

Trial Hearing

(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 Yekatom and Patrice-Edouard

5 Ngaïssona - ICC-01/14-01/18

6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung

7 Trial Hearing - Courtroom 1

8 Monday, 12 February 2024

9 (The hearing starts in open session at 9.30 a.m.)

10 THE COURT USHER: [9:30:39] All rise.

11 The International Criminal Court is now in session.

12 Please be seated.

13 PRESIDING JUDGE SCHMITT: [9:30:50] Good morning, everyone.

14 Court officer, please call the case.

15 THE COURT OFFICER: [9:30:59] Good morning, Mr President, your Honours.

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

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

18 And for the record, we are in open session

19 PRESIDING JUDGE SCHMITT: [9:31:14] Thank you very much.

20 Like always, I ask for the appearance of the parties. We start with the Prosecution,

21 out of habit.

22 MR OJA: [9:31:24] Good morning, Mr President, your Honours, everyone. The

23 Prosecution is represented today by Manochitra Prathaban, Lucio Garcia, Yassin

24 Mostfa and myself, Tuomas Oja.

25 PRESIDING JUDGE SCHMITT: [9:31:39] Thank you very much.

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1 I turn to the representative of the victims, Ms Rabesandratana.

2 MS RABESANDRATANA: [9:31:46](Interpretation) Good morning, your Honour.

3 Good morning, to the Bench. The Legal Representative of Victims are represented
4 today by Madam Paolina Massidda, Mr Orchlon Narantsetseg, Mrs Mouhia Asso and
5 myself, Elisabeth Rabesandratana.

6 PRESIDING JUDGE SCHMITT: [9:32:06] Well, these are really difficult names, I
7 have to say; specifically, Rabesandratana is not easy. Narantsetseg is also not easy.
8 But I understand that.

9 Ms Lau.

10 MS LAU: [9:32:18] Good morning, Mr President, your Honours. Good morning,
11 everyone in the courtroom. Today, the former child soldiers are represented by
12 myself Fiona Lau, Office of Public Counsel for Victims.

13 PRESIDING JUDGE SCHMITT: [9:32:31] Thank you very much.

14 I turn to the Defence. First, the Defence of Mr Yekatom.

15 MS BAFADHEL: [9:32:37] Good morning, Mr President, your Honours, and
16 everyone in and outside of this courtroom. Mr Yekatom is represented by Maider
17 Cordova and myself, Sarah Bafadhel. And Mr Yekatom is here and present in the
18 courtroom with us.

19 PRESIDING JUDGE SCHMITT: [9:32:48] Thank you.

20 Mr Knoops, please.

21 MR KNOOPS: [9:32:48] Good morning, Mr President, your Honours.

22 Good morning, everyone in the courtroom. The Defence team of Mr Ngaïssona
23 appears today before the Chamber with Ms Marie-Hélène Proulx, Alexandre
24 Desevedavy, Marion Delahousse, and Mr Ngaïssona. Thank you.

25 PRESIDING JUDGE SCHMITT: [9:33:00] Thank you very much.

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1 And, most importantly, we have a new witness. This is Madam Moussa.

2 Good morning, Madam Moussa, do you hear and understand me well?

3 WITNESS: CAR-V44-P-0001

4 (The witness speaks Sango)

5 (The witness gives evidence via video link)

6 THE WITNESS: [9:33:27](Interpretation) Good morning, I can hear you very well.

7 PRESIDING JUDGE SCHMITT: [9:33:29] On behalf of the Chamber and this Court, I
8 would like to welcome you to the courtroom. You are here to testify in the case of
9 the Prosecutor versus Mr Ngaïssona and Mr Yekatom. You will first have to take the
10 solemn undertaking, the oath. I will read the oath to you and please speak slowly
11 after me. So please listen.

12 I solemnly declare --

13 THE WITNESS: [9:34:00](Interpretation) I solemnly declare --

14 PRESIDING JUDGE SCHMITT: [9:34:08] That I will speak the truth --

15 THE WITNESS: [9:34:19](Interpretation) That I shall speak the truth --

16 PRESIDING JUDGE SCHMITT: [9:34:21] The whole truth --

17 THE WITNESS: [9:34:29] The whole truth --

18 PRESIDING JUDGE SCHMITT: [9:34:32] And nothing but the truth.

19 THE WITNESS: [9:34:41](Interpretation) And nothing but the truth.

20 PRESIDING JUDGE SCHMITT: [9:34:45] Thank you, Madam Moussa. You are
21 now under oath. You understand what this means, you have just said it: you have to
22 tell us everything what you know, and everything what you know and what you tell
23 us has to be the truth.

24 When you -- you have to also take into account that everything we say here is written
25 down --

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- 1 THE WITNESS: [9:35:09](No interpretation)
- 2 PRESIDING JUDGE SCHMITT: [9:35:10] Well, everything we say here --
- 3 THE WITNESS: [9:35:23](Interpretation) I'm in front of this Court just to say the
- 4 truth, so that I can actually find peace, and this is why I've taken an oath to speak
- 5 the truth.
- 6 PRESIDING JUDGE SCHMITT: [9:35:37] Thank you, Madam Witness.
- 7 Everything we say here in this courtroom is written down and interpreted into
- 8 different languages and to allow for the interpretation, we have to speak at
- 9 a relatively slow pace, perhaps slower than we normally would.
- 10 And, Madam Witness, please don't -- please only -- only speak when the person that
- 11 has spoken before you that has asked the question, for example, has finished and then
- 12 wait a couple of seconds and then start your answer. This is only so that everyone,
- 13 specifically the interpreters, can follow.
- 14 Thank you very much for the moment.
- 15 I give then the floor to Ms Rabesandratana.
- 16 MS RABESANDRATANA: [9:36:38](Interpretation) Thank you, your Honour.
- 17 QUESTIONED BY MS RABESANDRATANA: (Interpretation)
- 18 Q. [9:36:54] I'm first of all going to introduce myself. I'm
- 19 Elisabeth Rabesandratana and we've already met. We've basically met in
- 20 N'Djamena face to face and also during the familiarisation session.
- 21 I would now like to come back to what the Presiding Judge just said: since we do not
- 22 speak the same language, the two of us, we will be assisted by interpreters who will
- 23 interpret Sango into French and the French will be interpreted into English.
- 24 Now, in order to allow the interpreters to work efficiently, every time I ask you
- 25 a question, please wait for three seconds before answering. This is to allow for

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- 1 interpretation, which is a very difficult task. Now this is my first instruction.
- 2 Moreover -- okay, before asking you questions, I also would like to inform you that
- 3 I'll be calling you "Madam Witness". Even though you are a victim in this case, the
- 4 Judges have called you here in the capacity of a witness.
- 5 And a last thing, for reasons of security, I could request a closed session for specific
- 6 questions on your children, especially.
- 7 Then, I will ask you to specify what you know when you're answering, what you've
- 8 seen with your own eyes and heard with your own ears.
- 9 I've finished with my introductory remarks.
- 10 My -- my first series of questions is going to be focused on your identity.
- 11 Can you tell me what your name is?
- 12 A. [9:40:28] My name?
- 13 Q. [9:40:39] Your name.
- 14 A. [9:40:44] My name is Achta Moussa Animer.
- 15 Q. [9:40:51] Your first name?
- 16 A. [9:40:54] Achta Moussa Animer.
- 17 Q. [9:41:05] Do you know how old you are?
- 18 A. [9:41:12] I was born in 1994.
- 19 Q. [9:41:20] What's your nationality?
- 20 A. [9:41:28] I'm from the Central African Republic.
- 21 Q. [9:41:30] Thank you. What is -- to which ethnic group do you belong to?
- 22 A. [9:41:42] My father is Rounga.
- 23 Q. [9:41:50] At what age did you get married?
- 24 A. [9:42:05] I was 15.
- 25 Q. [9:42:08] Where did -- where did you get married?

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1 A. [9:42:37] It was in Bossangoa.

2 Q. [9:42:43] After your marriage, where did you live?

3 A. [9:42:52] I was married in Bangui.

4 Q. [9:43:08] Did you get married in Bangui? Before your marriage, where were
5 you living?

6 A. [9:43:24] I grew up in PK12 and I got married in Kilometre 5. We went to
7 several provincial towns.

8 Q. [9:43:43] With your husband, in which city or town did you live?

9 A. [9:43:56] We were in Bangui. He was working in the diamond field in the
10 sector of Berberati, Carnot.

11 Q. [9:44:12] At what point in time did you go to Bossangoa?

12 A. [9:44:19] We did not spend a lot of time in Bossangoa. To the best of my
13 recollection, we spent four years -- about three years, sorry, three-to-four years in
14 Bossangoa.

15 PRESIDING JUDGE SCHMITT: [9:44:42] Ms Rabesandratana, you have
16 rightfully -- you have rightfully told the witness that she should pause a little bit
17 before she answers, but you are also a bit too quick. So you should start with
18 your -- you should start with your questions also only after we have received the
19 interpretation.

20 So a little bit too quick; otherwise, everything is okay, but it's difficult for the
21 interpreter --

22 MS RABESANDRATANA: [09:45:02](Overlapping speakers)

23 PRESIDING JUDGE SCHMITT: [09:45:05] It's difficult for the interpreter to catch up,
24 yes? Thank you. No problem.

25 MS RABESANDRATANA: [9:45:13](Interpretation) Thank you, your Honour. I'd

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1 forgotten that it actually is valid for me as well.

