9:37:57] Yes. Okay.

10 MR GARCIA: [9:37:59] Your Honours, if we could possibly go into a private hearing
11 just for a couple of minutes.

12 PRESIDING JUDGE SCHMITT: [9:38:04] For the audience, this is a protected
13 witness. It means the identity is protected and when questions are asked and issues
14 are discussed that could reveal the identify of the witness, we have to go to private
15 session.

16 But I have understood from your initial words that this will not last too long and then
17 we can go, at some point in time, back to open session; is this correct?

18 MR GARCIA: [9:38:25] That's correct, your Honour. I will be as brief as possible
19 and then I'll come back into public session.

20 PRESIDING JUDGE SCHMITT: [9:38:31] Okay. Then private session.

21 (Private session at 9.38 a.m.)

22 THE COURT OFFICER: [9:38:47] We are in private session, Mr President.

23 (Redacted)

24 (Redacted)

25 (Redacted)

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7 (Open session at 9.47 a.m.)

8 THE COURT OFFICER: [9:47:04] We are back in open session, Mr President.

9 MR GARCIA: [9:47:13](Interpretation)

10 Q. [9:47:14] So, Madam Witness, I'm going to continue in the same line of
11 questions.

12 Would it be right to say that with your functions at the time, you were aware of the
13 fact that there had been an attack on 5 December on Bangui and that the Anti-Balaka
14 were responsible for that attack? Did you have any information in that regard?

15 A. [9:47:38] Information that I had received when I was in Paoua at the time was
16 indeed that there had been an attack which had taken place to drive the Seleka
17 soldiers out.

18 Q. [9:47:54] Thank you, Madam Witness. That's good you had this information.
19 But my question - and I ask the question in a more precise way - the word
20 "Anti-Balaka" or the name of the Anti-Balaka group, did you hear it at the time that
21 the Anti-Balaka had attacked Bangui on 5 December?

22 A. [9:48:16] Thank you for your request for clarification. I don't remember that we
23 called these people the "Anti-Balaka." The term "Anti-Balaka" appeared afterwards.
24 I know that it was a self-defence group to drive out the Seleka who had attacked
25 Bangui. That's it.

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1 Q. [9:48:48] But, Madam Witness, I just want to -- well, I've got another question on
2 this subject, given that you were well-informed thereof, that you knew at this time or
3 in the following days that Mr Yekatom was the head of the -- an Anti-Balaka group
4 that had carried out this attack on Bangui or that was involved in this attack on
5 Bangui, did you not?

6 A. [9:49:19] In fact, I didn't know who was the head of the group that had attacked
7 Bangui. I knew that there'd been an attack, but I didn't know who was the leader of
8 the group.

9 Q. [9:49:35] Would I be right to say, Madam Witness, that either on that date of
10 5 December or thereafter that you heard information according to which Mr Yekatom
11 was involved in this attack, him and his troops?

12 A. [9:49:55] This is information that I got later, but which I did not have
13 immediately after.

14 Q. [9:50:07] When you say "later", Madam Witness, are you speaking a few days
15 after, a week? Are we talking about 5 December? I understand that you are
16 well-informed, so information must have been going around at the time. So how
17 much time are we talking about?

18 A. [9:50:27] Well, it's difficult to say because there were -- well, we were speaking
19 about lots of different chiefs of armed groups. I could be mistaken if I were to state
20 that I knew it one week afterwards. I don't know. I could tell you a week, but it's
21 not guaranteed that it would already be a week afterwards. That's the point.

22 Q. [9:51:03] I understand very well, Madam Witness. These are questions that I'm
23 putting to you and the events do indeed date to already 10 years ago, so I'm already
24 taking that into account. So if I understand your answer correctly, madam,
25 approximately, you said that it was a week, more or less, you heard that Mr Yekatom

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1 and his group of Anti-Balaka had been involved in the attack on Bangui; is that
2 correct?

3 A. [9:51:29] That is correct, yes.

4 Q. [9:51:39] And you also, I would imagine, Madam Witness, given your sources of
5 information, you would have also heard about the fact that they were involved in the
6 murder of a Muslim trader in the Boeing neighbourhood; is that correct?

7 THE INTERPRETER: [9:52:08] Of Muslim traders or merchants.

8 THE WITNESS: [9:52:12](Interpretation) I don't have this information, or I don't
9 remember this information exactly when I also tell you, because it's true that we had
10 information and we met so as to get information and have exchanges with each other
11 and to carry out a security analysis. But sometimes it was the case that the
12 information that we got was confused. There were a lot of rumours and this was
13 also one of the aspects. You had to go through the different rumours and eliminate
14 some and keep some, and there were some things which were just a bit vague during
15 our exchanges and it was a bit vague. I personally was not also trying to have
16 precise information because I had a lot of work at the time, so security, this was -- we
17 had somebody who was responsible for security within the organisation who dealt
18 with that and if they confirmed the rumours or not, that was the case.

19 Q. [9:53:21] Well, madam, is it -- I understand that it was a long time ago, but it
20 was quite important what I'm putting to you by way of a question. * I'm sure that
21 you prepared before coming to testify, but you will have known that civilians, that
22 Muslims were killed during this attack, and a lot of people; is that correct?

23 A. [9:53:44] Honestly, I don't remember that. In fact, there -- you know, every day
24 I would get information about attacks and killings. Who committed what? There
25 were so many different people that I can't remember exactly, counsel. I would be

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1 lying to you if I said, "Yes, I remember exactly".

2 Q. [9:54:13] I understand, Madam Witness, but I simply want to know exactly --
3 well, did you hear the fact that there were civilians who had been killed, Muslims
4 who had been killed? Had you heard that?

5 A. [9:54:27] Yes, of course. There were -- every day, every day, because there
6 were a lot of acts of vengeance by the population and that was in villages, that was in
7 different neighbourhoods that people were taking vengeance because of jealousy,
8 because of previous issues which they had with the people in question, and this
9 conflict was an opportunity to settle the scores, as it were, as well, unfortunately.

10 Q. [9:55:04] I understand, Madam Witness. So you heard about the involvement
11 of Mr Yekatom and his Anti-Balaka group and now you say you have understood,
12 you remember that Muslims had been killed, and you explained that perhaps it was
13 an issue of revenge. But you also know that at the time, from the information you
14 would have had, that there was information to say that the Anti-Balaka themselves
15 had killed Muslims, Muslim civilians; is that correct?

