

Trial Hearing
WITNESS: CAR-OTP-P-1839

(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, 1 November 2022
10 (The hearing starts in open session at 9.31 a.m.)
11 THE COURT USHER: [9:31:19] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:31:48] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:31:57] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:32:11] Thank you very much.
21 Like always, I ask for the appearance of the parties. We start with the Prosecution.
22 MR SCALIOTTI: [9:32:19] Good morning, Mr President. Good morning,
23 your Honours. And good morning, everyone in the courtroom.
24 The Prosecution team today consists of Kweku Vanderpuye, Manochitra Prathaban,
25 Yassin Mostfa and myself, Massimo Scaliotti. Thank you.

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- 1 PRESIDING JUDGE SCHMITT: [9:32:34] Thank you.
- 2 Ms Rabesandratana, for the victims.
- 3 MS RABESANDRATANA: [9:32:37](Interpretation) Good morning, your Honour.
- 4 Good morning, Judges. And good morning, everybody.
- 5 The representative of victims today are represented by Madam Gabriella dos Santos
- 6 and Madam Asso and myself.
- 7 PRESIDING JUDGE SCHMITT: Thank you.
- 8 MS LAU: [9:32:57] Good morning, Mr President, your Honours. Good morning,
- 9 everyone in the courtroom.
- 10 Today the former child soldiers are represented by myself, Fiona Lau, Office of Public
- 11 Counsel for Victims. Thank you.
- 12 PRESIDING JUDGE SCHMITT: [9:33:07] Ms Dimitri is next for the Defence of
- 13 Mr Yekatom.
- 14 MS DIMITRI: [9:33:12] Good morning, Mr President. Good morning,
- 15 your Honours. Good morning, everyone. Good morning, Madam Witness.
- 16 Mr Yekatom is present in the courtroom, represented today by Ms Laurence
- 17 Hortas-Laberge, Mr Florent Pages-Granier, Ms Alexandra Baer, Ms Anta Guissé,
- 18 Mr Gyo Suzuki, Ms Lena Casiez and myself, Mylène Dimitri.
- 19 PRESIDING JUDGE SCHMITT: [9:33:36] That is already something, to remember all,
- 20 everyone who is here for your team.
- 21 Now we turn to the Defence of Mr Ngaïssona. Mr Knoops, please.
- 22 MR KNOOPS: [9:33:48] Good morning, Mr President, your Honours. Good
- 23 morning, everyone in the courtroom.
- 24 We, the Defence of Mr Ngaïssona, are here today before the Court with
- 25 Ms Marie-Hélène Proulx, Mr Michael Rowse and Ms Brianna Dyer. Thank you.

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1 PRESIDING JUDGE SCHMITT: [9:34:07] Thank you very much.

2 We also welcome the Rule 74 counsel for the witness, Mr Diarrassouba. Good
3 morning.

4 And, of course, a very special good morning to our witness. I hope you are feeling
5 well today.

6 WITNESS: CAR-OTP-P-1839 (On former oath)

7 (The witness speaks French)

8 THE WITNESS: [9:34:27](Interpretation) Good morning, your Honour. I'm well.

9 Thank you so much.

10 PRESIDING JUDGE SCHMITT: [9:34:31] We continue with the examination of
11 Ms Dimitri.

12 We are in open session.

13 MS DIMITRI: [9:34:37] Thank you, Mr President. I'm just looking at my notes.

14 Unfortunately, the first topic will have to be addressed in private session.

15 PRESIDING JUDGE SCHMITT: [9:34:49] I know you -- I would not hold you on to
16 that information, but how long will this last, probably? Possibly, probably.

17 MS DIMITRI: [9:35:01] Fifteen minutes maybe.

18 PRESIDING JUDGE SCHMITT: [9:35:02] Okay. So for the audience, we go to
19 private session. That means that you can't hear anything. The reason is that we
20 have a protected witness and in the next, let's say, around about 15 minutes, Defence
21 counsel will discuss issues with the witness that could identify the witness and that's
22 the reason why we are, let's say, for about 15 minutes we will go to private session.
23 Private session.

24 (Private session at 9.35 a.m.)

25 THE COURT OFFICER: [9:35:38] We are in private session, Mr President.

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1 MS DIMITRI: [9:35:42] Thank you.

2 QUESTIONED BY MS DIMITRI: (Continuing) (Interpretation)

3 Q. [9:35:53] Good morning, madam.

4 A. [9:35:55] Good morning.

5 Q. [9:35:56] My next subject -- well, I'm going to tell you the subject so that you can
6 keep up with me. My next subject is (Redacted). And

7 I'm doing this in private session because there are certain people who are here during
8 this meeting, and I'm going to try and jot your memory a bit. You haven't given a lot
9 of information, a lot of details when you spoke, so I'm going to try and go into details.

10 I note that you've got a good memory and I'm going to try and see if I can jot your
11 memory so that you can tell me what the objective of the meeting was and what was
12 said during that meeting.

13 May I also remind you, and I'm also reminding myself, that we are both speaking in
14 French and we have to actually stop after the question and the answer so that the
15 questions and answers can both be interpreted into English.

16 So I'm going to tell you what I understood, and you tell me if I'm right.

17 Now, you referred to a meeting, a (Redacted) and

18 (Redacted). And this was done on Friday, last Friday, at 15:08.

19 Now, I just want to see the sequence of events. If I've understood you well, you, first
20 of all, (Redacted)

21 (Redacted)

22 (Redacted). Is that how it took place?

23 A. [9:38:12] Yes.

24 Q. [9:38:18] So if I have understood you, these two meetings took place during the
25 same day.

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1 A. [9:38:33] Yes.

2 Q. [9:38:35] And you also provided testimony that when you were in Yamwara,

3 (Redacted). So if I understood you well, during this meeting at the

4 (Redacted) residence, you were

5 still in Yamwara, because, if I've understood you well, (Redacted)

6 (Redacted) to Yamwara. Did I understand you well?

7 A. [9:39:29] Yes.

8 Q. [9:39:31] Now, just to put this in time and space, when you went to

9 (Redacted)

10 (Redacted). So Djotodia was no longer holding power. The President Alexandre

11 Nguendet, you remember, actually held a mandate of 10 days between when Djotodia

12 resigned and the -- and before Catherine Samba-Panza was elected. So there was a

13 10-day period until the transition government came in. And during this 10-day

14 period, there was the President Alexandre Nguendet. And it's after this 10-day

15 period that Samba-Panza was elected.