2 Q. [9:45:22] What was your husband's profession in Bossangoa?

3 A. [9:45:39] I told you shortly that he was working in the diamond sector and then
4 he started trading in cattle. After that, he settled down in Bossangoa where his
5 brother was settled.

6 Q. [9:45:58] What is your religion and that of your husband?

7 A. [9:46:11] We are both Muslims.

8 Q. [9:46:18] What were the relations between Christians and Muslims when you
9 arrived in Bossangoa?

10 A. [9:46:34] The relations were peaceful.

11 Q. [9:46:46] Would you basically go to each other's place and socialise as
12 a community?

13 A. [9:47:03] Yes. There was peace between the two communities and it was this
14 event that caused havoc subsequently.

15 Q. [9:47:28] Did you have neighbours -- Christian neighbours?

16 A. [9:47:38] Yes.

17 Q. [9:47:47] You're saying that your husband was a trader. He was initially
18 a diamond trader and then he traded in miscellaneous items and then cattle.
19 Could you tell me what relations did he have with other traders?

20 A. [9:48:30] He had no problems with anyone whatsoever.

21 Q. [9:48:41] Were there many Christian traders in Bossangoa?

22 A. [9:48:57] Yes, there were many Christian traders.

23 Q. [9:49:07] In which field or sector of activity?

24 A. [9:49:19] *They were trading in a variety of products. There were also fishermen
25 and others who were selling on the side, and there were also farmers among them.

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1 Q. [9:49:42] Your husband, did he have another activity?

2 A. [9:49:53] Yes, my husband had a shop.

3 Q. [9:49:59] Did your husband have another activity alongside the shop?

4 A. [9:50:08] Yes, he was also working in the transport sector.

5 Q. [9:50:23] Did he have a lorry?

6 A. [9:50:33] It was actually like a van that he used for his business.

7 Q. [9:50:50] What was he transporting with this van?

8 A. [9:51:00] It was basically the produce of traders called *Boubanguéré*, and he
9 would also transport his own goods.

10 PRESIDING JUDGE SCHMITT: [9:51:18] Ms -- (Overlapping speakers)

11 MS RABESANDRATANA: [9:51:20](Interpretation)

12 Q. [9:51:20] *Did he also transport people?

13 A. [9:51:52] (No interpretation)

14 Q. [9:51:55] Could you explain who were the people who he was transporting in
15 his van?

16 A. [9:52:17] I'm just -- I'm only a woman. I was always at home, I did not
17 know -- I could not know what he was doing. I do not know the name of his
18 passengers. When you have a transport van, everyone would actually get in to
19 travel.

20 Q. [9:52:48] Thank you so much. I do not need names.

21 Where did your husband go with all these people whom he would ferry?

22 A. [9:53:12] He would take them to Benimbe -- Benzambe.

23 Q. [9:53:20] What was there in Benzambe?

24 A. [9:53:26] There were weekly markets on Friday, Saturday and Sunday. There
25 were markets that were organised in that locality.

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1 Q. [9:53:49] What happened when he transported the passengers for the last time?

2 A. [9:54:20] His last trip he made was actually a trip from which he never returned.

3 *These criminals were still rife in these various localities. One Thursday, he was about

4 to make the trip. The neighbours asked him -- warned him to not make that trip

5 because the malefactors were around in that locality. He said that God was there

6 and that God would take care of him.

7 On that day, he decided to actually make the trip on thinking that he would come

8 back, but, unfortunately, he did not return, and this is when he had that problem.

9 PRESIDING JUDGE SCHMITT: [9:55:35] Ms Rabesandratana.

10 Madam Witness, this is the Presiding Judge speaking and asking you a question.

11 Did you later learn what happened to your husband and could you please tell us

12 what you learnt?

13 THE WITNESS: [9:56:15](Interpretation) During his last trip on Friday, they left

14 around six or seven. Normally, they would come back home by three or four in the

15 afternoon. Now, when this dramatic event happened upon them, some people came

16 and spoke to us. One of my neighbours is a Christian soldier, he came with his wife

17 and he said that these malefactors came out -- the information, it was -- it was bad

18 news. We actually needed to look for more information.

19 *I told him that God was actually in control of everything and we were helpless in

20 such situations. And around three or four in the afternoon, they told us that things

21 were not looking good.

22 I would like to say that in this vehicle there were both Christians and Muslims, and

23 the Christians who were there managed to flee, but the Muslims were asked to get

24 down. *Then at around 6pm, the neighbour came back to tell me that my husband's

25 vehicle had been stopped.

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1 And he asked me to spend the night with him, so my soldier neighbour and his wife
2 and myself spoke under a tree. He came back to me and asked me what did I have
3 in the house, and I said, "Nothing at all." *So he advised me to go with him and my
4 children to the field.

5 *We spent two days there before going back home. *So we went out that day at
6 around 6pm. The neighbour, his wife and another neighbour, all four of them were
7 not Muslims. A Foulata was also in the group. There were seven of us in all. They had
8 three children, but only two of them were in the group. We left and went to the field.

9 First we crossed a stream. There was a stream between Bossangoa and... what was it?

10 Please let me try to recollect the name. So I think it was Sibut. So we walked and
11 we came to Sibut. The inhabitants helped us. They helped us find the village.

12 The following day, we walked the whole day and reached Sibut. We spent some
13 time there to rest and they asked me to spend the night and I said I couldn't and I
14 would like to see my family. So they found a vehicle that helped me go to Bangui.

15 *So my mother told me she had no... I told my mother that I had no information
16 about my husband, whether he's still alive or not; I haven't the faintest idea.

17 And this is what I told them -- I told my mother on that day.

18 MS RABESANDRATANA: [10:00:21](Interpretation)

19 Q. [10:00:21] Thank you.

20 How many members of your family fled with you to Bangui?

21 A. [10:00:39] *I fled with my neighbours who have become like family to me. They
22 are Christians, with their wives and children. *There was also a Falata (Peul) with
23 his wife and their child who was older than mine.. We actually walked to Sibut and
24 it's in Sibut that we separated and we never saw each other -- today.

25 Q. [10:01:14] *How old were your children?

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- 1 PRESIDING JUDGE SCHMITT: [10:01:25] Ms Rabesandratana, there are
2 overlapping speakers constantly. Please, well, you have correctly stated yourself
3 that the three-seconds rule applies to everyone, also to the one who poses the
4 questions. Please repeat the question, the last question.
- 5 MS RABESANDRATANA: [10:01:56](Interpretation)
- 6 Q. [10:01:57] How old were your children?
- 7 A. [10:02:14] About seven and eight.
- 8 Q. [10:02:23] Now, during the trip to Sibut, they were seven and eight years of age?
- 9 A. [10:02:41] Yes, that's right. Yes, my daughter was seven.
- 10 Q. [10:02:53] And the other child is a boy?
- 11 A. [10:03:02] The girl is the elder and the boy is the second child.
- 12 Q. [10:03:18] What were the health and sanitary conditions like during this march
13 to Sibut?
- 14 A. [10:03:39] We suffered greatly. When the events happened, we couldn't feel all
15 that suffering and pain. There was an internal strength that kept us walking and
16 moving ahead. Once we got there, we felt the pain and we realised that our feet
17 were hurting, our backs were hurting, and -- but we didn't sense these things when
18 we were actually travelling. It's once we got to our destination, that's when we
19 began to feel these things.
- 20 Q. [10:04:30] Were you able to get any care once you had got to Bangui?
- 21 A. [10:04:40] *No, before God, no, I didn't go to the hospital. It was my mother
22 who took care of me and my children. One of our neighbours as well, she provided
23 some care, she gave me injections, but I didn't go to the hospital.
- 24 Q. [10:05:11] As you were travelling, did you have anything to eat?
- 25 A. [10:05:28] We weren't even hungry. We weren't even hungry.

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1 Q. [10:05:41] Could you give us some idea of how many people fled from

2 Bossangoa to Sibut and Bangui?

3 A. [10:06:01] As I told you, we had left at 18:00 hours, people were sleeping. But

4 after that, I don't know how many people left after us. We took various trails in the

5 bush to get there. We weren't attacked along the way, but we didn't get any

6 information about what happened after we left, about the number of people who had

7 been killed or mistreated. I didn't see any of that and we -- we didn't get any

8 information about that.

9 Q. [10:06:58] What were your feelings when you left Bossangoa?

10 A. [10:07:25] I have a great wound within me and that wound has not healed or

11 become scarred. Only God will be able to help me heal and only through God will

12 a scar form.

13 Q. [10:07:50] Do you know where the remains of your husband are located?

14 A. [10:08:01] I don't know.

15 Q. [10:08:24] Were you able to hold some kind of small ceremony to mourn?

16 A. [10:08:50] I still am grieving and I am still grieving for my husband. I'm still

17 mourning, even now.

18 Q. [10:09:05] Do you know what happened to the vehicle with the people and the

19 goods?

20 A. [10:09:25] I don't know. I don't know whether the vehicle was hidden

21 somewhere, whether they were burnt alive in the vehicle. I don't know. Not even

22 now.

23 Q. [10:09:50] No one -- or did you hear any rumours about what happened to the

24 bodies and the vehicle?

25 A. [10:10:09] No one told me about that. No one could go and try to find out what

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1 had happened. We don't know whether they were burnt alive or buried somewhere
2 or if they're still in the bush. Let us hope that one day they come back home. I
3 don't know. Only God knows.