16 A. [9:55:32] Yes, that is correct, of course.

17 Q. [9:55:41] And that was in Bangui, was it not?

18 A. [9:55:43] In Bangui and also in other areas.

19 Q. [9:55:50] In Bossangoa as well, Madam Witness?

20 A. [9:55:58] I wouldn't be able to answer that precisely. I know, indeed, that there
21 were also problems in Bossangoa.

22 Q. [9:56:12] By "problems", do you mean that civilians --

23 A. [9:56:17] Vengeance, yes, because they're -- I'm sorry, I answered perhaps too
24 quickly. But there had been a huge amount of displaced people on the site of the
25 Catholic mission in Bossangoa and -- at the time I was on the site and then I left it.

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1 But I can well believe that, indeed, there had been in Bossangoa as elsewhere, that
2 there had been incidents of vengeance, of course.

3 Q. [9:56:46] So it's good that you speak about displaced persons because that's
4 something I'm going to come back to, Madam Witness, so let's take the time.

5 I'm going to put questions to you -- please wait a few moments before answering.

6 So I understand that you had mentioned issues of vengeance as well. But would I be
7 right to say that you had information to say that the Anti-Balaka had killed civilians
8 who were Muslims in Bossangoa, Bouca, in Batangafo, is that correct, from the
9 information that you had at the time?

10 A. [9:57:27] That it was the Anti-Balaka who had committed such acts, that's not
11 something that I can confirm to you because, as I told you, there were a lot of acts of
12 vengeance that were being meted out at the time in the villages and within the
13 communities.

14 Q. [9:57:41] So I just want to understand, you would agree with me that there had
15 been both at the end of day. So if I understand your testimony, there were -- well,
16 you had got information to say that Anti-Balaka elements had killed civilians who
17 were Muslims and that there had also been acts of vengeance that were carried out;
18 would that be correct?

19 A. [9:58:04] Yes, yes, indeed.

20 Q. [9:58:05] So you spoke about displaced persons and I understand that you have
21 a certain degree of experience in this matter, Madam Witness. You also heard at the
22 time, and I'll come back to that -- on the attack of 5 December, you also heard,
23 Madam Witness, about bodies which had been found which were transported to the
24 Ali Babolo mosque in PK5.

25 You heard about that at the time, would I be right to say that?

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1 THE INTERPRETER: [9:58:30] The Ali Babolo mosque.

2 THE WITNESS: [9:58:36](Interpretation) So the mosque you're speaking about, that
3 name means nothing to me. It's difficult because you put a question to me, a precise
4 question, and there were always bodies. Every day bodies were turning up which
5 were being transported. That's it.

6 MR GARCIA: [9:58:56](Interpretation)

7 * Q. [9:58:57] And that's why... I understand that you are.... Of course, it was a
8 long time ago, but just to try to refresh your memory. Following the attack of 5
9 December, the victims, the corpses of the people who had been killed, did you hear
10 that these people had been taken to the Central Mosque in PK5 in the
11 3rd arrondissement. Does that --

12 A. [9:59:27] The Central Mosque, yes, yes.

13 Q. [9:59:29] And you heard people speak about the fact that there were civilians,
14 there were a lot bodies of civilians that were there, that they'd been taken at the end of
15 the day?

16 A. [9:59:40] Yes, yes, I can confirm that.

17 Q. [9:59:42] So that is some of the information that you received at the time?

18 A. [9:59:45] Yes.

19 Q. [9:59:48] So I'm just trying to slow down a bit, Madam Witness, and I really do
20 appreciate the information that you're giving us, of course, but I would also ask you -
21 and me, too, because I think I'm also the one who is overlapping with regards to your
22 answers - so I would ask you to wait two or three seconds. Thank you very much.

23 A. [10:00:14] Yes.

24 Q. [10:00:15] Now, Madam Witness, you also spoke about displaced persons,
25 would I right to say, because you spoke to us at the time of displaced persons a few

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1 moments ago, that following this attack on the Anti-Balaka on Bangui on 5 December,
2 that a -- there were a lot of displaced persons. That a lot of Muslims had to take
3 refuge in the PK5 neighbourhood.

4 PRESIDING JUDGE SCHMITT: [10:00:34] Please wait, Madam Witness, before you
5 answer.

6 Ms Dimitri.

7 MS DIMITRI: [10:00:38] Thank you, Mr President. If counsel could just rephrase
8 the question to take into account the witness's answer that on 5 December she did not
9 say that it was the Anti-Balaka at that time who attacked.

10 PRESIDING JUDGE SCHMITT: [10:00:50] I think she has said that she -- that she --
11 that the expression "Anti-Balaka" was not -- was not something that she knew at the
12 time, if I'm right.

13 MR GARCIA: [10:01:04] And she has -- and, your Honour, she's also stated that they
14 were implicated. I can look for the answer that Yekatom and mister -- and the
15 Anti-Balaka were implicated in the attack on 5 December.

16 But in any case, your Honour, I can ask -- I can reformulate the question if it will
17 lead --

18 PRESIDING JUDGE SCHMITT: [10:01:17] Yeah, I think there is -- (Overlapping
19 speakers)

20 MR GARCIA: [10:01:22] -- it will speed things up --

21 PRESIDING JUDGE SCHMITT: [10:01:23] I think -- (Overlapping speakers)

22 MR GARCIA: [10:01:23] That is not the crux of where I'm going with it.

23 PRESIDING JUDGE SCHMITT: [10:01:24] Exactly.

24 MR GARCIA: [10:01:25] So.

25 PRESIDING JUDGE SCHMITT: [10:01:26] This exactly is what I wanted to say, Mr

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1 Garcia.

2 MR GARCIA: [10:01:32] Yes. I can -- I can move on, if --

3 PRESIDING JUDGE SCHMITT: [10:01:33] Yes, I would appreciate it, yes. Thank
4 you.

5 MR GARCIA: [10:01:34] Yes.

6 Q. [10:01:34](Interpretation) Madam Witness, I simply want to know that after this
7 attack of 5 December in Bangui, are you in agreement with me that many individuals
8 who were Muslims sought refuge in the 3rd arrondissement in PK5 because they
9 feared reprisals from the Anti-Balaka or others; is that correct?

10 A. [10:01:57] Yes, I can confirm that.

11 Q. [10:02:01] And you are talking about thousands of Muslims, is that correct?
12 Because you are nodding. That is something you heard at that time or you read
13 about; is that correct?