16 So if I -- am I right in assuming that (Redacted)

17 (Redacted), she was already elected as president?

18 A. [9:40:45] Yes.

19 MS DIMITRI: [9:41:04] Mr President, I'm trying to follow the English transcript, and

20 that's my indicator when to ask a question. Okay, there is it is. Because I was just

21 waiting. It was -- it was frozen.

22 PRESIDING JUDGE SCHMITT: [9:41:17] But I think they caught up quite some

23 seconds ago.

24 MS DIMITRI: [9:41:22] Thank you.

25 Q. [9:41:27](Interpretation) I'd like to talk about this in two stages. Let's first of all

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1 talk about the (Redacted) residence. The (Redacted),
2 am I right - and I'm going to jolt your memory now - was his name (Redacted)
3 (Redacted) in the Central African
4 crisis?

5 A. [9:41:57] Yes, that's him.

6 Q. [9:42:05] Do you remember, madam, how long did you (Redacted)
7 (Redacted) residence at the (Redacted)?

8 A. [9:42:25] I do not know.

9 Q. [9:42:31] No problem, madam.
10 Could you describe what happened. (Redacted)? There were -- there
11 were very few people (Redacted)? How did it -- how things took place at the
12 (Redacted), if you remember, that is to say?

13 A. [9:43:06] I remember that he (Redacted). It was not in (Redacted)
14 (Redacted), and it did not last very long. And then we left.
15 That's all. This is the picture I have in my mind.

16 Q. [9:43:45] I'm going to try and add a few details to that image by -- so, first of all,
17 I understand that (Redacted)
18 (Redacted) and some other people. I would not like
19 to name them because I'm not sure that you remember their names. And it was this
20 group, this was (Redacted). We will
21 then talk about the other group.

22 So have I understood you well?

23 A. [9:44:25] Yes, that was (Redacted).

24 Q. [9:44:33] Madam, am I right in saying that the other group, that is to say,
25 Mr Ngaïssona, who would come with a certain number of people, so (Redacted)

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1 (Redacted). Have I understood you well?

2 A. [9:44:52] Yes. But Mr Ngaïssona hadn't come. (Redacted)

3 (Redacted) with his delegation.

4 Q. [9:45:11] Madam, do you remember - I'm trying to jot your memory again - the

5 (Redacted), strongly insisted that (Redacted)

6 (Redacted). Perhaps this did not take place in

7 (Redacted), but I want to know if you have any memory of this or not.

8 A. [9:45:44] No.

9 Q. [9:45:56] You said on Friday that (Redacted).

10 This is the term you use. Now, (Redacted)

11 (Redacted)?

12 A. [9:46:26] The (Redacted) at Yamwara in Kilometre 5 and then (Redacted)

13 (Redacted).

14 Q. [9:46:35] We are going to come to the (Redacted) later on, but now I'm going to

15 move on to the (Redacted). You talked about an

16 (Redacted). You have a good memory because

17 I'm going to show you (Redacted) and you tell me if it's the (Redacted) list. It's in tab

18 46 of the Defence binder, *CAR-OTP-2087-9027.

19 I'm going to let you look at that.

20 A. [9:47:39] That's fine.

21 Q. [9:47:41] So this is the (Redacted)

22 (Redacted)

23 A. [9:47:51] I said, at the (Redacted), but my memory is a

24 bit unsettled. I think it was (Redacted).

25 Q. [9:48:12] Again, on the (Redacted) were both

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1 present -- (Redacted)

2 (Redacted) that you have in front of you; is that right?

3 Take your time.

4 A. [9:48:43] Yes. Yes, I think, I think it's the group.

5 Q. [9:48:49] So both groups are asked to (Redacted)

6 (Redacted)

7 A. [9:49:00] Yes.

8 Q. [9:49:13] During your meeting with the investigators of the OTP -- and, madam,

9 it's again pretty much similar to what we did yesterday. I'm going to try to get you

10 to confirm certain statements.

11 During your meeting with the OTP investigators in 2017, on Mr Yekatom, you said

12 that (Redacted).

13 Do you confirm this, please?

14 A. [9:49:56] Can I see that?

15 Q. [9:50:04] Yes, of course. By all means. Please bear with me for two minutes.

16 I need to find the right tab. It's tab 53 of the Defence binder -- sorry, of the OTP

17 binder.

18 (Speaks English) I'm sorry, I'll say it in English, it's easier. So tab 53 of the OTP

19 binder, CAR-OTP-2072-0974, page 1000. And if you could zoom in line 959-961,

20 please.

21 (Interpretation) It's on the top. The three -- the first three lines on the top, madam.

22 A. [9:51:18] Madam, please, when you want me to basically say what I want to say,

23 please repeat the whole sentence. If you say (Redacted), it doesn't strike a bell.

24 I need to actually see the whole sentence.

25 Yes, yes, of course, this is what I said.

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1 Q. [9:51:39] Yes, I wanted to do in two parts. I first wanted to confirm the first
2 part you said. But you were quicker than I was.

3 The image can be removed. Thank you.

4 During your meeting with the OTP investigators, you referred to (Redacted)

5 (Redacted). The investigators asked you what did he

6 say, and you said that (Redacted)

7 And here again I'm going to jolt your memory.

8 Do you remember -- first of all, do you confirm that this is what you said on what

9 (Redacted)? And then I have another question.

10 A. [9:53:19] I do not know. Can I see it?

11 Q. [9:53:28] It's again tab 53 of the Prosecution binder.

12 (Speaks English) So tab 53 of the OTP binder, CAR-OTP-2072-0974, page 0999, line

13 940 to 943. If you could zoom to those lines, please.

14 (Interpretation) It starts at line 940 and it goes till 943. And this is what you said

15 about (Redacted).

16 What I'd like to know is, do you remember what (Redacted)?

17 And I would like to know -- and I would then have another question.

18 A. [9:55:07] I confirm.

19 Q. [9:55:12] Thank you, madam.

20 (Speaks English) We can remove the transcript from the screen. Thank you.

21 (Interpretation) I'm going to jot your memory now. Do you remember what

22 (Redacted)

23 A. [9:56:13] I need to think a lot. They talked about the elements. I can't give

24 you a lot of details. * They talked about the process, (Redacted).

25 They were explaining the (Redacted). I cannot be more specific than

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1 that because my memory fails me.