4 Q. [10:10:48] Thank you.

5 When you got to Bangui, what happened then?

6 A. [10:11:08] Once we got to Bangui, we rested for a while. And shortly after, the
7 attack of 5 December occurred. We were already in Bangui by the time that attack
8 occurred.

9 Q. [10:11:25] What happened on 5 December?

10 A. [10:11:38] On 5 December, we were together, the family, and we were hoping
11 that we could celebrate the December feast. Early in the morning, we started to hear
12 shooting around PK12. *My mother wasn't at home. My sister had given birth and
13 she was with my sister who had given birth. I was at home with my children. I
14 was with my neighbours, they had come to my home and they said, "Ma'am, we have
15 learned what has happened. We have heard that those wrongdoers have entered the
16 city. It's best to go away." There was shooting everywhere. Some Muslim people
17 were fleeing. Other -- well, some Christians as well fled. Our neighbour said that
18 we should follow her to Kalaba -- Galababa neighbourhood, and I said that I
19 couldn't go there and I said it was better for me to go to the home of my elder sister at
20 PK5. *My children, my sister and my neighbours and I, there were more than 20 of
21 us. We crossed the neighbourhood and we got to PK12. Once we got to PK12, we
22 took a bus that took us to Gobongo. There was shooting everywhere. Everywhere.
23 The Seleka barricaded the roads, as did the Anti-Balaka. There was shooting
24 everywhere.
25 The driver of the bus said he could not continue. *We paid our bus fare of 100 francs

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1 and then continued the rest of our way on foot until we got to PK5. At PK5 we split
2 up. Some went to Kpetene; others went to Ngu-Bagara and Kilometre 5.
3 Once we got there, the fighting was still going on and there still was shooting
4 everywhere in the city. People were fleeing. Some went to the airport, some went
5 to the church. The fighting was so intense the Muslims could not wear their Muslim
6 clothing. We had to disguise ourselves and put on Christian clothing. *We said, "It's
7 better to flee", because everyone else was fleeing. We fled and we took refuge at the
8 airport. And there, at the airport, after a meal we were able to take a flight. *And
9 that's how we became refugees. We got separated and I haven't been able to see some
10 of my family members since.

11 Q. [10:14:41] How long did you stay at the airport for?

12 A. [10:14:49] Once we got to the airport, well, we did not spend a lot of time there.
13 May God take pity on us. We were able to go to another place. Many people didn't
14 have that opportunity. We got that opportunity to get the vehicle, and we got there
15 to the airport at 13:00 hours, and, at 16:00 hours, we got an aeroplane which
16 evacuated us.

17 Q. [10:15:27] You said that you were wearing --

18 THE INTERPRETER: [10:15:29] Correction --

19 MS RABESANDRATANA: [10:15:30](Interpretation) Were you wearing traditional
20 attire at the airport?

21 A. [10:15:40] Yes, that's true. We were not able to wear our usual clothing, we had
22 to disguise ourselves. After us, the other people didn't have a chance to leave. We
23 got to the airport on foot and we were lucky enough that we were not stopped or
24 detained by those wrongdoers. The others didn't have that chance.

25 Q. [10:16:16] Who did you flee with all the way to the airport?

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1 A. [10:16:22] I was with my brothers and my sisters and some neighbours. You
2 have to realise that during that event, some Christians took refuge at the airport or at
3 the mosque or at the church. Not everyone was acting in bad faith. We were able
4 to cross the neighbourhood. *If you are a person of good faith, God can help you and
5 put before you someone who can show you the right path, that that is what happened
6 to us.

7 Q. [10:17:10] Was your mother with you?

8 A. [10:17:29] No. She was with my younger sister. She was keeping her
9 company. She had just had a baby.

10 Q. [10:17:43] Were your children with you?

11 A. [10:17:48] Yes, my children were with me.

12 Q. [10:17:57] Once you got to Chad, what happened then?

13 A. [10:18:22] Once we got to Chad, we went to the refugee centre.

14 Q. [10:18:40] What were the living conditions like there?

15 A. [10:18:54] Extremely precarious. We suffered. I wasn't the only person who
16 was suffering. There were many of us. Many, many of us.

17 Q. [10:19:06] How many, in general terms, at this centre?

18 A. [10:19:15] There were many, many of us at that site.

19 Q. [10:19:35] Were there many women?

20 A. [10:19:39] Yes, there were many women, many men, many children. Orphans,
21 widows who had just lost their husbands. There were many of us. I can't give you
22 a number though.

23 Q. [10:20:05] You said that you set yourself up or you established yourself, how?

24 A. [10:20:20] It was a difficult situation for me. I left the camp and I went and
25 found a place in the neighbourhood. I rented a house.

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1 Q. [10:20:35] But in the camp, did you have a tent or some kind of roof?

2 A. [10:20:59] Yes, there were tents. They were made out of tarps, but they weren't
3 sufficient.

4 Q. [10:21:16] You were there with your children and other people? Or was it just
5 your family?

6 A. [10:21:38] Everyone was there. There could be four people in a tent,
7 particularly those of us who were widows and people with young children. In my
8 case, there were my children, other widows had their children, so there could be four
9 or five people in a tent. Single people also had to share tents.

10 Q. [10:22:13] How hot was it in these tents?

11 A. [10:22:21] Very hot during the daytime. And at night, it was more ambient
12 temperature, but during the daytime it was very, very hot. I'm sure you realise that
13 the town is in a desert area.

14 Q. [10:23:01] Now, the camp was outside of N'Djamena?

15 A. [10:23:14] Yes, it was a bit of a distance from N'Djamena. You had to take a car
16 to get there. People who wanted to visit us might have to change vehicles three
17 times, and we, too, those of us in the refugee camp, we would take cars to get to the
18 main road before continuing on to the city. That is how we were able to move about.

19 Q. [10:23:59] Now, in this camp where there were children, were there any schools?

20 A. [10:24:14] Yes, the children were able to learn Arabic and French.

21 Q. [10:24:27] What led you to leave this camp?

22 A. [10:24:45] I thought about it and I realised it was hard to obtain food, and we
23 had to go towards some villages in order to work and earn some money. So, for that
24 reason, I decided to leave the camp, go elsewhere and find work.

25 Q. [10:25:15] What kind of work did you find?

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1 A. [10:25:23] Hairdressing, manicures, pedicures.

2 Q. [10:25:45] In a town?

3 A. [10:25:52] I was working in a salon in the centre of town, and then I dropped
4 that and I went to my home, and the clients who knew me continued to come to me
5 for hairdressing -- to have their hair done.

6 Q. [10:26:18] And what about the place where you're living now? What are the
7 accommodations like?

8 A. [10:26:32] Well, a woman without a husband has terrible difficulty renting
9 a house. I fought -- I had to fight as a woman.

10 Q. [10:26:57] Do you feel safe in your accommodations?

11 A. [10:27:09] Well, there really wasn't any safety. You just had to be careful and
12 not -- and keep a low profile, I would say.

13 MS RABESANDRATANA: [10:27:39](Interpretation) Your Honour, I would like to
14 request a private session because I'm (Overlapping speakers) --

15 PRESIDING JUDGE SCHMITT: [10:27:43] Yes, a private session shortly.

16 (Private session at 10.27 a.m.)

17 THE COURT OFFICER: [10:27:56] We are in private session, Mr President.

18 MS RABESANDRATANA: [10:28:12](Interpretation)

19 Q. [10:28:14] Madam Witness, we are in private session now and I would like to
20 ask you some questions about your children.

21 Are your children with you?

22 A. [10:28:30] No.

23 Q. [10:28:44] Can you tell us why?

24 A. [10:28:48] *(Redacted) and my children, my daughter is 15 years old , the other
25 child is 13 years old. I'm still working as a hairdresser to support myself and to pay

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1 the rent. I also cover the cost of my children's schooling. Fortunately, my sister
2 came and took the children and she took them to her home -- the two of them. *She
3 put them through school and I'm all on my own, fighting. If God continues to
4 support me, I will continue to fight so I can bring my children back to me.

5 PRESIDING JUDGE SCHMITT: [10:30:11] Ms Rabesandratana, I think we could
6 have also discussed this in open session, I have to say.

7 MS RABESANDRATANA: [10:30:22](Interpretation) I would like the witness to
8 explain to us which country they're in, that's all.

9 PRESIDING JUDGE SCHMITT: [10:30:30] That's okay. Now I understand. Yes,
10 please ask -- please ask that.

11 MS RABESANDRATANA: [10:30:41](Interpretation)

12 Q. [10:30:41] Where are they being schooled?

13 (Redacted)

14 Q. [10:30:54] With your elder sister? Thank you.

15 A. [10:31:20] Yes.

16 MS RABESANDRATANA: [10:31:23](No interpretation)(Overlapping microphones)

17 PRESIDING JUDGE SCHMITT: [10:31:26] Yes. Back to open session.

18 (Open session at 10.31 a.m.)

19 THE COURT OFFICER: [10:31:30] We are back to open session, Mr President.

20 MS RABESANDRATANA: [10:31:33](Interpretation)

21 Q. [10:31:33] Are you in touch with your children? How does it -- how is it
22 happening?

23 A. [10:31:55] I can communicate through telephone; I can speak to them using
24 a telephone.

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1 Q. [10:32:07] Do you call them regularly?