14 A. [10:02:16] Yes, I can confirm that.

15 Q. [10:02:22] And, Madam Witness, am I correct in saying that through the
16 information you received, because I understand you were well-informed that these
17 individuals were in the area, PK5, were there as a recluse. They couldn't get out
18 because they feared to go out of the arrondissement PK5; is that correct?

19 A. [10:02:53] I confirm this, that they could not get out because -- because all the
20 youth surrounding them were in revolt.

21 Q. [10:03:12] Without mentioning individuals with weapons who could cause
22 further problems.

23 A. [10:03:23] All the youths who were in revolt and who sought revenge, because
24 one of their family members had been killed, had a machete or something similar.
25 I'd like to clarify something. You know, in this story, many youths -- and that's

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1 why -- in fact, this is why the youth wanted to seek revenge. And many young
2 people said, they proclaimed themselves Anti-Balaka, but most of the time they didn't
3 belong to any group. They just self-proclaimed themselves as a self-defence group
4 and they decided themselves to defend their villages with their families.

5 So they took up weapons that they could find in order to defend themselves, to
6 defend themselves and, generally, to defend, but didn't really belong to a specific
7 group. They were dangerous, even for us, the humanitarians.

8 Q. [10:04:38] But you, madam, personally, you weren't in a position to distinguish,
9 to know, yes or no, they were part of the Anti-Balaka at that time; isn't that correct?

10 A. [10:04:49] When we went to the zones in question and we spoke to them, we
11 also always asked to speak to the leader and, most of the time, three-quarters of the
12 time they didn't have a leader and that's how we began to realise the situation.

13 Q. [10:05:18] But, Madam Witness, am I correct in saying you didn't know which
14 youth was included in the Anti-Balaka group at that time? You can't tell us in a very
15 definitive way?

16 A. [10:05:31] No, of course not. In a definitive way, of course, in the zone where
17 I went, I would have to have more information of course. But even when I spoke to
18 the chief, these were self-defence groups of the neighbourhoods or villages. That's
19 what it was.

20 Q. [10:05:56] But, Madam Witness, am I correct in saying that after 5 December, the
21 members -- you received the information that the Anti-Balaka group was in Bangui in
22 some neighbourhoods, they were present; isn't that correct? In Boeing, amongst
23 other things?

24 A. [10:06:13] Yes, of course in certain neighbourhoods, but even if they were
25 present, afterwards all the youths didn't belong to the group but wanted to seek

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1 revenge. You know, the youths, the adolescents, need to prove themselves that they
2 are strong, et cetera.

3 So that's really what happened at the end of the meeting in Mbaïki, where all these
4 young people only wanted one thing, that Mr Yekatom says to them, "Yes, come join
5 my group." They wanted to prove that they were strong, that they were prepared to
6 fight to defend their community or their families.

7 Q. [10:07:09] Thank you, Madam Witness. But in Bangui itself, after the events,
8 after the attack of 5 December, as time passed, the Anti-Balaka group started to
9 control Bangui, they had control of many of the neighbourhoods except, of course,
10 PK5; is that correct?

11 A. [10:07:26] I know that they controlled some neighbourhoods, yes.

12 Q. [10:07:33] Even more than that, they also controlled the access, for example, at
13 checkpoints. You couldn't go into zones that were controlled by the Anti-Balaka;
14 isn't that correct?

15 A. [10:07:46] I wouldn't say that the civilian population could not go; we
16 humanitarians, we had access.

17 Q. [10:07:55] But a Muslim, for example, couldn't enter an Anti-Balaka area at that
18 time in December 2013 because they ran the risk that they would be killed; am
19 I correct?

20 A. [10:08:10] I confirm that. You are right. They did not leave PK5.

21 Q. [10:08:18] Are you aware, Madam Witness, according to your information
22 sources, and according to the information we have, there were at least 10,000
23 members of the Anti-Balaka group in Bangui at that time?

24 A. [10:08:36] I don't remember this number. I wasn't interested in that either
25 because I was more interested in the civilians. I was more concerned -- and I had

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1 enough work with all the civilians who I tried to follow through.

2 Q. [10:09:03] Do you agree with me that the number of Anti-Balaka in Bangui at
3 that time after the attack of 5 December was in the thousands, there were many of
4 them?

5 A. [10:09:15] I cannot confirm that. Why? Well, because I continue to say, and
6 I would lie if I said the contrary, there were many young people who said they were
7 Anti-Balaka and who didn't really belong to the Anti-Balaka group. There you go.

8 Q. [10:09:36] So, if I understand your testimony, Madam Witness, you -- when you
9 met these young people, you're not in a position -- which one was a true and which
10 one was a false Anti-Balaka? There were many Anti-Balaka and many young people
11 at the same time.

12 A. [10:09:54] They were the Anti-Balaka. They were young people. Who was
13 who, and who was the true one and who was a fake Anti-Balaka, well, you know, us
14 humanitarians, it didn't matter if they told us the truth or not. They knew that we
15 were there for the victims. We weren't there in order to arrest them, so it wasn't in
16 their interests to lie to us.

17 Q. [10:10:23] I'll come back to this question of Bangui, Madam Witness.

18 But what I'd like to do now -- for the moment, I'd like to go back to private session for
19 a few moments.

20 (Speaks English) Your Honours, if I could, I'm not going to be taking that much
21 time --

22 PRESIDING JUDGE SCHMITT: [10:10:47] Private session.

23 MR GARCIA: [10:10:48] -- I hope to be doing it briefly.

24 PRESIDING JUDGE SCHMITT: [10:10:52] Yes, private session.

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WITNESS: CAR-D29-P-5013

(Private Session)

ICC-01/14-01/18

1 (Private session at 10.11 a.m.)

2 THE COURT OFFICER: [10:11:05] We are in private session, Mr President.

3 (Redacted)

4 (Redacted)

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Trial Hearing
WITNESS: CAR-D29-P-5013

(Private Session)

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(Private Session)

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Trial Hearing
WITNESS: CAR-D29-P-5013

(Private Session)

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Trial Hearing
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(Private Session)

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1 (Redacted)

2 (Redacted)

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4 (Open session at 10.20 a.m.)

5 THE COURT OFFICER: [10:20:55] We are back in open session, Mr President.

6 MR GARCIA: [10:21:04](Interpretation)

7 Q. [10:21:05] Well, Madam Witness, I want to go back to the following: You

8 confirm that Mr Yekatom was in Pissa with his men because he controlled the axis

9 from Bangui up to Pissa and you learnt about that afterwards.