2 Q. [9:56:49] No problem, madam. Thank you for your effort.

3 Now, during your testimony, you said that a (Redacted). I just

4 wanted to give a picture to this. Is this an (Redacted)

5 (Redacted) would use? Do you remember I showed you a video yesterday

6 where you had the Christian population attacking the Muslims, and there was a

7 (Redacted) in the video. So was it (Redacted)

8 (Redacted) (Overlapping speakers)

9 PRESIDING JUDGE SCHMITT: [9:57:41] Is this possible to do in open session? We
10 won't do it if you --

11 MS DIMITRI: [9:57:42] Me, I don't mind. Here's my -- here's my caveat. I

12 don't -- I don't mind, but there's a very limited number of people that attended the

13 (Redacted). So my worry is that (Redacted) the

14 (Redacted). It's not the public in general, but -- but the

15 (Redacted). That's my concern. But the Prosecution

16 can -- can let me know what they -- how they feel about it.

17 MR SCALIOTTI: [9:58:15] Honestly, I agree with Ms Dimitri's view. I was also

18 careful in my examination to put this (Overlapping speakers)

19 PRESIDING JUDGE SCHMITT: [9:58:21] Yeah, yeah. To make things short, this is
20 convincing.

21 Please continue in private session.

22 And I have, in the meantime, I have a short correction to make. There was a

23 reference to CAR-OTP-2087-9087, but it's CAR-OTP-2087-9027.

24 Please move on, Ms Dimitri.

25 MS DIMITRI: [9:58:56] Thank you. Unfortunately, I have to ask again my last

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1 question because I don't see the answer on the transcript.

2 PRESIDING JUDGE SCHMITT: [9:59:05] Well, that might have been due to my
3 intervention.

4 MS DIMITRI:

5 Q. [9:59:12](Interpretation) Madam, I'm going to ask you the question again
6 because I was interrupted.

7 Now, when we are talking about the (Redacted)

8 (Redacted), the one we

9 saw in the video that I showed you yesterday where the Christian population was

10 attacking a Muslim and there was an (Redacted)? So was this -- was

11 (Redacted)

12 A. [9:59:54] Yes.

13 Q. [9:59:57] Now, during these (Redacted) at the (Redacted)

14 (Redacted), do you remember that (Redacted)

15 (Redacted)

16 (Redacted)

17 A. [10:00:28] Yes.

18 Q. [10:00:40] Do you remember yesterday we had a discussion on the term used by
19 Mr Yekatom to identify his group, the Revolution of the Forces of the Central African
20 People? You said very briefly last Friday that he (Redacted).

21 So my question is more specific. Do you agree with me that when (Redacted)

22 (Redacted), Yekatom either defined his

23 group by using the term Revolution of Armed Forces of the Central African People?

24 You mentioned this during -- in 2020, in your interview, and very briefly last Friday.

25 I just would like you to confirm it now.

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1 A. [10:01:44] Yes.

2 Q. [10:01:55] Since we have established that there were (Redacted)

3 (Redacted), am I correct in saying, madam, that the Yekatom group, if you do

4 remember, had as their (Redacted)

5 A. [10:02:34] I think so. I think so.

6 MS DIMITRI: [10:02:55] Mr President, I am now changing topic, and I believe we

7 could go to open session.

8 PRESIDING JUDGE SCHMITT: [10:03:00] Open session.

9 (Open session at 10.03 a.m.)

10 THE COURT OFFICER: [10:03:18] We are back in open session, Mr President.

11 MS DIMITRI: [10:03:22] Thank you.

12 Q. [10:03:23] (Interpretation) Madam, I'm going to change subject. Now I'm going

13 to talk -- last week you mentioned some individuals of Bossangoa whom you saw in

14 Yamwara. This will be the subject of my next series of questions. I'm going to be

15 more specific, madam.

16 Last week you said that there were some individuals of the Bossangoa group who

17 came to Yamwara. That's last Friday at 14:56. You were more specific during your

18 meeting with the investigators of the OTP where you said, "There was one of the

19 Anti-Balaka who came from Bossangoa. He said that he was a marabout. He came

20 to sell -- to sell us these fetishes." Could you confirm that statement which you told

21 the investigators at that time? And after that, I'm going to ask you if you are talking

22 about the same person.

23 A. [10:04:54] I can confirm what I said.

24 Q. [10:05:02] And in 2020, when you talked about the marabout from Bossangoa,

25 and last Friday when you said that some people of this group came from Bossangoa

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1 to Yamwara, are we talking about the same group? And that includes this particular
2 marabout from Bossangoa. Do you agree with me?

3 A. [10:05:26] * Yes. It was the marabout from Bossangoa and some other people. He
4 did not come alone.

5 Q. [10:05:38] During your interview with the Prosecution, you said that the
6 marabout came to sell his charms, amulets, and you also said that he had -- that there
7 was a video where you could see him. You have a very good memory, so I'm going
8 to show you the video and I'd like you to confirm that that's the person you are
9 talking about when you spoke to the interviewers. This is tab 48 of the Defence
10 binder.

11 (Speaks English) Tab 48 of the Defence binder, CAR-OTP-2065-2903. The metadata
12 are at tab 49, CAR-OTP-2065-7108. It's a video footage dated 10 December 2013,
13 made by P-1819.

14 (Interpretation) Madam, I'm just going to show you a particular image. So please
15 look at it carefully, look at the person, and then I'm going to ask you whether this is
16 the person indeed.

17 A. [10:07:13] Yes.

18 Q. [10:07:15] And when you say "yes", madam, for the records, this is at 00:00, and
19 that is the person who has something red on his head. This is the person you are
20 identifying. Do we agree?

21 A. [10:07:37] Yes.

22 Q. [10:07:38] Thank you.

23 You can remove the image from the screen.

24 And when you spoke about him, madam, in 2020, you said, he didn't join the group,
25 in fact, when talking about the Yekatom group. He just came to sell his *gris-gris* and

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1 to leave. Can you confirm that?

2 A. [10:08:10] I confirm.

3 Q. [10:08:17] Thank you.

4 I'd like to talk a little bit now about the *gris-gris*. That makes you laugh. You said
5 to the investigators at the moment, when an African hears the word "*gris-gris*",
6 everybody runs after him to have one as well. I understand your statement because,
7 when a Central African and African hears the word "*gris-gris*", everybody wants one.
8 It's a belief amongst many Central Africans, and you run after the person who is
9 selling it to have one. Have I correctly understood what you said, madam?