2 A. [10:32:14] Yes, I call them any time. When I do not have enough balance, I
3 don't call them. But, otherwise, I call them all the time when I can to ask how they
4 are.

5 Q. [10:32:35] How are they doing there?

6 A. [10:32:42] They are well. *They have a better life compared to when they were
7 with me. When they were with me I always worried whenever I went out. I was
8 scared someone would hurt them. But with my sister, they have a better life.

9 Q. [10:33:10] Are they faring well in school?

10 A. [10:33:20] Yes, they have good grades.

11 Q. [10:33:33] Do you think you would be able to call them back home with you
12 soon?

13 A. [10:33:53] I do not have the necessary resources to call them back to me. My
14 daughter is -- has grown up. There is a lot of risk where I'm living. For the
15 moment, we are living and we are constantly worried. I'd rather suffer alone than
16 my children come to me and experience the same suffering. *Where they are, I know
17 that my children are in the custody of my sister who's taking good care of them. Even
18 my mother has become like their own mother at the moment.

19 Q. [10:34:46] How do you see your future in Chad?

20 A. [10:34:57] I'm putting myself in the hands of God. I don't know what's my
21 future. I'm thinking a lot -- will I really have the necessary resources to take care of
22 my children, or will I die without being able to take care of my children. *I have no
23 idea but put my destiny entirely in the hands of God.

24 Q. [10:35:32] Do you have any plans to -- any professional plans concerning your
25 business, your activity?

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1 A. [10:35:54] *I want to have a better future so that I can take care of my children,
2 so that they really don't think a lot about their father. That's why I'm constantly
3 praying that God gives me the strength to help me have the resources to take care of
4 my children.

5 Q. [10:36:14] Did you have any job offers?

6 A. [10:36:31] No. I'm striving all on my own.

7 Q. [10:36:42] Do you know people in the camp who have had job offers?

8 A. [10:37:03] No, I do not know. I haven't seen anyone. I just focus on what I
9 know to do. *I also haven't been trying to get any job other than the one I'm doing at
10 the moment.

11 Q. [10:37:26] Does this job suit you?

12 A. [10:37:38] *I can get 10,000, 15,000, 20,000 per day, sometimes 3,000, it depends
13 on God's grace.

14 Q. [10:38:01] Do you have loyal customers?

15 A. [10:38:14] *Before, I had many clients, I would go to their homes to braid their
16 hair. But given the situation in the country, I'm in my house. Women who want to
17 get their hair dressed, call me to come to my house.

18 Q. [10:38:36] Are they safe in your house?

19 A. [10:38:40] No. They come to get their hair done, they can enter. These are
20 actually local girls, they speak the local language. I'm a foreigner, I do not speak the
21 language of this country. I cannot go to people's house to get their hair done.

22 *People who trust me can come to my home so I can braid their hair.

23 Everything depends on the will of God.

24 Q. [10:39:16] You cannot kind of mix with the people -- with the local people, can
25 you not be one of them?

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1 A. [10:39:42] We actually go to certain ceremonies, to certain neighbours, but we
2 can't -- you can't go everywhere. You can't go out at night, it's not safe. You can't
3 take such risk.

4 Q. [10:40:10] Do you feel that you are a Central African Republic national?

5 A. [10:40:25] My grandfather, my father, my children, myself, we've all been born
6 in the Central African Republic. Every -- irrespective of where I am in the world, I
7 am a resident -- a national of the Central African Republic and I cannot change my
8 nationality. I'm Central African by heart.

9 Q. [10:40:57] You're not Chadian?

10 MS RABESANDRATANA: [10:41:12](Interpretation) It's no longer working.

11 PRESIDING JUDGE SCHMITT: [10:41:17] Well, we have to establish -- yes, now the
12 witness is there.

13 Madam Witness, you don't feel to be a citizen of Chad; is that correct?

14 THE WITNESS: [10:41:28](Interpretation) I am a Central African Republican.

15 MS RABESANDRATANA: [10:41:49](Interpretation)

16 Q. [10:41:50] Do you know what has become of your property that you left behind
17 in the Central African Republic?

18 A. [10:42:05] No, I have no clue.

19 Q. [10:42:13] Your house in Bossangoa, does it still stand?

20 A. [10:42:25] I do not have an idea, the faintest idea.

21 Q. [10:42:33] Now, if peace is restored some day, would you like to go back and
22 live in the Central African Republic?

23 A. [10:42:59] *The people of the same age I was living with in the Central African
24 Republic are no longer in the country. Everyone with whom I grew up, from Bangui
25 to Bossangoa, are no longer there. Some of them were killed. Others left the

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1 country and fled abroad.

2 I don't know my future, and I really don't know what can actually push me to go back
3 and live in the Central African Republic.

4 Q. [10:43:43] Do you still have contact with your neighbours, your Christian friends
5 in the Central African Republic, with your Christian friends and neighbours who
6 helped you out?

7 A. [10:44:03] Yes, I am still in touch with some in PK12 by WhatsApp. Some of
8 them left the country to go abroad, some of them are dead. I still have contact with
9 one or two people, but many died.

10 Q. [10:44:39] Can I say that you no longer have your roots in the Central African
11 Republic and you cannot lay your roots in Chad?

12 A. [10:45:18] That's not quite right. I still have a deep wound in my heart that
13 hasn't healed. How can I even start a new life? It's just not possible, it's too hard.

14 Q. [10:45:37] Could you explain from what you're suffering?

15 A. [10:46:00] (No interpretation)

16 PRESIDING JUDGE SCHMITT: [10:46:01] Could we perhaps -- perhaps please
17 fix -- yes, exactly. Thank you very much. That's very nice. Thank you.

18 Madam Witness, your answer, please. Thank you.

19 Perhaps you repeat the question, Ms Rabesandratana, please be so kind, yes.

20 MS RABESANDRATANA: [10:46:38](Interpretation)

21 Q. [10:46:39] Could you explain to us your sufferings: how do you feel? What do
22 you feel?

23 A. [10:46:56] As I previously stated, the wound in my heart, I do not know if one
24 day if this wound can be healed. I don't even want to live. I've lost all desire to
25 live.

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1 Q. [10:47:26] Do you have headaches? Do you have dizzy spells?

2 PRESIDING JUDGE SCHMITT: [10:47:50] Ms Rabesandratana, I think the witness
3 has really explained what state she is; that she stills suffers and she has expressed it in
4 her words and I think that should be sufficient.

5 MS RABESANDRATANA: [10:48:14](Interpretation) Your Honour, I've finished my
6 questioning. I'll leave it here.

7 PRESIDING JUDGE SCHMITT: [10:48:22] Thank you, Ms Rabesandratana.
8 I don't assume that Ms Lau has any questions?

9 MS LAU: [10:48:28] Thank you, Mr President. There won't be any questions on
10 behalf of Mr Suprun. Thank you.

11 PRESIDING JUDGE SCHMITT: [10:48:34] Okay. Thank you.

12 And then I'm not sure if I spell your name correctly, Mr Oja? Or, I'm not sure.

13 Please, please tell me do you have any questions?

14 MR OJA: [10:48:46] Mr President, unfortunately we have a couple of questions,
15 so -- but I hope they go direct to the point and the questions and answers will be
16 short.

17 PRESIDING JUDGE SCHMITT: [10:48:55] Then, please start.

18 QUESTIONED BY MR OJA:

19 Q. [10:48:49] Madam Witness, we have met before during the familiarisation
20 process, so -- but I repeat my name. My name is Tuomas Oja, and I represent the
21 Prosecution today and I have a couple of questions to you.

22 I'll try to speak slowly, that you understand the translation and can follow me,
23 hopefully. You also do the same, that your answers are enough slow and wait -- that
24 you are waiting, that there's a pause.

25 PRESIDING JUDGE SCHMITT: [10:49:33] Perhaps we can -- may I ask you, I think

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1 we -- we don't make it until 11 o'clock that you have finished your questions; is this
2 correct?

3 MR OJA: [10:49:48] It's on a limit, I would say.

4 PRESIDING JUDGE SCHMITT: [10:49:50] Yes, okay. Then, perhaps, we have the
5 coffee break.

6 And, well, it depends also, of course, on the questions of the Prosecution and the
7 answers by the witness. I don't assume, Ms Bafadhel, that you will have any
8 questions?

9 MS BAFADHEL: [10:50:01] No. Currently, we do not have any questions.

10 PRESIDING JUDGE SCHMITT: [10:50:05] Okay. Yes, currently.

11 Mr Knoops, with regard to the witness testimony until now, there will -- at least, this
12 will not be extensive by you, I assume -- or Ms Proulx --

13 MR KNOOPS: [10:50:05] Madam Proulx will conduct the examination.

14 PRESIDING JUDGE SCHMITT: [10:50:06] -- this will not be -- will not be extensive?

15 MS PROULX: [10:50:19] That's right, Mr President. I expect about an hour.

16 PRESIDING JUDGE SCHMITT: [10:50:24] Yes. Thank you very much.

17 Then let's have the break until 11.30.

18 THE COURT USHER: [10:50:34] All rise.

19 (Recess taken at 10.50 a.m.)

20 (Upon resuming in open session at 11.30 a.m.)