10 I simply want to ask you some questions as far as this is concerned. Am I correct in

11 saying -- because this is the proof, it's the proof that we received some time ago

12 because this case has been going on for a long time. Am I correct in saying, Madam

13 Witness, that each time that the Seleka abandoned or left one of their checkpoints or a

14 place where they had a position, it was the Anti-Balaka who assumed control and it

15 was in this way they were able to control the entire axis? Was that something you

16 knew with the information you received?

17 PRESIDING JUDGE SCHMITT: [10:22:12] Ms Dimitri.

18 MS DIMITRI: [10:22:15] Can the question be more specific. Which barrier? Which

19 area? At what moment? And which Seleka group?

20 PRESIDING JUDGE SCHMITT: [10:22:21] Well, then we would --

21 MS DIMITRI: [10:22:22] It's extremely general --

22 PRESIDING JUDGE SCHMITT: [10:22:23] I have -- yeah --

23 MS DIMITRI: [10:22:24] -- and it brings -- if I may --

24 PRESIDING JUDGE SCHMITT: [10:22:24] I understand, I understand that, but on

25 the other hand we cannot ask now each barrier that might have been there. And

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1 I already have a suspicion what the answer of the witness will be, so perhaps let me
2 just reformulate it a little bit.

3 MS DIMITRI: [10:22:40] If I just -- if I may just one second, Mr President, with your
4 leave.

5 PRESIDING JUDGE SCHMITT: [10:22:43] Yeah.

6 MS DIMITRI: [10:22:44] The reason why I was asking this is because Mr Garcia said
7 this is the evidence in ...

8 PRESIDING JUDGE SCHMITT: [10:22:49] I know, I know, I know.

9 MR GARCIA: [10:22:54] (Overlapping speakers)

10 PRESIDING JUDGE SCHMITT: [10:22:55] We are not discussing here.

11 Mr Knoops, shortly.

12 MR KNOOPS: [10:22:59] Yes, I have an objection with respect to the use of the word
13 "proof." It's to the Court to decide.

14 PRESIDING JUDGE SCHMITT: [10:23:07] Actually, I agree in that, but this does not
15 alter the -- let's say the intent of the question. Simply without --

16 MR GARCIA: [10:23:15] (Overlapping speakers)

17 PRESIDING JUDGE SCHMITT: [10:23:16] Mr Garcia, I'm asking the question now.

18 Without using the word "proof", Madam Witness, did you learn at the time or
19 afterwards that whenever the Seleka left a place, that the Anti-Balaka not only took
20 over, but also took over the roadblocks that had been installed? Did you ever hear
21 that, learn that; and, if so, what was the source of your information?

22 THE WITNESS: [10:23:55](Interpretation) Well, no, I didn't know because in that
23 case they would have been present in Mbaïki. Since the colonel was no longer there,
24 why wasn't he there? You see, it wasn't systematic that when the Seleka fled from a
25 zone, they took over control, because somewhere along the line if they had been there,

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1 I wouldn't -- it would have been in fact more easy for me to ask directly for the
2 protection of the Muslim community that was there rather than holding a meeting.

3 PRESIDING JUDGE SCHMITT: [10:24:41] Just let me say the expected -- at least by
4 me, expected answer. And the witness is now concluding and also speculating a bit
5 so we have to continue, Mr Garcia.

6 MR GARCIA: [10:24:58](Interpretation)

7 Q. [10:24:59] Thank you, Madam Witness, I understand your answer as regards
8 Mbaïki and the fact that the colonel was no longer present, but at a certain point in
9 time, the Seleka were in Mbaïki and they also left and went somewhere else.

10 A. [10:25:16] Yes.

11 Q. [10:25:16] Am I right, and ultimately, Madam Witness, as regards the question
12 for the other areas, when the Seleka, the Seleka forces, left Mbaïki, it is the forces of
13 Mr Yekatom and his Anti-Balaka group who installed and set themselves up there; is
14 that correct, Madam Witness?

15 A. [10:25:41] No, I was never aware that the group of Mr Yekatom set themselves
16 up in Mbaïki.

17 Q. [10:25:50] Unless I'm mistaken, yesterday you talked about the fact that
18 Mr Yekatom and his elements arrived at a meeting which took place in Mbaïki; am
19 I correct?

20 A. [10:26:04] Yes, but afterwards they left. They left after the meeting.

21 PRESIDING JUDGE SCHMITT: [10:26:07] Mr Garcia, that is something that's not
22 exactly the same, and we have -- I also said, I think, several times, and this happens in
23 a courtroom, that you don't get the answer that you expect. We have simply -- and
24 we have to draw our conclusions from that in the end, "we" meaning the Bench.
25 And I think you can move on. Thank you.

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(Open Session)

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1 MR GARCIA: [10:26:33](Interpretation)

2 * Q. [10:26:33] Madam Witness, I know it's a long time ago but did you receive the
3 information that Mr Yekatom had left a person called Coeur de Lion in charge in
4 Mbaiki?

5 A. [10:26:51] Yes, he left that person at my request. But there was no one and he
6 left one single person there. And we even asked the question, with me and my
7 colleagues, whether this person was enough and would have sufficient authority if
8 the youths decided to create some problem with the Muslims. That was what we
9 were worried about.

10 Q. [10:27:20] I want to clarify something, Madam Witness. I don't know, and
11 I don't want that it is a question of time and so on -- are you actually telling us that in
12 Mbaiki after that Mr Yekatom left there was only one single element that remained?

13 A. [10:27:40] He didn't have elements in Mbaiki. I never was aware that there
14 were elements in Mbaiki, and that is why -- and that's why I said there should be one
15 person there. If I had known - also my colleague who was present - if there were
16 people in this place, I would not have asked him to leave one person there.

17 PRESIDING JUDGE SCHMITT: [10:28:12] May I, just because -- because you
18 mentioned a name Coeur de Lion, does that ring a bell? Because yesterday I --
19 I think I have in my mind that you were not sure who the person was Mr Yekatom
20 left in Mbaiki. But now hearing the -- you know, this, well, pseudonym, so to speak,
21 Coeur de Lion, does this ring a bell with you?