10 A. [10:09:06] In my statement, I was referring to people in our group, in fact. I
11 wasn't talking about all the Africans. I was talking about the people in our group
12 who wanted it and who bought it in order to protect themselves.

13 Q. [10:09:29] And, madam, am I correct in saying that this ancestral belief as well,
14 that's to say it's not something that started in 2013, it's an ancestral belief.

15 A. [10:09:48] Yes.

16 Q. [10:09:49] So do you agree with me that the *gris-gris* existed well before the
17 Anti-Balaka?

18 A. [10:10:13] Well, I do not know how to answer this question. Yes, it existed.

19 Q. [10:10:23] Thank you, madam. Two final questions on the *gris-gris*.

20 You said to the investigators of the OTP in 2020 that it wasn't an obligation to have a
21 *gris-gris*. Can you confirm that.

22 A. [10:10:46] Yes, I confirm.

23 Q. [10:10:50] You also said to the investigators -- the investigators in fact asked you
24 that in order to buy a *gris-gris* was to belong to the group at that time. I think there
25 we are talking about the group of Alfred Rombhot Yekatom. And you said, a

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1 person, no, not necessarily. It's only for their protection. Can you confirm that.

2 A. [10:11:25] Yes, I confirm.

3 PRESIDING JUDGE SCHMITT: [10:11:31] Witness, did you have *gris-gris*?

4 THE WITNESS: [10:11:40](Interpretation) When I was in Yamwara, no. When I
5 was in the Mbaïki route, my chief of section gave me one, but, well, I don't really
6 believe in this. I believe more on what I was having myself.

7 PRESIDING JUDGE SCHMITT: [10:12:01] Okay.

8 Ms Dimitri, please continue.

9 MS DIMITRI: [10:12:15] (Interpretation)

10 Q. [10:12:16] My next subject, madam, I'm going to talk about Yamwara. Let me
11 explain how my questions are organised. First of all, I'm going to talk -- I have
12 small -- a small series of sub-questions on Yamwara and after that we will probably
13 go back to some subjects on Yamwara. Okay?

14 My first subject, madam, is in Yamwara -- sorry. I have one question I would like to
15 ask in private session.

16 (Speaks English) (Overlapping speakers) ... that I need to ask in private session, and
17 then we can come back.

18 PRESIDING JUDGE SCHMITT: [10:13:14] Okay.

19 Very shortly to private session.

20 (Private session at 10.13 a.m.)

21 THE COURT OFFICER: [10:13:28] We are in private session, Mr President.

22 MS DIMITRI: [10:13:32](Interpretation)

23 Q. [10:13:33] Madam, a final question on the *gris-gris*. You said (Redacted)

24 (Redacted)

25 A. [10:13:44] Yes.

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1 Q. [10:13:45] Thank you, madam.

2 PRESIDING JUDGE SCHMITT: Open session.

3 (Open session at 10.14 a.m.)

4 THE COURT OFFICER: [10:14:16] We are back in open session, Mr President.

5 MS DIMITRI: [10:14:18] Thank you.

6 * Q. [10:14:20] (Interpretation) My first subject on Yamwara, madam, is traditional
7 healer or chaplain. In Yamwara, did you have a traditional healer?

8 A. [10:14:44] Officially or unofficially? What I saw was that there were people
9 amongst us who provided treatment to other people using the traditional methods,
10 because there were villagers amongst us as well. But in order to have a healer, a
11 traditional healer, officially, no, we didn't have one of those.

12 Q. [10:15:08] Thank you, madam. So I understand from your answer that no one
13 was forced to take traditional medicine; is that correct?

14 A. [10:15:27] No.

15 Q. [10:15:36] Was there a pastor in Yamwara?

16 A. [10:15:47] Yes.

17 Q. [10:15:52] * I beg your pardon, I am going too fast. Is it correct there was only
18 one single pastor? There weren't two or three?

19 A. [10:16:10] I don't know. I didn't bother to find out.

20 Q. [10:16:12] But in your memory, did you only see one pastor, or did you see
21 several? That's the aim of my question. What do you remember?

22 A. [10:16:26] What I remember in my head, where -- when we left Yamwara, there
23 was one pastor who prayed with us. That's the only thing I have in my mind.

24 PRESIDING JUDGE SCHMITT: [10:16:38] Well, that's an answer, I think.

25 MS DIMITRI: [10:16:44] (Interpretation)

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1 Q. [10:16:46] It's perfect for me, that answer. This pastor which -- who held the
2 prayers was not an Anti-Balaka. It was a religious man; is that correct?

3 A. [10:17:03] I -- I didn't -- I didn't try and find out.

4 Q. [10:17:08] Don't worry. I'm not asking you to guess. I'm just asking you what
5 you remember.

6 My next subject, madam, it's always in Yamwara, but I'm going to talk about the
7 telephones. Be careful because we are in public session, so we won't name the
8 individual concerned. And if necessary to answer my question, please tell me, and
9 then we will go into private session.

10 * You stated in your testimony that the person who --- I don't want to mention the
11 name --- the person who visited his family, the person who helped you join the
12 movement - you know who I am talking about - told you that you mustn't take your
13 mobile with you. Could you confirm, madam, that it's because it was explained to
14 you to avoid that the position of the bases would be betrayed in any way?

15 A. [10:18:25] Yes, it's for that reason.

16 Q. [10:18:33] And in 2017, you were more specific. And I'd like you to confirm
17 this. You explained to the Prosecution that this instruction relating to mobiles was,
18 and I am summing up your words, was for the security of the group, in particular,
19 that the information wouldn't be passed on on the position of the group by talking to
20 relatives or the family, for example. Can you confirm that?

21 A. [10:19:06] Yes, I can confirm that.

22 Q. [10:19:14] I also understood you said to the OTP in 2017, and once again I'm
23 summing up what you said, that if someone had a mobile at the base, the chiefs
24 would confiscate that. You used the word the *chef* would block that at their level.
25 And what I understood from that, that they were confiscated in order to avoid the

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1 same reason, to give information that would betray the position of the base.

2 A. [10:19:54] That's true.

3 Q. [10:20:04] So am I correct in saying that during the period when you were in the
4 movement -- in any case, in the period when you were in Yamwara, in Yamwara, the
5 mobiles were forbidden for the elements?