21 THE COURT USHER: [11:30:35] All rise.

22 Please be seated.

23 PRESIDING JUDGE SCHMITT: [11:30:53] Ms Bafadhel.

24 MS BAFADHEL: [11:31:03] Just for the record, your Honours, just to state that Ms
25 Cordova had to unfortunately leave, but she's been replaced by Ms Lison Grunhut

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1 and Mr Lionel Messi Tikpa has also joined us.

2 PRESIDING JUDGE SCHMITT: [11:31:18] Thank you very much.

3 And still good morning to everyone, and I give Mr Oja the floor now.

4 MR OJA: [11:31:26] Thank you, Mr President.

5 Q. [11:31:28] Madam Witness, as I mentioned before the break, I have a couple,

6 maybe three questions to you, so I will start now.

7 In the beginning of your testimony, you told us, the Court, about this tragic incident

8 concerning your husband. Are you still able to remember the time when this

9 incident happened, a year, a month, maybe a number of a day?

10 PRESIDING JUDGE SCHMITT: [11:32:53] Madam Witness, I see that you are

11 thinking. Do you have an idea approximately? You don't need to recall the date,

12 we are speaking about events 11 years ago, but do you approximately have an idea

13 when this happened?

14 THE WITNESS: [11:33:26](Interpretation) *All I remember is the attack of 5

15 December, but the Bossangoa events I no longer recall -- not with the dates, at least.

16 PRESIDING JUDGE SCHMITT: [11:33:38] Madam Witness, when you recall the

17 December attack, 2013, how much time before did that happen, when your husband

18 was killed? How much -- how long was it? A month, two months, half a year, a

19 year or so? If you recall it.

20 THE WITNESS: [11:34:20](Interpretation) One month after.

21 PRESIDING JUDGE SCHMITT: Mr Oja, I --

22 THE WITNESS: [11:34:09] (No interpretation)

23 MR OJA: [11:34:23]

24 Q. [11:34:24] Thank you, Madam Witness.

25 When you described this tragic incident, you told that the cause of this incident was

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1 something which you describe, at least in the English translation, malefactors. Can
2 you tell to the Court what you meant by using this word "malefactors"? Who were
3 the malefactors, so to speak?

4 A. [11:34:58] These malefactors, you know full well who they are.

5 Q. [11:35:14] Madam Witness, now you are in a court and I think you should
6 explain it more in detail, what are you meaning with these malefactors, because I
7 don't know it and I think the Court are not able to guess it.

8 A. [11:35:52] Those malefactors were the Anti-Balaka.

9 Q. [11:35:57] Thank you, Madam Witness.

10 Now I turn to something else and hopefully --

11 PRESIDING JUDGE SCHMITT: [11:36:02] May I shortly.

12 Madam Witness, you say now these were the Anti-Balaka. How do you know that?

13 THE WITNESS: [11:36:21](Interpretation) The Anti-Balaka and the Seleka fought.
14 They were the ones who brought war to our country.

15 PRESIDING JUDGE SCHMITT: [11:36:43] Well, I understand. I think everybody
16 understands the answer.

17 Mr Oja, please continue. Excuse me for interrupting but, you know, I think it might
18 also take one question at least away unfortunately from Ms Proulx. Please, Mr Oja.

19 MR OJA: [11:36:59] Thank you, Mr President.

20 Q. [11:37:01] Now I would like to turn to something else for the last point, Madam
21 Witness. You told to the Court about your trip from Bangui to the airport and you
22 mentioned that you had to disguise yourself, you had to turn yourself, your outfit as a
23 Christian. Now my question is why you have to do that?

24 A. [11:37:29] I dressed as a Christian woman because the -- at that time, Muslims
25 were being harassed, so that's why we dressed like Christians, so we could get to the

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1 airport.

2 Q. [11:38:09] Madam Witness, I understand, but you were civilian, you were not
3 participant in any activities concerning this conflict. Can you describe a little bit
4 more why Muslim woman have to turn herself as a Christian?

5 A. [11:38:29] Although the conflict -- well, you see, the conflict did not just have to
6 do with the combatants. At one point it became a question of communities battling
7 each other, so fighting amongst civilians.

8 Q. [11:39:14] Madam Witness, in your statement you are referring to roadblocks on
9 your road to the airport, roadblocks manned by Anti-Balaka. Was the same reason
10 for that, to change your clothing and your attire as a Christian?

11 A. [11:39:42] Exactly.

12 Q. [11:39:50] Thank you, Madam Witness. My last question concerning your stay
13 at the airport. I know you were there only for a while, but were you able to estimate
14 how many other -- how many other persons were taking refuge at the airport at the
15 same time when you were there?

16 A. [11:40:15] There were many people. I couldn't give you the number, but there
17 were the Christians, the Muslims. I couldn't estimate an actual number. The entire
18 airport was full.

19 Q. [11:40:49] During your stay at the airport, did you have any cover -- I mean, like
20 a roof on your -- above you covering from sun and heat and whatever weather
21 conditions were?

22 A. [11:41:08] No. The airport is just a field, really, and then there's the building
23 with four walls.

24 Q. [11:41:42] Thank you, Madam Witness. That was my last question.

25 PRESIDING JUDGE SCHMITT: [11:41:45] Thank you very much, Mr Oja.

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1 I give now the floor to Ms Proulx.

2 QUESTIONED BY MS PROULX: (Interpretation)

3 Q. [11:42:38] Good morning, ma'am. Can you hear me?

4 A. [11:42:42] Yes, good morning, I can hear you just fine.

5 Q. [11:42:49] We met a few weeks ago during the courtesy meeting, but just to

6 refresh your memory, my name is Marie-Hélène Proulx, and I'm one of

7 Mr Ngaïssona's lawyers and I'll be putting a number of questions to you today.

8 A. [11:43:15] Very well.

9 Q. [11:43:18] If the questions don't seem clear to you, if you don't understand them,
10 please ask me to rephrase them; is that understood?

11 A. [11:43:30] Yes, I understand.

12 Q. [11:43:34] Ms Moussa, I'd like to begin by talking about the form you filled out
13 to be a victim in these proceedings. Do you remember who helped you fill out this
14 form, the victims participation form?

15 I can see that you're nodding your head. Could you tell us the name of the person
16 who helped you?

17 I did not hear any interpretation. Could you repeat your answer, ma'am?

18 A. [11:44:39] I'm not so sure I've understood your question about the form. Could
19 you repeat the question, please?

20 Q. [11:44:48] That's not a problem, ma'am. I just wanted to know what was the
21 name of the person who helped you fill out the victims participation form?

22 A. [11:45:01] I believe that everything is by the hand of God. If you have suffered,
23 and depending on the will of God, the proceedings will go ahead so that things can
24 proceed normally and that is why today we find ourselves here, today.

25 PRESIDING JUDGE SCHMITT: [11:45:56] It's not -- I think there is a

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1 misunderstanding, simply. Perhaps she does not have a recollection at all that she
2 filled, and we know, with the help of someone, filled the form. So, well, you have to
3 perhaps adjust to that.

4 MS PROULX: [11:46:24](Interpretation)

5 Q. [11:46:26] I'll show you this form, actually. It's on our list of materials.

6 Actually, it's the only item on our list. CAR-V44-00000064. And if we could please
7 go to page 0104 -- page 14 actually. Page 14.

8 PRESIDING JUDGE SCHMITT: [11:47:15] You can be very direct, I think. And also
9 for your further questioning, if you want to refer to anything that is in this form,
10 please simply read it out and then it's -- it is, as I have always explained, already on
11 the record, when this document is on the record. You understand what I mean. So
12 we don't have to -- because we had this thing, I also had to read the oath to the
13 witness so we don't let her read anything. Please tell us what is in there, what you
14 think is important and then read it on the record, yeah.

15 MS PROULX: [11:47:59] Thank you for the guidance, Mr President.

16 Q. [11:48:06](Interpretation) Ma'am, can you see this document up on the screen?

17 A. [11:48:12] Yes, I can see it.

18 Q. [11:48:18] Could we scroll down, please, and look at the bottom of the page.

19 Ma'am, at the very bottom, am I correct in saying that we can see your fingerprint?

20 A. [11:48:38] Yes, that's right.

21 Q. [11:48:50] Do you remember who wrote this document?

22 A. [11:48:58] It was the UNHCR.

23 Q. [11:49:18] Now, with this form, ma'am, there are a number of documents to be
24 found. At page 15, there we see your birth certificate, and at page 16 there's a
25 photograph of your husband, and further on there's a refugee statement, or

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1 declaration.

2 A. [11:50:08] Before we went to the UNHCR, we were assisted by an organisation
3 called CNARR, so that was before we were referred to the UNHCR. That's the
4 document you are referring to.

5 MS PROULX: [11:50:24] Mr President. Yes, I'm sorry. I did not specify it, but the
6 document should not be broadcast outside. Thank you.

7 PRESIDING JUDGE SCHMITT: [11:50:28] Ms Massidda.

8 MS MASSIDDA: [11:50:29] Sorry to interrupt, your Honour. These documents are
9 classified confidential. The document shown at the moment --

10 PRESIDING JUDGE SCHMITT: [11:50:35] We have -- we have no need.

11 MS MASSIDDA: [11:50:39] Thank you.

12 PRESIDING JUDGE SCHMITT: [11:50:40] We have it on the record now, yeah. We
13 don't show it, then. And we didn't, so no problem.

14 MS PROULX: [11:50:51](Interpretation)

15 Q. [11:50:51] If we could move on to the following page, and here we see an
16 attestation, your marriage attestation or certificate. Were you the one, ma'am, who
17 provided these documents?