22 THE WITNESS: [10:28:39](Interpretation) Yes, that means something to me. I can
23 confirm that.

24 PRESIDING JUDGE SCHMITT: [10:28:46] Okay. Mr Garcia.

25 MR GARCIA: [10:28:54](Interpretation)

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1 Q. [10:28:55] To avoid any misunderstanding, Madam Witness, if I understand
2 correctly, as far as you know, according to your memory, he only left one person in
3 charge in the town and that is the person who was known as Coeur de Lion. Is that
4 your statement?

5 A. [10:29:09] I can confirm that.

6 Q. [10:29:19] Apart from that individual, there were no Anti-Balaka in the Socatel
7 building, at another base in Mbaïki?

8 A. [10:29:26] I was not aware of that. I can confirm that. If I said yes, I would be
9 lying. * Because as I told you, my agent was there and I said to him, "do you really
10 think that's enough, one single person?" So we had to deal with that and it worked
11 out well, fortunately.

12 PRESIDING JUDGE SCHMITT: [10:29:54] Well, the answers of the witness are
13 absolutely clear and, again, please, next issue.

14 MR GARCIA: [10:30:10](Interpretation)

15 Q. [10:30:12] I just simply want to know, and perhaps it's going to clarify
16 everything for me, but --

17 MR GARCIA: [10:30:22] Your Honour, could we please go into private session for
18 just a couple of minutes.

19 PRESIDING JUDGE SCHMITT: [10:30:26] Yes, private session.

20 (Private session at 10.30 a.m.)

21 THE COURT OFFICER: [10:30:38] We are in private session, Mr President.

22 (Redacted)

23 (Redacted)

24 (Redacted)

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(Open Session)

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1 (Open session at 10.34 a.m.)

2 THE COURT OFFICER: [10:34:01] We are back in open session, Mr President.

3 MR GARCIA: [10:34:04](Interpretation)

4 Q. [10:34:05] Madam Witness, according to your sources of information, did you
5 hear -- would I be right to say that the Anti-Balaka afterwards attacked Boda? Did
6 you get this information in the month of February?

7 A. [10:34:30] Yes, that does remind me of something.

8 But I didn't have any details with regard to that, * given that we were not authorised
9 to go any further at the time.

10 Q. [10:34:51] Well, you know nothing about the death of Coeur de Lion?

11 A. [10:34:56] No, I didn't know that he'd been killed.

12 Q. [10:34:59] So if I understand correctly, that's not information that you got, you
13 didn't necessarily try to find what had happened afterwards?

14 A. [10:35:08] No.

15 Q. [10:35:13] So I'd like to go back to the question of Mbaïki, Madam Witness.
16 You testified yesterday, at a meeting -- well, you testified about a meeting that had
17 taken place in Mbaïki and about the people who were there. I would say that there
18 were a lot of people who were Muslims who were in Mbaïki at the time when the
19 meeting took place.

20 A. [10:35:39] Yes, I confirm that.

21 Q. [10:35:43] And above all these people who were Muslims, they were in the
22 Baguirmi neighbourhood?

23 A. [10:35:54] The name of the neighbourhood -- I can -- well, I can -- I don't
24 remember the name but I can visualise the location.

25 Q. [10:36:01] Did you ever go and see what was happening there or * was it your

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1 agent who would go and see what was happening and then afterwards?

2 A. [10:36:12] No, I would go myself to speak to people -- yourself. I had to --

3 I must have gone at least three times to speak to the communities and the leaders of

4 Muslim communities who had come together in that place that you speak about.

5 PRESIDING JUDGE SCHMITT: [10:36:30] Madam Witness, what were the living

6 conditions of these people when you went there? You said you went there by

7 yourself. Could you describe it a little bit?

8 THE WITNESS: [10:36:44](Interpretation) They were living normally. They were

9 trying not to go too far from their neighbourhood because they had asked to be

10 protected. They paid people from the community, from the Christian community, to

11 be protected by them, and they were very careful with regards to their security.

12 PRESIDING JUDGE SCHMITT: [10:37:13] Mr Garcia -- well, I asked that because,

13 let's say, I'm not sure if the representatives of the victims will have any questions, but

14 there will not be many, if any, I have to say, with regard to the witness because the

15 witness has described in her testimony yesterday and also today what she saw and

16 there -- there is no need, in my opinion, to ask further questions of this witness by the

17 representatives of the victims, may I say so.

18 Mr Garcia, please continue.

19 MS MASSIDDA: [10:37:54] Mr President, just to answer your question, we will have

20 questions for this witness. It will not take long. Mr Carnero will question the

21 witness at least for 20 minutes.

22 PRESIDING JUDGE SCHMITT: [10:38:06] Well, we will, actually critically and

23 carefully observe if this makes sense and, of course, I will not say from the outset that

24 I won't allow any questions, but if the witness has already talked about it, we don't

25 repeat anything.

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1 Mr Garcia, it's still your turn, obviously.

2 MR GARCIA: [10:38:30](Interpretation)

3 Q. [10:38:31] Madam Witness, would I be right to say that the living conditions
4 were very difficult for these Muslims who were there in Mbaïki at the time?

5 A. [10:38:42] They were difficult due to the security situation because they were
6 very afraid with regards to their security. And, in particular, they really were in a
7 hurry to leave -- that was their priority. With regards to food, they were able to eat
8 because they were traders so they did have something to eat and they used the young
9 people who they paid in order to buy foodstuffs for them, vegetables, et cetera. So,
10 of course, it was not living normally, no.

11 Q. [10:39:33] That's what I wanted to come back to, witness. You would agree
12 with me that the infrastructure in Mbaïki, what existed at the time, was not made to
13 have so many people coming all at once; is that not the case?

14 A. [10:39:48] Yes, of course not.

15 Q. [10:39:50] So there were food problems. There were problems with being able
16 to accommodate all of these people, particularly where it concerns places to
17 accommodate them.

18 A. [10:40:03] With regards to foodstuffs, they were able to manage this and they
19 had our support.

20 Q. [10:40:10] Madam Witness, you would agree with me that you received
21 information yourself when you were speaking to these people. You must have
22 heard the fact that a lot of these people, Madam Witness, were there because they
23 were afraid that -- they feared for their security, given the advance of the Anti-Balaka?

24 A. [10:40:42] I confirm that everybody was afraid for their security, not because of
25 the progress or advance of the Anti-Balaka, but because in a lot of villages the young

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1 people, the self-defence groups, when the Seleka left, they immediately took up arms
2 to take vengeance, and so they drove out the Muslims who they grew up with and
3 who they used to spend time with for years. And, as I said, that, unfortunately, this
4 conflict was also a matter of a lot of vengeance between people, jealousy. All that
5 was used as a pretext to fight. There was a lot of interpersonal issues, a lot. And a
6 religious conflict was made out of that. But it wasn't, at the start, a religious conflict.
7 It wasn't a religious conflict.