6 A. [10:20:27] I confirm.

7 Q. [10:20:48] I'm going to change subjects again. Again, in Yamwara, but now I'm
8 going to talk about the roadblocks. I call them the roadblocks, but I think you used
9 "zones" or "missions", but I think you understand what I'm talking about.

10 You spoke from the fact that your group was dealing with a barrier, a roadblock near
11 the M'Poko river. You made a sketch -- you made a sketch on this roadblock on an
12 annex. I'm going to show it to you, because I'd like you to confirm for the records
13 that it was situated in a former -- it was positioned in a former position of the
14 gendarmerie which was abandoned when the Seleka arrived. So I'm going to show
15 your sketch, and could you confirm this. It's tab --

16 (Speaks English) Tab 90 of the OTP binder, CAR-OTP-2066-1459.

17 (Interpretation) Do you recognise it?

18 A. [10:22:54] Yes, I recognise it.

19 Q. [10:22:58] Can you confirm that it was positioned -- wait. Now I've just
20 lost -- I'm just lost for the moment.

21 Can you confirm that it's positioned in the former police post, which you have drawn
22 on the left, if you move the map a bit, if you look at the left, the left-hand side of the
23 road; is that correct?

24 A. [10:23:30] Yes.

25 Q. [10:23:44] I'm going to ask you to confirm some statements which you made in

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1 2017 as regards the purpose of the M'Poko barrier.

2 Just one moment, please. I just want to find what you said.

3 As regards this roadblock, this barrier, you were asked what the purpose of this
4 barrier was. * And you said you asked the question to your chief of section, the one
5 we spoke about in private session --- I don't want to repeat his name because we're in
6 open session. And actually it was explained to you that it was to control the rear
7 because by the river, to reach the paved road, there were still some Seleka who were
8 there, and so it was to protect our backs and to make sure that our zone was safe, to
9 make sure the area around the Yamwara base was safe."

10 A. [10:25:39] Yes, I can confirm that.

11 Q. [10:25:40] You also said in 2017 that, during your interview with the OTP, you
12 were asked for an explanation in addition to the objectives, because there were some
13 people like this when they passed by, they benefited to spy. Perhaps they would be
14 in contact with the Seleka, so they could hand over some information. Can you
15 confirm that?

16 A. [10:26:10] I can confirm.

17 Q. [10:26:20] So am I to understand that you were cautious as regards spies or
18 people who could provide information to the Seleka, and therefore, this is one of the
19 aims of the barrier, namely, to make quite sure that there was no spies who passed on
20 information to the Seleka relating to the position of the base?

21 A. [10:26:58] Could you repeat.

22 Q. [10:27:00] Yes, I agree, my question was a bit long.

23 I'm going to divide my question into two.

24 When you say -- because you confirmed to me already that there are some people
25 when they passed through, they try to spy and perhaps they would be in contact with

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1 the Seleka. When you say, "perhaps they are in contact with the Seleka," am I to
2 understand that there were people who passed through and perhaps they might call
3 the Seleka or, in any case, are in contact with the Seleka to give information on the
4 position of the base or certain individuals? Is that what you were saying?

5 A. [10:28:06] I'm not sure I fully understand. I am in a section that we were sent
6 there to stand guard for some days. We were ordered that anyone who passes
7 through, it's really important to search them. And if they have mobiles, it's really
8 important to search to make quite sure that we have no traitors who would provide
9 information to the Seleka. And that's exactly what we did. I was at the checkpoint
10 and everybody who passed had to hand over their phones. We checked the last two
11 or last two or three calls in their messages in order to check. And sometimes there
12 were inhabitants who passed who gave us to eat voluntarily. That's it.

13 Q. [10:29:07] That answers my question perfectly. Thank you, madam.
14 What you've just explained, can you agree that this applies to all the checkpoints, the
15 barriers - I'm not asking you to talk about the other groups, but I'm asking you to talk
16 about the Yekatom group - around -- all these posts around the Yamwara ways.

17 A. [10:29:38] I cannot confirm clearly. I can only tell you about the area that I was
18 present, but I can't give you a confirmation for the other posts.

19 Q. [10:29:51] So you can confirm that the area where you went around Yamwara,
20 the posts around Yamwara, that's what happened?

21 A. [10:30:04] Yes.

22 Q. [10:30:08] You said -- I'm sorry. I've got a message.

23 (Speaks English) May I confer for a second, please.

24 PRESIDING JUDGE SCHMITT: [10:30:20] Sure.

25 (Counsel confers)

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1 MS DIMITRI: [10:31:31](Interpretation)

2 Q. [10:31:32] Madam, your answers, you see, so many of my questions, so I've got
3 to eliminate my questions to avoid you repeating things. So I'm going to change
4 subject now.

5 We spoke about certain security measures, and in the same way I would like to talk
6 about the permission to leave Yamwara. In 2020, the OTP investigators questioned
7 you on the permission to leave, and they asked you if you agreed with the permission
8 to leave, and they asked you what was your position with respect to the subject.

9 And you said, "When I was there, I found that it was rather logical because someone
10 who left without permission was jeopardising our lives. We do not know why has
11 he -- why did he -- what was he up to when he left. So I thought it was logical."

12 You confirm that?

13 A. [10:33:09] Yes, I do.

14 Q. [10:33:12] So do I understand the thrust of your answer, in the same way, the
15 permissions to leave was a security measure for people who were at the base. So we
16 wanted -- we wanted to avoid jeopardising the people who were billeted in Yamwara
17 and avoid the base being betrayed. Do I understand your answer?

18 A. [10:33:46] Yes.

19 Q. [10:33:52] During your testimony, you said that if anyone would leave without
20 permission, there were sanctions applied. You gave certain examples, like one
21 would -- when one would leave without permission to go and see the family or to go
22 and spend a night with the boyfriend or your girlfriend, when something like that
23 would happen, there was a sanction applied, and you described the sanctions. * So
24 again, you had to run around the yard while carrying someone on your back or you would
25 have to do push-ups, that kind of punishment. Did I understand your testimony properly?

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1 A. [10:34:29] Yes.

2 Q. [10:34:37] You said to the investigators of the OTP in 2020 -- in fact, the
3 investigators asked you, "Did the elements leave the base without permission?" You
4 said, "They would leave or not because there are certain people who are obstinate."
5 So do I understand that many people would leave the base without permission and
6 come back with -- and in spite of the fact that you needed to obtain permission, many
7 left without permission because they were just stubborn. Do I understand your
8 statement properly?