18 A. [11:51:15] Yes, when we got there, they asked us a lot of questions. The events
19 were more than 10 years ago, so I can't remember all the details.

20 Q. [11:51:36] I understand that. I just wanted to make sure that it was you,
21 yourself, who provided the document. That's right, it was you who provided the
22 documents?

23 A. [11:51:46] I was asked to provide documents and they looked at all those
24 documents. That's what you see here.

25 Q. [11:52:01] Perfect. Thank you very much.

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1 And this form that was filled out -- someone from the UNHCR filled this out for you.

2 Now, did the person read the form back to you before asking you to place your

3 fingerprint upon it?

4 A. [11:52:27] Yes. When I was at the CNARR organisation, I was interviewed, and
5 after I answered, they wrote them down.

6 Q. [11:53:01] And when you placed your fingerprint on the document, that meant
7 that you were in agreement with everything that was written in it; have I understood
8 you correctly?

9 A. [11:53:17] Yes.

10 Q. [11:53:33] Thank you. The document can be taken off the screen, please.

11 Ma'am, what year was it when you and your husband went and established yourself
12 in Bossangoa? Do you remember the year?

13 A. [11:54:01] I believe that was for three or four years -- three or four years
14 before -- before the events occurred.

15 Q. [11:54:28] Ms Moussa, when the events occurred in 2013, what were you doing?
16 Did you have some kind of work?

17 A. [11:54:42] I did not have any work. I was at home. Even to get to the market
18 was difficult. I kept the house.

19 Q. [11:55:01] You said it was difficult for you to even go to the market. Did you
20 go to the mosque sometimes? Did you leave your compound from time to time?

21 A. [11:55:15] I didn't even go to the mosque. I prayed at home.

22 Q. [11:55:28] In the participation form at page 14, it says that you lived in "Boyram"
23 neighbourhood in Bossangoa, and we checked and we did not find any
24 neighbourhood by that name in Bossangoa. Could you be more specific? Where
25 did you live when you were in Bossangoa?

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1 A. [11:56:01] Bornou is the name of the neighbourhood where I was living.

2 Q. [11:56:25] Thank you. That's clearer. A few moments ago you told us that
3 you were born in 1994, but it would appear that when you spoke to the Victims and
4 Witnesses Section of the ICC, you gave them a different date of birth. You said
5 2 January of 1989. Could you explain why you gave a different date, a different date
6 of birth to the VWS, 2 January 1989?

7 A. [11:57:04] I have no idea. I was born in 1994. I don't know why that came out
8 differently. I don't know why. I don't know why there's that difference between
9 the dates. I don't know what to tell you.

10 MS PROULX: [11:57:34] Just for the record, Mr President, I was referring to filing
11 number 2096 that was filed on 14 September, at paragraph 3, and the same date, 1989,
12 was repeated in two emails received from the VWS.

13 Q. [11:58:12](Interpretation) You said that your eldest child was seven years old at
14 the time of the events in 2013. So she was born in the year 2006; is that correct?

15 THE INTERPRETER: [11:58:43] The witness has shaken her head but has not given a
16 verbal response.

17 THE WITNESS: [11:58:49](Interpretation) 2006.

18 MS PROULX: [11:58:59](Interpretation)

19 Q. [11:59:00] The answer was not quite clear for the transcript.

20 Now, are you in agreement that your daughter was seven years old in 2013 and so she
21 was born in 2006? Do you agree?

22 A. [11:59:15] I don't know how old, whether she was six or seven. I think.

23 Q. [11:59:37] I suppose she was born in the year 2006, so you were 12 years old
24 when you gave birth to her?

25 A. [11:59:48] No, I was not 12 years old. We Muslims, we marry very early, not

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1 like the Christians. At 12 or 13 you are already married. My first son, when I gave
2 birth, it was my mother who took care of the child and I took care of the second child
3 later. After the child was weaned, my mother sent the daughter.

4 Q. [12:00:38] When was your second child born, Witness?

5 A. [12:00:51] *When? After the death of his father, my son was three at that point of
6 time, and after the first born, it was after a few years that I had the second child.

7 Q. [12:01:19] I just want to make sure I understand.

8 Now, during the events, your eldest son was seven and your other child was three;
9 am I right in saying that?

10 A. [12:01:39] Yes, that is it. The eldest wasn't seven as yet, but the second was
11 already three.

12 Q. [12:02:01] Thank you. It's clearer now, thank you.

13 Now, in the participation form it is stated that you had one daughter under your care.
14 Why did you say that you had only one daughter in your care whilst you had two
15 children?

16 A. [12:02:34] No, I said I had two children under my care, one daughter and one
17 son. Perhaps things got a bit mixed up with the transcript.

18 Q. [12:02:56] Thank you. Again, assuming that your daughter was born in 2006,
19 you got married three years after she was born. Am I right in saying that?

20 PRESIDING JUDGE SCHMITT: [12:03:43] Perhaps you explain the background of
21 your question. You know, 1994, in the morning, in the first session, she said she was
22 married at the age of 15. Perhaps you explain it to her, how you come to put that to
23 her.

24 MS PROULX: [12:04:05](Interpretation)

25 Q. [12:04:05] This morning you stated that you got married in 2009, and if your

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1 daughter is born in 2006, it means that you actually gave birth to your daughter three
2 years after you got married, approximately three years after you got married; is that
3 right?

4 A. [12:04:26] I do not understand when you talk about marriage. I think I haven't
5 understood your question.

6 PRESIDING JUDGE SCHMITT: [12:04:45] Ms Proulx, let me.

7 Madam Witness, the Presiding Judge speaking. So you told us that you were born in
8 1994. Now try to remember when you were married, the year, or perhaps also the
9 age, if you recall that. When were you married?

10 THE WITNESS: [12:05:07](Interpretation) I got married when I was 12 and I was
11 united with my husband at 13. I was already founding a household with him at 13.

12 PRESIDING JUDGE SCHMITT: [12:05:44] Thank you.

13 Ms Proulx.

14 MS PROULX: [12:05:55](Interpretation)

15 Q. [12:05:58] Earlier on this morning you said, at page 6 of the transcript, that you
16 got married in Bossangoa, and after that you said you got married -- you said you got
17 married in Kilometre 5 in Bangui. Which of that is true?

18 A. [12:06:19] No, it was in Bangui, because I was with my mother. I got married
19 in Bangui before I went to Bossangoa. I told you that my eldest child was weaned
20 and was taken care of by my mother. It's only when she was -- when the child was
21 weaned, that she sent the child to me in Bossangoa.

22 Q. [12:06:56] Right. So you got married in Bangui. Was it the only marriage
23 ceremony that was conducted?

24 A. [12:07:09] Yes. There was only one marriage ceremony. It's only after the
25 ceremony that I went to Bossangoa.

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- 1 PRESIDING JUDGE SCHMITT: [12:07:27] Ms Bafadhel.
- 2 MS BAFADHEL: [12:07:31] I apologise for the interruption, but my client requires a
3 break for the restroom.
- 4 PRESIDING JUDGE SCHMITT: [12:07:36] Yes. Absolutely. Then -- then we
5 interrupt. But I think we don't have to leave the room, we can stay here. So let's
6 have a short break.
- 7 (Mr Yekatom exits the courtroom)
- 8 PRESIDING JUDGE SCHMITT: [12:08:04] Well, I always like to bridge the gaps, to
9 interrupt the silence, so to speak.
- 10 Mr Knoops, with regard to your expert, is there any news when we can hear him?
11 You know what I mean, which expert I mean, the one with regard to the Facebook
12 records.
- 13 MR KNOOPS: [12:08:30] Yes, it's not feasible this week, Mr President (Overlapping
14 speakers).
- 15 PRESIDING JUDGE SCHMITT: [12:08:33] I know, I know that's not feasible. You
16 know, I'm just talking, yeah. So I know that's not feasible this week and I also
17 assume not feasible this, let's say, this evidence until the --
- 18 MR KNOOPS: [12:08:47] Yes. He's now, Mr President, scheduled for 18 till
19 22 March.
- 20 PRESIDING JUDGE SCHMITT: [12:08:54] Good. Okay.
- 21 MR KNOOPS: [12:08:55] But the other expert, he is definitely available for 27 till 29,
22 or 1 March, depending on --
- 23 PRESIDING JUDGE SCHMITT: [12:09:05] Yeah, I know, I know. This is -- this is
24 the last of the block, so to speak. We appreciate, of course, you know that - and this
25 also concerns, obviously, the defence of Mr Yekatom - we appreciate any effort to fill

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1 the evidentiary blocks as good as possible. And we don't have the expectation that it
2 is as easy as it is with regard to Prosecution witnesses, we don't have that, but until
3 now I think it's okay. So, please, I can only encourage you to -- well, to follow that
4 and really try to fill the evidentiary block that we have.

5 MR KNOOPS: [12:09:45] And, Mr President, for the Court just to know it's -- we
6 were quite optimistic last week, but the Chamber was so kindly to consider also
7 admitting an expert who is not yet on the list. But we were informed that the
8 problem is if the expert is not yet formally on the list, there is a problem with
9 reimbursement. So that's an issue we oversaw.