8 Q. [10:41:47] Thank you, Madam Witness. I just want us to be clear with regards
9 to this issue. You would agree with me that there were Anti-Balaka who were
10 armed? You saw them, did you not, Anti-Balaka elements?

11 A. [10:42:00] You know that wasn't my first armed conflict. Of course, they had
12 weapons. The weapons that they had at hand were like machetes that they would
13 use in order to go to the fields. That is was principally the weapons that they
14 had. And, personally, when I had to deal with that for my own security as well,
15 what I did was that when I was in a place where there were people who would make
16 me fearful about my safety, I would look in their eyes. I wouldn't look at how they
17 were dressed and or what they were carrying on their person, in order to avoid being
18 afraid and showing that I was afraid. There we are.

19 Q. [10:43:05] So, madam, you're saying that they had machetes but they also had
20 firearms, did they not, Madam Witness, the Anti-Balaka?

21 A. [10:43:15] A lot of Anti-Balaka had artisanal firearms.

22 Q. [10:43:23] And firearms as well?

23 A. [10:43:25] Not a lot.

24 PRESIDING JUDGE SCHMITT: [10:43:26] Mr Knoops.

25 MR KNOOPS: [10:43:28] Mr President, I object to the questioning, because the

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1 questioning of the Prosecution omits one fundamental element. The witness has
2 repeatedly said, also instigated by the Prosecution, that she cannot differentiate
3 between an Anti-Balaka and a non-Anti-Balaka.

4 PRESIDING JUDGE SCHMITT: [10:43:36] Yeah, well.

5 MR KNOOPS: [10:43:38] And now the Prosecution is putting their own doubt
6 whether she is able to identify whether someone is an Anti-Balaka or not into a
7 question, asking if it's true that the Anti-Balaka were armed. So the questioning is
8 rather inconsistent. The Prosecution admits, puts in the mouth of the witness, that
9 she cannot differentiate between Anti-Balaka and non-Anti-Balaka. So the question
10 would be more sound if she ever saw people who might have been --

11 PRESIDING JUDGE SCHMITT: [10:44:21] Did she --

12 MR KNOOPS: [10:44:25] -- Anti-Balaka.

13 PRESIDING JUDGE SCHMITT: [10:44:26] Did you -- well, actually I -- well, the
14 witness was yesterday and today absolutely clear in her answers. And we cannot
15 talk -- "we" meaning, be it Defence counsel, be it victims counsel, be it Mr Garcia -- we
16 cannot talk the witness into saying something different than she wants to say, because
17 we have a very strong witness and we have an intelligent witness, so we don't get the
18 answers that we perhaps want to have from the witness, from -- from the side, from
19 the Prosecution.

20 So I, personally, think that we could shorten this significantly.

21 Well, I take over, Mr Garcia. I don't think there's a principal problem with your
22 question, but also taking into account that the witness indeed has said that she could
23 not distinguish -- exactly say who was a member of the Anti-Balaka and who was not.
24 Madam Witness, did you see people, be it from the civilian population or from the
25 Anti-Balaka, whatever you would ascribe them to, did you see people with arms

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1 apart from machetes, meaning firearms specifically?

2 THE WITNESS: [10:45:43](Interpretation) Yes, of course. But a lot of people that
3 I saw if they had weapons, they had artisanal weapons, they would make them
4 themselves, which they would use for hunting.

5 PRESIDING JUDGE SCHMITT: [10:45:58] Apart from these artisanal weapons, did
6 you see people at the time wearing or having, let's say, Kalashnikovs or fire -- other
7 fire weapons, not makeshift weapons, but let me put it this way, word it this way,
8 "real" weapons?

9 THE WITNESS: [10:46:22](Interpretation) Well, I saw people who had firearms, in
10 particular during the meeting. The lady who accompanied Mr Yekatom, she had a
11 real weapon. But, afterwards, the others -- well, the people that I was able to see in
12 the villages or in the neighbourhoods, it was generally artisanal weapons that they
13 had or just simply a machete.

14 PRESIDING JUDGE SCHMITT: [10:46:57] Here we have an answer, and perhaps
15 one follow-up question.

16 And these people you now -- I come back, reword it to my expression, had "real"
17 weapons, how were they dressed? Were they somehow to be distinguished from
18 other people?

19 THE WITNESS: [10:47:25](Interpretation) Yes, they were wearing military uniform.

20 PRESIDING JUDGE SCHMITT: [10:47:28] Mr Garcia, please continue.

21 MR GARCIA: [10:47:30](Interpretation)

22 Q. [10:47:31] Madam Witness, Mr Yekatom, himself, he had a real firearm, did he
23 not?

24 A. [10:47:35] I never saw Mr Yekatom with his weapon.

25 Q. [10:47:43] And at this meeting in Mbaïki, apart from one person who you told us

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1 about, you said there was just one armed person out of Mr Yekatom's elements?

2 * A. [10:47:53] Yes, because I left. Afterwards, I noted that person because it was a
3 woman. There was another person who entered with him, and it's true, I think that
4 he had a weapon as well. But I am not sure if he had a weapon in the photograph.
5 I'm not sure of that. Mr Yekatom arrived without a weapon.

6 Q. [10:48:25] Madam Witness, we're going to come back to the issue about people
7 who were in Mbaïki.

8 Now, you explained to us the reasons why you believed, or you heard at the time that
9 they were there, but would I be right to say, Madam Witness, that some of these
10 people were there because they were fleeing, or they feared, the Anti-Balaka. You
11 must have heard about that at the time, or are you telling us today that at that time
12 that wasn't something that you heard, that nobody --

13 MS DIMITRI: [10:49:01] Mr President.

14 PRESIDING JUDGE SCHMITT: [10:49:04] Ms Dimitri.

15 MS DIMITRI: [10:49:06] This question was asked and answered.

16 PRESIDING JUDGE SCHMITT: [10:49:10] Yes, indeed. And, again, it was asked
17 and answered, first of all; and, secondly, we don't discuss with the witness. It
18 doesn't -- well, let me put it this way. Believe me, it doesn't help you. So it's -- the
19 witness is absolutely firm in her answers, and we had other evidence on the record --
20 and, yeah, that might very well be, but to perhaps rephrase a little bit and come back
21 to that. Please, really, you have to change topic. You know, whenever a question
22 starts with "you must have", this seems to be as to be entering into a discussion that
23 we would not allow.