9 A. [10:35:36] Can you repeat the question, please.

10 Q. [10:35:40] Yes. In 2020, the investigators asked you, people -- we are talking
11 about the Yamwara base. People would leave the base without permission and
12 come back. And you said, there are many of them who would do so. And you also
13 add, because there are people who are stubborn.
14 Now, I'm asking you to confirm this, and then I'll ask you my next question.

15 A. [10:36:14] I confirm.

16 Q. [10:36:17] So if I understood you properly, there are security measures that are
17 put in place to protect the base and the soldiers in the base. And one of the measures
18 is the permission to leave. Now, if a soldier left without the permission, there are
19 sanctions, and in spite of the sanctions, there are many obstinate people who would
20 leave without the permission. Do you confirm this?

21 A. [10:36:50] Yes, I do.

22 Q. [10:36:58] * Now, in your section --- and I don't want your section to be named,
23 because we are in open session, Ma'am --- you explained that the person who would
24 enforce discipline in relation to leave was the head of section. Do you confirm that it
25 was the head of section that we spoke about in private session?

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1 A. [10:37:24] Yes.

2 MS DIMITRI: [10:37:36] May I have just one moment, Mr President, please.

3 PRESIDING JUDGE SCHMITT: [10:37:41] Yes.

4 (Counsel confers)

5 MS DIMITRI: [10:37:55](Interpretation)

6 Q. [10:37:56] I'm sorry. There was a slight confusion. I'm going to actually
7 change the subject now. I would like to talk about the checkpoints outside Yamwara,
8 if you know, if you are aware of that.

9 PRESIDING JUDGE SCHMITT: [10:38:13] Yes.

10 MR SCALIOTTI: [10:38:15] Mr President, if we could get the clarification about the
11 topic that was dealt with just a few minutes ago -- a few seconds ago. This kind of
12 functioning of the discipline of the -- with the chief of section imposing sanctions, was
13 it just about this specific group or also other groups?

14 PRESIDING JUDGE SCHMITT: [10:38:36] Well, you might ask, but I think the
15 witness was in a certain group, and she might have specifically knowledge about this
16 group.

17 MS DIMITRI: [10:38:47] I didn't -- to be honest, I -- I didn't -- I didn't ask because
18 she's very careful, which is -- which is fine with me. She only talks about her group.
19 So I didn't want to -- I didn't want to extrapolate and go to other groups, unless she's
20 a witness of discipline in other groups.

21 PRESIDING JUDGE SCHMITT: [10:39:07] Like always, the discussion lasts longer
22 than an answer.

23 Witness, do you have any knowledge about disciplinary measures in other groups?

24 THE WITNESS: [10:39:22](Interpretation) No.

25 PRESIDING JUDGE SCHMITT: [10:39:23] Thank you.

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1 You have knowledge, but we have a witness here. No, I'm -- yes, Mr Scaliotti.

2 MR SCALIOTTI: [10:39:33] If I can clarify my question. It was not too clear. More
3 than groups, we should say probably sections. If this would happen in her section
4 or also other sections, to her knowledge.

5 PRESIDING JUDGE SCHMITT: [10:39:41] Then, Witness, are you speaking
6 specifically about the section of your group you were in, or do you speak about the
7 whole group?

8 THE WITNESS: [10:39:58](Interpretation) Each chief have their own way of
9 punishing the elements. I am talking about my section.

10 PRESIDING JUDGE SCHMITT: [10:40:07] Thank you very much.

11 Ms Dimitri, you can continue.

12 MS DIMITRI: [10:40:10] Thank you, Mr President.

13 Q. [10:40:18](Interpretation) I would now like to talk about the checkpoints outside
14 Yamwara. This is the next subject I'm going to broach.

15 I am -- let me explain. I'm not talking about the checkpoints set up by Alfred
16 Rombhot Yekatom's group. I am talking -- and you are going to stop me if you are
17 not aware or because it's quite far away, but the objective of my next question is to
18 basically move away from Yamwara. Are you with me? Right.

19 So, to the best of your knowledge -- and now I'm not limiting my questions to what
20 you've seen with your own eyes, I'm also including what you could have heard. * To
21 the best of your knowledge, is it true to say that around Yamwara, so in Boeing, there
22 were several checkpoints as well, but these were controlled by other groups, like the
23 groups -- the Anti-Balaka groups that were set up in Boeing, in Bercail, near the
24 airport?

25 A. [10:42:05] I think once we -- once when I went to the market towards the airport,

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1 there were other groups who had their checkpoints.

2 Q. [10:42:20] Thank you, madam.

3 So when you went to the market towards the airport, you were in the Boeing sector,
4 and that's where you saw the other groups with their checkpoints. Do we agree?
5 Because the airport is in the Boeing sector.

6 A. [10:42:35] Yes, it's Boeing.

7 Q. [10:42:38] Now, this could appear obvious, but I need to clarify this for the
8 records. When you went to the market near the airport, this was during the period
9 when you were stationed in Yamwara. Do we agree on that?

10 A. [10:42:55] Yes, we do.

11 Q. [10:43:00] In December 2013, before you joined Alfred Rombhot Yekatom's
12 group, you explained -- now, we are in public session. I've got to be careful. * You
13 explained that, for a specific reason, you would walk (Redacted) to see a certain
14 individual that we shall not name, and that at some point of time you were there in
15 Cattin.

16 My question is as follows: During your trips in December 2013 and before you went
17 to Cattin, did you observe the presence of checkpoints? And, madam, my question
18 is not limited to the checkpoints controlled by Anti-Balaka, but also the checkpoints
19 controlled by the Seleka.

20 A. [10:44:21] No, there were no checkpoints.

21 Q. [10:44:36] There is an OTP witness who came before you and who said that
22 around PK -- especially in PK5 -- I don't know how often you would go to PK5, but in
23 PK5, there were checkpoints controlled by the Seleka or by armed groups. Now, are
24 you aware of this? Perhaps you did not go often enough to PK5.

25 A. [10:45:14] I told you (Redacted), sometimes

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1 on my own --

2 Q. (Overlapping speakers)

3 MS DIMITRI: Could we go into private session, Mr President.

4 PRESIDING JUDGE SCHMITT: Private session.

5 (Private session at 10.45 a.m.)