10 (Mr Yekatom enters the courtroom)

11 PRESIDING JUDGE SCHMITT: [12:10:09] Well, then we would have to do
12 something as a Chamber, whatsoever, you know. It's -- well, the -- well, of course,
13 it's difficult to say now, or to say something definite -- definitive, but in the end it's
14 important if the Court needs this expert, and if the Court needs the expert and the
15 expert arrives and at some point in time appears on the list, then he will have to be
16 reimbursed and we will do everything to do that. So please continue with your
17 efforts and if we can do something from side of the Chamber, then we will do.

18 MR KNOOPS: [12:10:49] Much appreciated, Mr President.
19 Thank you.

20 PRESIDING JUDGE SCHMITT: [12:10:52] Thank you very much.
21 So please continue, Ms Proulx.

22 MS PROULX: [12:11:07](Interpretation)

23 Q. [12:11:08] Madam Moussa, I'm just going to continue from where we had
24 stopped. You said that the marriage ceremony that was conducted at Kilometre 5
25 was the only one, but in the religious marriage certificate that you provided with the

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1 participation form, it is written that you had been married at Batangafo. Could you
2 please explain why Batangafo is written in the marriage certificate that you provided?

3 A. [12:11:52] Batangafo is the village of my grandparents. I was born in Bangui.
4 I was born in Bangui, but in the marriage ceremony there is some information that is
5 requested.

6 PRESIDING JUDGE SCHMITT: [12:12:22] Ms Proulx, like always, we have the
7 document, we have the answer by the witness. I think you can move on.

8 MS PROULX: [12:12:36](Interpretation)

9 Q. [12:12:38] Madam Moussa, I'm going to actually change subject. I've got a few
10 questions on your life in Bossangoa before your departure. I would like to know if
11 you remember the day when the Seleka arrived in Bossangoa?

12 A. [12:12:56] The Seleka arrived in Bossangoa and I think I told you that I do not go
13 out very often, I rarely go to the market, I do not go to the mosque and I remain in my
14 compound. I just cook. And I heard that the Seleka arrived in Bossangoa, but
15 personally I never left my house and I never saw them on the streets.

16 Q. [12:13:51] I don't know if you're going to be able to answer the next question but,
17 nevertheless, I shall ask you. Do you know how people reacted when the Seleka
18 arrived? Did you hear about the reaction, the public reaction, to the arrival of the
19 Seleka?

20 A. [12:14:18] The Seleka were based -- the Seleka, sorry, came, they went to the
21 market, they were patrolling. I never met a Seleka on the street. I never spoke to
22 them. I have no relative or any member of my family who is part of the Seleka.

23 Q. [12:14:52] I understand that you haven't seen them with your own eyes, but did
24 you hear that the Seleka would have committed crimes on the civilian Christians?

25 A. [12:15:13] Yes, of course. The Seleka committed exactions. I heard that the

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1 Seleka were in such and such district, but personally when they were in the city
2 centre of Bossangoa, I did not see them.

3 Q. [12:15:54] Did you observe, or did you hear that the times when -- during the
4 times when the Seleka were reigning in Bossangoa, Christians actually left their
5 homes, fled from their homes and sought refuge in the bishopry?

6 A. [12:16:20] Yes, when we left the city, when we were in Bangui, I got to know
7 that the Christians sought refuge in the church. During the day they would go to the
8 market but they would spend the nights in the church, in the Catholic church of
9 Bossangoa.

10 Q. [12:16:46] Do you know why they would actually seek refuge in the bishopry?

11 A. [12:16:55] No, I do not know. Perhaps it's due to the threats from the Seleka.
12 I can't tell you. During daytime they could sell their wares, but during night they
13 would seek refuge in the bishopry to protect themselves.

14 Q. [12:17:24] Do you know that there were Muslim civilians bearing weapons?

15 A. [12:17:39] No, I have not seen that.

16 Q. [12:17:59] Did you hear about Muslim civilians who would have helped the
17 Seleka to commit exactions against Christians?

18 A. [12:18:12] I did not see that with my own eyes.

19 Q. [12:18:25] I understand that you haven't seen it with your own eyes, but did you
20 hear of it?

21 A. [12:18:35] I think I told you that I am not used to going out. Someone who goes
22 out has all the information, but at that point of time everyone was scared and I really
23 did not have this opportunity to experience these events.

24 Q. [12:19:09] I would briefly like to talk about your husband. Can you tell me his
25 full name, please, to start off with?

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1 A. [12:19:21] His name was Adjo Ibrahim Moussa. That was his name.

2 Q. [12:19:46] Witness, in your participation form, in page 9, it is stated that your

3 husband's name was Mahamet Abdel Karim. What is his name?

4 A. [12:20:18] Yes, he was called Mahamet Abdel Karim. The name given by the

5 grandparents is Adjo Ibrahim Moussa.

6 THE INTERPRETER: [12:20:38] The Sango booth adds, if they well understood that.

7 MS PROULX: [12:20:50](Interpretation)

8 Q. [12:20:55] Is there any family bond between your husband and a woman named

9 Khadidja Adjaro?

10 A. [12:21:21] Yes, he had many relatives.

11 Q. [12:21:27] Could you please name a few of his relatives who were living in

12 Bossangoa?

13 A. [12:21:36] There was his brother in Bossangoa and it was because of his brother

14 that he took the decision to go and live in Bossangoa.

15 Q. [12:21:59] What was his brother's name?

16 A. [12:22:05] Hamat.

17 Q. [12:22:15] And what about the surname of his brother, what was that?

18 A. [12:22:26] Another one was called Abdel Karim.

19 PRESIDING JUDGE SCHMITT: [12:22:46] Could you please -- because the transcript

20 is not complete here, could you please repeat the name of the Khadidja and please

21 word it as exactly as possible, that's on the record, and we ask the witness -- you can

22 ask the witness if she knows her, perhaps. That would be good. Thank you very

23 much. It is not -- the answer is not complete in the transcript here.

24 MS PROULX: [12:23:16](Interpretation)

25 Q. [12:23:19] Witness, you said that your husband's name was Adjaro. Do you

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1 personally know a lady from Bossangoa called Khadidja Adjaro?

2 A. [12:23:45] Khadidja Adjaro, yes, I do know her.

3 PRESIDING JUDGE SCHMITT: [12:23:52] Thank you.

4 MS PROULX: [12:23:58](Interpretation)

5 Q. [12:24:01] Is Khadidja Adjaro related to your husband?

6 A. [12:24:11] Yes, they are close relatives of my husband.

7 Q. [12:24:20] Was your husband also known under the nickname 222, or two
8 hundred and twenty two?

9 THE INTERPRETER: *Deux cent vingt deux* in French.

10 THE WITNESS: [12:24:50] (Interpretation) I do not know this surname. You see,
11 with us Muslims, if you have a husband, you really cannot try and fish out
12 information about him. Women are not aware of everything that goes on between
13 him and the men, the other men. It could be a way they called each other. I really
14 couldn't find out more details about this. I don't know the documents that you have.
15 These documents are not in front of me, so it's really hard for me to precisely reply to
16 such questions.

17 MS PROULX: [12:25:44] (Interpretation)

18 Q. [12:25:45] Madam Moussa, we have information, according to which a man
19 called Mahamat Abdel Karim, who was nicknamed 222 -- *deux cent vingt deux* -- and
20 who was the owner of a Renault lorry, left with passengers to go to a market on the
21 border of Chad and was attacked. It's the same event, right; you agree with that?

22 A. [12:26:25] *Yes, He would go to the provinces, as I told you. He would go to
23 the weekly markets. There were three weekly markets. There was one in Paoua,
24 Benzambe and at the border, the Cameroon border. He was used to going to these
25 markets. He would go to Paoua, which is at the Chadian border.

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1 Q. [12:27:08] Madam Moussa, do you know someone who's called Rachid

2 Mouzambil?

3 A. [12:27:21] Mahamat Rachid, yes.

4 Q. [12:27:30] To the best of your knowledge, did Rachid Mouzambil go with your
5 husband on the day of the attack?

6 A. [12:27:40] I do not know. This was between the menfolk. I don't know what
7 was transpiring amongst them. Many people had vehicles. They were trading
8 using their vehicles. There were many transporters.

9 Q. [12:28:14] To the best of your knowledge, did your husband work with Rachid
10 Mouzambil?

11 A. [12:28:27] I would see him -- them together, but I don't know what was
12 transpiring, what they were working on, what was the business. They would carry
13 on with their business. They had their personal lives. They were together. I don't
14 know why. And he did not give me any details about the bond they had.

15 Q. [12:28:58] Do you know someone called Bagana Adjì?

16 A. [12:29:38] Bagana Adjì, you say?

17 Q. [12:29:42] Yes, that's it.

18 PRESIDING JUDGE SCHMITT: [12:30:04] Does this name ring a bell, Madam
19 Witness? If not, it's not a problem. It's simply a question if you know the person or
20 not.

21 THE WITNESS: [12:30:17](Interpretation) I think I filled in this participation form
22 several years ago. I do not have the same documents as you. These are events that
23 date back to 11 years ago. My husband was dealing with several people, many of
24 them being his relatives. I've actually forgotten a few details about him.

25 PRESIDING JUDGE SCHMITT: [12:31:00] Madam Witness, this is also by Ms Proulx

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1 who questions you at the moment. This is not a reproach. She simply wants to
2 elicit as much information as possible. And it is absolutely natural and normal that
3 you do not recall everything and, specifically, that you do not recall specific dates or
4 names or so. But then simply tell us, "No, I don't -- no, this name does not ring a
5 bell" or so. That's not a problem. Thank you.