24 MR GARCIA: [10:50:05](Interpretation)

25 Q. [10:50:07] Madam Witness, quite simply, when you were in Mbaïki you met

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1 people who came from Mbata. Does that mean anything to you?

2 A. [10:50:19] Mbata, yes; I remember that, yes.

3 Q. [10:50:24] Mbata, yes, did you meet people from this region?

4 A. [10:50:28] I don't remember; no, I don't remember.

5 Q. [10:50:31] And people from Pissa, did you meet people who were Muslims from
6 Pissa?

7 A. [10:50:37] No, no.

8 Q. [10:50:41] Well, approximately how many people did you meet when you were
9 in Mbaïki? I know that, obviously, it was 10 years ago, but are we talking about a
10 dozen, 20? How many people are we talking about?

11 A. [10:50:59] {ICR: (Redacted)}

12 (Redacted)

13 (Redacted)

14 (Redacted)

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16 (Redacted)

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21 (Redacted))}

22 Q. [10:52:14] And would I be right to say, Madam Witness, that --

23 MS DIMITRI: [10:52:19] May I kindly suggest to go into private for this topic.

24 A. [10:52:23] Indeed, I would also -- well, you know better the next question,

25 Mr Garcia.

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- 1 Well, that was not a problem I think, the last question, not at all.
- 2 MR GARCIA: [10:52:38] Your Honours, could we go briefly into private session.
- 3 PRESIDING JUDGE SCHMITT: [10:52:42] Yeah, private session.
- 4 MR GARCIA: [10:52:46] Yes.
- 5 PRESIDING JUDGE SCHMITT: [10:52:47] We are also shortly before the break,
- 6 actually.
- 7 (Private session at 10.52 a.m.)
- 8 THE COURT OFFICER: [10:52:58] We are in private session, Mr President.
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WITNESS: CAR-D29-P-5013

(Private Session)

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7 (Open session at 11.51 a.m.)

8 THE COURT OFFICER: [11:51:23] We are in open session, Mr President.

9 MR CARNERO ROJO: [11:51:27]

10 Q. [11:51:29] So, once again, Madam Witness, good morning. I am one of
11 the lawyers of the victims and I will be putting questions to you this morning. And
12 because we have protective measures, I will, if I need, to refer to information that may
13 identify you, I will request leave from the president to move into private session.
14 Nonetheless, while we are in open session, if an answer that you want to give, you
15 think may reveal your identity, please let me know in advance and I will ask
16 the Presiding Judge to move into private session.

17 Also, my questions may not be clear to you. If that is the case, please let me know in
18 advance and I will rephrase them or repeat them; is that clear to you?

19 A. [11:52:17] It's clear.

20 PRESIDING JUDGE SCHMITT: [11:52:18] Well, in the course of the examination by
21 the witness, this is not completely new information for the witness.

22 MR CARNERO ROJO: [11:52:27] Thank you, Mr President.

23 Q. [11:52:28] So I have basically three -- three topics to -- to ask you about. They
24 concern the situation of the refugees in Mbaïki, how they were living there, how they
25 were evacuated and what happened to them after when they were evacuated.

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1 So, yesterday, Madam Witness, you said that around the time Djotodia left the CAR,
2 and I quote: "Muslim people would leave the villages and they would gather in
3 Mbaïki." And that is in page 38.

4 Do you know the specific villages that the Muslims came from seeking refuge in
5 Mbaïki?

6 A. [11:53:22] No, I can't remember the names of the villages. What I can tell you,
7 they were villages that were close to Mbaïki. There were also some that were further
8 afield.

9 Q. [11:53:38] So, you said, and you have said it today, that you visited Mbaïki in
10 January and February 2014. Are you able to tell us, even if it is only approximately,
11 the number of Muslim civilians who went to Mbaïki at that time to find refuge?

12 A. [11:54:04] It's a rough figure, but at least 3,000, more than 3,000 individuals.

13 Q. [11:54:17] And did you personally see them arrive in Mbaïki?

14 A. [11:54:26] No, I didn't see them arriving in Mbaïki personally. But when I went
15 to Mbaïki to speak to Mr Abdoul Salam and other leading persons, I saw that
16 the number of people had swelled.

17 Q. [11:54:50] And can you tell us if you were also told about the conditions of life
18 when they arrived? Were you told in which conditions they arrived in Mbaïki?

19 * A. [11:55:11] I can't remember that we spoke about this specifically. It was that
20 we were offering our support so that they had something to eat, et cetera, but
21 the answer was "We will sort ourselves out, everything is okay. In any case, we are
22 going to leave."

23 Q. [11:55:43] Now, speaking about Mbaïki, do you have information about whether
24 the hospital in Mbaïki was working at that time?

25 A. [11:56:07] I can't tell you. I can't answer that. I simply don't remember. No.

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1 I would be saying stupidity if I answered.

2 Q. [11:56:18] Thank you. I understand fully that there are many things that you
3 don't remember or that you don't know.

4 Some witnesses have testified that traders from Mbaïki housed and helped some of
5 those people who arrived in Mbaïki and they were housing them because they didn't
6 have accommodation.

7 Do you have information about this yourself, or did you hear about this?

8 A. [11:56:50] I haven't got any specific information, but it goes without saying that
9 everybody was organising themselves by showing their solidarity and to help each
10 other. If they didn't talk about it, it is simply because it was natural to do that.
11 They weren't trying to show that they were helping each other because it went
12 something without saying amongst them.

13 Q. [11:57:20] So do you have information about whether Muslims, in addition to
14 being housed by the population in Mbaïki, also went to the mosque in Mbaïki to stay
15 there and to seek refuge?

16 A. [11:57:44] I don't have any specific information about this. Of course, it's very
17 likely that the mosque was a place where people could sleep.

18 Q. [11:58:00] More generally, Madam Witness, do you know if Muslim refugees in
19 Mbaïki were able to practice their religion while they were there at that time, in
20 the sense of could they go to the mosque, could they do their prayers in Mbaïki?

21 A. [11:58:28] I don't remember specifically anything about this. I don't know.
22 I don't remember.

23 Q. [11:58:40] Thank you, Madam Witness. It is totally normal after so long.
24 Now, you have told us that you were not in Mbaïki when the Muslims left, but that
25 you saw them along the way and that you were debriefed about how things unfolded.