6 THE COURT OFFICER: [10:45:36] We are in private session, Mr President.

7 MS DIMITRI: [10:45:39] Thank you.

8 Q. [10:45:40](Interpretation) Madam, I'm sorry to have interrupted you because
9 you were (Redacted), so this could be identifying.

10 * Now, you explained, and I'm actually using your very own words, that sometimes you would
11 (Redacted)

12 (Redacted). Now, I don't know when you
13 would meet at (Redacted), but I was asking you, do you -- when you
14 (Redacted), did you observe the presence of Seleka
15 checkpoints?

16 A. [10:46:40] No, I never saw them.

17 Q. [10:46:45] Are you in a position to tell me, madam, at what point of time would
18 you go to -- did you go to (Redacted) for the first time? Was it in December or in
19 November?

20 A. [10:47:08] It was in November, end November.

21 Q. [10:47:14] Thank you. You mentioned -- we are in private session. You
22 mentioned that -- this is the objective of my next question, because I want to talk
23 about hemp and other types of drugs.

24 You said that you would (Redacted). And the investigators of the
25 OTP in 2020 asked you if other drugs were also used by the Anti-Balaka, by the

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1 groups you were in, and you answered, "I do not have any idea. I did not see."

2 Can you confirm this?

3 A. [10:48:39] Yes, I confirm this. What I see, I say. What I don't see, I won't say.

4 MS DIMITRI: [10:48:55] Mr President, I think we could go back to open session.

5 PRESIDING JUDGE SCHMITT: [10:48:59] Then we do that.

6 Open session.

7 (Open session at 10.49 a.m.)

8 THE COURT OFFICER: [10:49:16] We are in open session, Mr President.

9 MS DIMITRI: [10:49:19](Interpretation)

10 Q. [10:49:21] On the same subject, I appreciate the fact that you want to tell me

11 what you see. I understand from your words that in the best of your knowledge, we

12 weren't putting -- this is not something you saw, "we would not put drugs in the food

13 for the soldiers".

14 A. [10:49:42] No, we wouldn't.

15 Q. [10:49:46] Last question on this subject. Is it true that Mr Yekatom did not

16 smoke, to the best of your knowledge?

17 A. [10:49:55] No, he did not.

18 Q. [10:50:07] My next subject I would like to talk about the presence or

19 not -- because you spoke to the OTP investigators of Mr Alfred Rombhot Yekatom's

20 presence in Yamwara, so the subject of my question is the frequency at which he

21 would visit Yamwara.

22 Now, during your meeting with the investigators, you said, when we spoke about

23 Mr Yekatom in Yamwara, and I'm quoting you, to -- "It's not easy to see him because

24 he is always in his corner. He came from time to time but rarely." Do you confirm

25 that?

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1 A. [10:51:01] Yes, I do confirm that.

2 Q. [10:51:06] So during the period when you were stationed in Yamwara, do I
3 understand that he would come from time to time but rarely?

4 A. [10:51:22] From time to time, yes.

5 Q. [10:51:23] Is it true that Mr Alfred Rombhot Yekatom did not live at the
6 Yamwara school with the soldiers, but he would -- he lived further away?

7 A. [10:51:41] Yes, I confirm that.

8 Q. [10:51:51] When you describe the place where Mr Yekatom was there when you
9 were in Yamwara, you specified, less than 30 minutes on foot, if you walked quickly.
10 This is what I understand from your meeting with the investigators of the OTP. Do
11 you confirm that?

12 A. [10:52:23] Yes.

13 Q. [10:52:29] If I understand you well, I think it's yesterday, if I'm not mistaken,
14 you identified on a satellite map the house of Alkanto in Yamwara -- not the house,
15 but the building where Alkanto would sleep, where his soldiers would sleep. You
16 identified the building where Coeur de Lion slept.

17 Now, am I right in saying that Mr Yekatom did not live -- I don't know if it's obvious,
18 but I have to actually ask the question. Am I right in saying that Mr Yekatom did
19 not live in this building where Coeur de Lion was -- lived when you were in
20 Yamwara?

21 A. [10:53:21] No, he did not live in the building where Coeur de Lion lived.

22 Q. [10:53:33] The investigators -- now, when you said to the investigators in
23 2017 -- in 2020 that Mr Yekatom came from time to time but rarely, and the
24 investigators asked you, what would he do when he came to Yamwara, and you said
25 that they -- he would leave to meet the Sangaris forces. Do you confirm that?

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1 A. [10:54:14] Yes, I do.

2 Q. [10:54:20] Madam, we saw that -- during the trial certain videos of Mr Yekatom
3 with the Sangaris forces. Now I would like to know, do you -- did you observe that
4 Mr Yekatom at that point of time was working with -- or, rather, communicating or
5 discussing with the Sangaris forces right from when you were stationed in
6 Yamwara?

7 A. [10:54:54] Yes, I confirm.

8 Q. I'm going to change the subject.

9 MS DIMITRI: [10:55:16] Mr President, I'm --

10 PRESIDING JUDGE SCHMITT: [10:55:20] When you're changing subject, is it a
11 longer subject?

12 MS DIMITRI: [10:55:23] A little bit. And, unfortunately -- we are in open session?
13 Yes, unfortunately, it's a -- it's a subject that I have to address in private. Maybe we
14 have --

15 PRESIDING JUDGE SCHMITT: [10:55:32] I suggest we have the break then until
16 11.30. And then after that, we continue in private session.
17 Thank you.

18 THE COURT USHER: [10:55:42] All rise.

19 (Recess taken at 10.55 a.m.)

20 (Upon resuming in private session at 11.31 a.m.)

21 THE COURT USHER: [11:31:33] All rise.

22 Please be seated.

23 PRESIDING JUDGE SCHMITT: [11:31:58] We are in private session, Ms Dimitri, as
24 announced. Please continue.

25 MS DIMITRI: [11:32:03] Thank you, Mr President.

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1 Q. [11:32:31](Interpretation) Good morning, once again, madam.

2 My next set of questions, I've got four or five of them, it's going to make you smile a

3 bit. It's about (Redacted) in Yamwara. But more specifically to

4 you, I'm going to ask you a question that could be a bit unsettling. I do not want to

5 cause any offence to you. There are people who actually came to provide testimony

6 before you. So I have to get you to confirm certain things.

7 I've understood from your testimony that during the period where you were

8 stationed in Yamwara, (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted). Did I understand that well?