6 I think we can take it that the witness does not know this person, or at least has
7 not -- does not connect any recollection with this person today.

8 MS PROULX: [12:31:47](Interpretation)

9 Q. [12:31:50] Ms Moussa, I put it to you that it was Bagana Adji who was driving
10 your husband's truck on the day that they left. Does that refresh your memory?

11 A. [12:32:05] There were two drivers. One was Bornou and one was Foulata.
12 The one that you just mentioned, I don't know him.

13 Q. [12:32:36] I'll come back to your husband's work before he died. You said that
14 he was in the cattle trade, and before that he'd been in the diamond trade. Do you
15 know why he left the diamond trade and began trading cattle?

16 A. [12:33:00] Indeed, he was in the diamond trade, and he was prosperous. But,
17 you know, that business is up one day, down the next. So, ultimately, he decided to
18 get into another line of business. He started trading cattle. He would sell the cattle
19 in Cameroon, and then he realised that business was not all that good either and a
20 friend of his suggested that he go to Bossangoa and get into the transportation
21 business. So it was when we were in Bossangoa that the incident occurred.

22 Q. [12:33:54] But do you know how your husband would get the cattle, the cattle
23 that he would later sell?

24 A. [12:34:07] He would go and buy the cattle. He would buy the cattle from the
25 Peuhl people in the bush, and then he would sell them in Bossangoa. He would sell

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1 the cattle in Bossangoa.

2 Q. [12:34:36] According to our information, ma'am, your husband would steal
3 animals from the Christians, he would steal cattle from the Christians. Do you have
4 any information about that?

5 A. [12:34:55] No, I never saw that and I never heard any talk of that. No.

6 MS PROULX: [12:35:15] Just for the record, Mr President, this will be in the evidence
7 of Defence witness 4608. (Interpretation) 4608.

8 Q. [12:35:45] Madam Moussa, to your knowledge did your husband have any links
9 to the Seleka?

10 A. [12:35:56] In no way, shape or form.

11 Q. [12:36:06] Once again, according to our information, ma'am, your husband was
12 seen at the Bossangoa town hall shortly after the arrival of the Seleka, wearing
13 military attire and with an AK47 -- at the town hall in Bossangoa. Does that refresh
14 your memory?

15 A. [12:36:35] No. I never saw that. I'm not aware of that.

16 Q. [12:36:44] Once again, according to our information, your husband would hunt
17 down Christian refugees in the bush for the Seleka. Did you ever hear about that?

18 A. [12:37:09] I never had knowledge of that.

19 PRESIDING JUDGE SCHMITT: [12:37:14] Ms Proulx, I take it that the basis for these
20 questions is the witness you mentioned?

21 MS PROULX: [12:37:25] It is the witness I mentioned, another witness *D-4496 and
22 other information stemming out of our investigations.

23 PRESIDING JUDGE SCHMITT: [12:37:33] Okay, good. Please continue.

24 MS PROULX: [12:37:46](Interpretation)

25 Q. [12:37:47] I put it to you, ma'am, that on the morning that your husband left, his

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1 truck was full of possessions that had been looted from the Christian population and
2 he was going to sell those items near the border with Chad. Would you agree with
3 that assertion?

4 A. [12:38:17] No, I don't agree with that.

5 Q. [12:38:20] I also put it to you, ma'am, that your husband was armed and he had
6 weapons in his truck that day. Can you confirm that?

7 A. [12:38:32] I didn't see any. Myself, I was very much afraid of weapons, and I
8 really wonder where he would have hidden them.

9 Q. [12:38:49] Ma'am, from this morning's testimony, am I to understand that you
10 left Bossangoa on the very same day as the attack upon your husband's lorry?
11 You've said that your husband left at about 6 in the morning that day and you left at
12 about 1800 hours; is that correct?

13 A. [12:39:22] Yes, that's right.

14 Q. [12:39:27] You went to Sibut on foot, correct?

15 A. [12:39:40] That's right. We crossed a stream. We left at 1700 hours, and we
16 walked that distance by foot and we got there at 10 in the morning the following day.

17 Q. [12:40:09] Ma'am, we were looking and we see that the distance between
18 Bossangoa and Sibut as the crow flies is more than 200 kilometres, 271 kilometres, and
19 it would take about 61 hours to walk that distance. Are you sure that you got there
20 the following day at 10 a.m.?

21 A. [12:40:38] I'm sure of that. We left between 1700 hours and 1800 hours. We
22 got to a village called Bogangolo. You know, we left with some people who were
23 familiar with the various paths in the bush. We crossed the stream and we went
24 somewhat more to the north and then we went back down. At that time, I believe,
25 for us -- well, that is what saved our lives. We were not tired. We just had to save

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1 ourselves. And even though there was no food, it didn't matter; for us it was just a
2 matter of getting out of there.

3 Q. [12:41:35] So you walked nonstop with your young children the entire night
4 between 1700 hours or 1800 hours and 10 a.m. the following day? Is that what
5 you're telling us?

6 A. [12:41:56] I confirm that.

7 Q. [12:42:02] And you did not come across any persons along the way, no Seleka?

8 A. [12:42:12] No. We took various paths and the neighbours were very familiar
9 with these paths, and of the people in Bossangoa, we were the first ones to leave the
10 town that very night.

11 Q. [12:42:39] And you never went back to Bossangoa after that; is that correct?

12 A. [12:42:46] Why would I? Why would I go back there, and with whom? Who
13 would I live with? There's no one left.

14 Q. [12:43:00] A few moments ago, ma'am, you said that you didn't know what had
15 happened to your house and to your possessions.

16 I'd like to understand something. At page 11 of your victim statement you said that
17 your house was looted, pillaged?

18 A. [12:43:30] You have no idea, if you've left your house just with the bare
19 minimum, what would happen to the house and your possessions. It would have to
20 have been looted.

21 Q. [12:44:08] You're supposing that it had been looted, but you don't actually know
22 that, do you?

23 A. [12:44:15] Only God knows. After 10 years, do you think that I would go back
24 and find the possessions? Even if the house had not been destroyed, the termites
25 would have done the work. After 10 years, that house may no longer be standing.

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1 Q. [12:45:05] A few moments ago, ma'am, you said that in Bangui it was difficult to
2 move about because of the Anti-Balaka, and I'd like to ask you this: Did you see any
3 Anti-Balaka yourself with your own eyes?

4 A. [12:45:26] No. I heard talk about the Seleka, about the Anti-Balaka.
5 Personally, I never met an Anti-Balaka. I couldn't tell you whether they're tall or
6 short, the way they wear their hair. I can just tell you what I've seen and what
7 I know.

8 Q. [12:46:00] Am I to understand you are telling us you can't distinguish between a
9 Seleka and an Anti-Balaka?

10 A. [12:46:11] There are differences between Seleka and Anti-Balaka, definitely.

11 Q. [12:46:29] So how do you distinguish between the two, ma'am?

12 A. [12:46:36] If in -- if I didn't ever see any, I heard that the Seleka wore military
13 uniforms, and that was not the case for the Anti-Balaka.

14 Q. [12:47:08] Ma'am, in 2013 and 2014 there was more than 10 different armed
15 groups active in the Central African Republic. Were you able to recognise the
16 Anti-Balaka amongst all these various groups?

17 A. [12:47:25] An Anti-Balaka usually doesn't wear a uniform. It's difficult to
18 recognise an Anti-Balaka. But a Seleka person wearing a uniform, you'd realise
19 immediately. But the Anti-Balaka didn't wear or didn't have weapons, so how
20 would you recognise one? It not easy.

21 PRESIDING JUDGE SCHMITT: [12:47:59] I think you can move on, Ms Proulx.

22 And the witness has clearly stated she was not present when the attack occurred, so I
23 think you should really move to another point.

24 MS PROULX: [12:48:23] Actually, Mr President, this was my last question.

25 However --

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1 PRESIDING JUDGE SCHMITT: [12:48:28] I thought so.

2 MS PROULX: [12:48:29] However, I would like to make some corrections for the
3 record. And first I will inform the witness.

4 PRESIDING JUDGE SCHMITT: [12:48:35] Yes.

5 MS PROULX: [12:48:41](Interpretation)

6 Q. [12:48:43] That was my last question, ma'am. Thank you for answering all my
7 questions. I have concluded. Thank you.

8 (Counsel confers)

9 MS PROULX: [12:49:25] Actually, Mr President, it seems a little bit complicated. So
10 we have mistakes with names and we will send them to the court officer.

11 PRESIDING JUDGE SCHMITT: [12:49:36] Absolutely. I just wanted to suggest that,
12 that you are not in a rush with --

13 MS PROULX: [12:49:37] Thank you.

14 PRESIDING JUDGE SCHMITT: [12:49:38] Thank you very much.

15 Presiding Judge is speaking, Madam Moussa. On behalf of the Chamber we would
16 like to thank you that you have made yourself available as a witness in these
17 proceedings. It's very important for this Court to have witnesses testifying here and
18 to help us to determine the truth. We thank you for that and we wish you a safe trip
19 back home.

20 THE WITNESS: [12:50:25](Interpretation) Thank you.

21 (The witness is excused)

22 PRESIDING JUDGE SCHMITT: [12:50:27] So the court is adjourned.

23 THE COURT USHER: [12:50:30] All rise.

24 (The hearing ends in open session at 12.50 p.m.)