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1 Do you know the - more or less, of course - the number of people who were
2 evacuated from Mbaïki at that time?

3 A. [11:59:16] The figures we had was about 3,000 individuals. They all left.
4 There were 17 trucks. They all embarked on the trucks. I think there was more
5 than 3,000. * There were also traders who had pickups, and others who had left
6 before the trucks.

7 Q. [11:59:42] Do you have information about where these trucks and these pickups
8 went to, in which direction?

9 A. [11:59:55] I know they were all going towards Bangui, because many of them
10 did not know exactly whether they could go to Chad or whether they should go to
11 Cameroon. It wasn't very clear in their minds. So, firstly, they would go to Bangui,
12 where they knew they would be safe. And from that moment, they would decide
13 with their family and, no doubt, for financial reasons they would decide where they
14 would go. There were also organisations in Bangui who, from Bangui, facilitated
15 the return. Well, not the return, but the displacement of these individuals.

16 Q. [12:00:45] You just mentioned that these people were displaced, that is that they
17 had to leave CAR. Do you know if -- do you know how, in which conditions, they
18 were living once they left CAR?

19 A. [12:01:15] Those who didn't have parents in the neighbouring countries, they
20 had to go to refugee camps. And I have to tell you that the refugee camps, it's no fun
21 at all there. They are not easy conditions there. Not at all.

22 Q. [12:01:39] Thank you, Madam Witness.

23 Yesterday you also told us that you were really affected by people arguing about
24 the possessions left behind by the Muslims who left Mbaïki. And you have
25 information about the occupation of the houses that were left by the Muslims when

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1 they were evacuating Mbaïki. Do you know who occupied those houses?

2 A. [12:02:15] I can't tell you precisely who. But I -- I do know that members of
3 the local community who were there occupied the houses. That's a fact. Not just
4 for Mbaïki, but it happened everywhere, Bangui, other areas in the Central African
5 Republic. Houses were systematically occupied.

6 Q. [12:02:42] And do you have information about whether those houses that were
7 occupied, are they still occupied today?

8 A. [12:03:02] Today, I'm not able to tell you if they're still occupied. I know there's
9 an NGO which is specifically responsible for that. It has a project for that to facilitate
10 the return of people who were displaced or refugees. Now they're not in Mbaïki.
11 That's it. I know they're not working in Mbaïki. But, myself, I didn't go into
12 the field to see myself if the houses were still occupied or not.

13 Q. [12:03:42] So you have just said that they are not working in Mbaïki. Is that
14 because the Muslims - according to your knowledge, of course - could return already
15 to Mbaïki, or you don't know about that?

16 A. [12:04:08] I don't know if the Muslims can return. I think they can. Because,
17 in other areas of the country, the Muslim communities have come back. That's it.
18 But given that I no longer work there, I can't tell you exactly the feeling of the local
19 population, if it is ready to receive the refugees or not.

20 MR CARNERO ROJO: [12:04:40] Can I have just one second to consult?

21 PRESIDING JUDGE SCHMITT: [12:04:45] Of course.

22 MR CARNERO ROJO: [12:04:46] Thank you.

23 (Counsel confers)

24 MR CARNERO ROJO: [12:05:00] Thank you for your patience.

25 Can we go into private session for my last question?

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1 PRESIDING JUDGE SCHMITT: [12:05:09] Private session.

2 (Private session at 12.05 p.m.)

3 THE COURT OFFICER: [12:05:21] We are in private session, Mr President.

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12 (Open session at 12.08 p.m.)

13 THE COURT OFFICER: [12:08:33] We are in open session, Mr President.

14 MS BAYSSAT: [12:08:38](Interpretation) Thank you, Court Officer.

15 QUESTIONED BY MS BAYSSAT: (Interpretation)

16 Q. [12:08:44] Good morning, Madam. I just have a clarification that I wanted to
17 put to you today with regards to something that you addressed with the Prosecutor
18 this morning.

19 So, this morning, at 9.40 in the transcript, you indicated that you were in Paoua on
20 5 December 2013. And you just have to clarify whether you were based in Paoua at
21 that time or whether you were on mission to Paoua at the time?

22 A. [12:09:16] No, I was just carrying out a mission to Paoua. I was based in
23 Bangui, initially.

24 Q. [12:09:26] And so yesterday it was indicated to us that you came back in 2013.

25 Should I understand from that, until -- that until 2014, February 2014, you were based

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1 in Bangui?

2 A. [12:09:35] (Overlapping speakers)

3 Q. [12:09:41] Thank you, Witness. That was my only clarification.

4 PRESIDING JUDGE SCHMITT: [12:09:48] Thank you very much.

5 This concludes your testimony, Madam Witness.

6 On behalf of the Chamber I would like to thank you that you came to this Court,
7 answering a lot of questions. And it is obvious for everyone in the courtroom, for
8 the audience and also for you, Madam Witness, that without witnesses who agree and
9 come forward to testify before this Court we cannot even attempt to determine
10 the truth. So we thank you and appreciate it that you came here and we wish you
11 a safe trip back home.

12 THE WITNESS: [12:10:22](Interpretation) Thank you very much, as well. Thank
13 you, your Honour. Thank you everyone.

14 (The witness is excused)

15 PRESIDING JUDGE SCHMITT: [12:10:32] This concludes also the hearing for today.
16 And for Mr Knoops, you will put all your individual and team forces on the issue we
17 discussed in private session.

18 MR KNOOPS: [12:10:41] Mr President, we do our utmost best to accommodate
19 the schedule for Friday. Thank you.

20 PRESIDING JUDGE SCHMITT: [12:10:48] And for the next --

21 MR KNOOPS: And for --

22 PRESIDING JUDGE SCHMITT: -- this we expect.

23 MR KNOOPS: [12:10:51] Mr President --

24 PRESIDING JUDGE SCHMITT: [12:10:52] To make it absolutely clear.

25 MR KNOOPS: [12:10:55] -- we can assure that we have the same views as

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- 1 the Chamber in terms of the determination of this trial. Thank you.
- 2 PRESIDING JUDGE SCHMITT: [12:11:01] Thank you very much.
- 3 Court is adjourned.
- 4 THE COURT USHER: [12:11:04] All rise.
- 5 (The hearing ends in open session at 12.11 p.m.)