12 A. [11:33:48] In the building, there were doors. So it's -- it's not -- the entire

13 building is (Redacted). I said that in the building that was

14 (Redacted) would live in that building, in one of these -- it was

15 a school with some sections, and other elements would be in the other sections.

16 Q. [11:34:26] Now, let's just pull that up on the screen.

17 So I'd like to display on the screen CAR-OTP-2066-1468. And I'm really sorry --

18 (Speaks English) I don't have the OTP tab. 81, I'm told. Could we zoom in just a

19 little bit, please.

20 (Interpretation) Madam, we are in private session. Have I understood you well that

21 the house -- or, rather, the building (Redacted), it's number 2?

22 And number 3 is the (Redacted) and some other soldiers coming

23 from other sections. Did I get that well?

24 A. [11:36:02] Yes, I confirm.

25 Q. [11:36:04] Can you explain what you meant when you said -- you said that in

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1 the building there are doors, and it's not the entire building that's occupied by

2 (Redacted). Now, are you talking about building 3?

3 A. [11:36:28] Yes, I'm talking about building 3. Building 2, where -- I said 2, it's

4 (Redacted) in the building, and there is a classroom

5 on the side which was empty. In the other building, that's building 3, there are other

6 classrooms -- there are other classrooms, including a room where (Redacted)

7 (Redacted).

8 Q. [11:37:04] I think I understand. So in number 3, there are several classrooms.

9 There is one classroom with (Redacted) and the other classrooms is for other

10 elements from other sections.

11 A. [11:37:26] Yes.

12 Q. [11:37:32] And I understand that in building number 2 there is (Redacted)

13 and the classroom next to that is empty. Am I to understand, because it's empty, am

14 I right in saying that no one slept outside or because there was enough place in the

15 classrooms to house all the elements? I don't know if you understand my question.

16 A. [11:37:57] What I know is the other classroom next to us, (Redacted),

17 (Redacted). And when we were at the base, other elements from other sections were

18 on the -- in the area. And if we were on the ground, others took our place. That's

19 how it worked.

20 Q. [11:38:26] I understand. When you say when they went on the ground, what

21 you said just earlier, it's when (Redacted) or something like that;

22 am I correct in that?

23 A. [11:38:39] Yes.

24 Q. [11:38:39] Thank you. It's very clear to me.

25 I'm going to show you a photo now. We established that Mr Yekatom lived a little

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- 1 further away. You had to go 30 minutes walking. And we also established that
2 (Redacted). We saw that on the sketch or the
3 drawing we just saw.
4 I'm now going to show you an image, and I'm going to ask you to confirm that you
5 (Redacted) that we see in this image. Because, as I explained to you, there was
6 some evidence before you, so I need you to confirm things or not.
7 So I'm going to show you the image. It's tab 51.
8 (Speaks English) Tab 51 of the Defence binder, CAR-OTP-2119-0185.
9 (Interpretation) My question, madam, can you confirm that in Yamwara (Redacted)
10 (Redacted)
11 I see you're surprised. It's too early.
12 A. [11:40:53] No.
13 PRESIDING JUDGE SCHMITT: [11:40:55] Well, there were two factual allegations in
14 it. Perhaps you can clarify a little bit. We have now it's not the location, it's not the
15 building. But there was another factual --
16 MS DIMITRI: Of course.
17 PRESIDING JUDGE SCHMITT: [11:41:02] -- basis of your question.
18 MS DIMITRI: [11:41:09] Of course, Mr President.
19 Q. [11:41:21](Interpretation) There were two points in my question, madam.
20 Could you confirm to me, and I noted you had -- you looked surprised when I put the
21 question to you. Could you confirm on the one hand that (Redacted)
22 (Redacted) you can see on the screen during the entire period when
23 you were in Yamwara. That's the first part of my question.
24 A. [11:41:53] I confirm that.
25 Q. [11:41:58] Thank you, madam.

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1 The second part of my question, as the Presiding Judge has pointed out, because my
2 question had two points, could you confirm to me that (Redacted)
3 (Redacted)
4 (Redacted), which you can see on the screen.

5 A. [11:42:31] I confirm. I said that when I was in Yamwara, (Redacted)
6 (Redacted) and not with Mr Yekatom.

7 PRESIDING JUDGE SCHMITT: [11:42:44] I think that's it.

8 MS DIMITRI: [11:42:48](Interpretation)

9 Q. [11:42:48] It's very clear for me. I just want to assure you, I do need to ask you
10 some questions because of the evidence I have in my file. I perfectly understand that
11 during the period (Redacted), but
12 sometimes I do need to ask you more specific questions. So I apologise for that.
13 Could you point out to me, again, in Yamwara -- but I think we could move into open
14 session.

15 (Speaks English) Mr President, I think we could go in open session. Thank you.

16 PRESIDING JUDGE SCHMITT: [11:43:24] Open session.

17 MS DIMITRI: [11:43:28] I'm sorry for the back and forth. It's just ...

18 PRESIDING JUDGE SCHMITT: [11:43:33] No, no, we appreciate it. It makes
19 absolutely sense.

20 (Open session at 11.43 a.m.)

21 THE COURT OFFICER: [11:43:42] We are in open session, Mr President.

22 MS DIMITRI: [11:43:44] Thank you.

23 Q. [11:43:47](Interpretation) Madam, do you recall during the period when you
24 were in Yamwara whether the head mistress of the school had a place in that area and
25 the children of the head mistress stayed there during the events, during the period

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1 when you were in Yamwara? Do you know anything about that? Can you recall?

2 A. [11:44:19] No.

3 Q. [11:44:24] Thank you, madam.

4 I want to talk about another individual. You'll have to -- I hope you can remember.

5 Do you recall having seen in Yamwara -- do you remember seeing in Yamwara an
6 individual called Lieutenant Donoh?

7 Take your time, madam.

8 A. [11:45:17] No.

9 Q. [11:45:27] Do you recall that Captain Kamezalai lived in a house very close to
10 Yamwara with a lieutenant? I'm suggesting it's Lieutenant Donoh. I understand
11 that you don't recall him, but Captain Kamezalai lived in Yamwara with another
12 lieutenant. Do you remember that at all?

13 A. [11:46:06] No.

14 Q. [11:46:09] No problem. Am I to understand from your reactions and from your
15 answer that you don't remember that an individual called Lieutenant Donoh was part
16 of the group of Alfred Rombhot Yekatom in Yamwara, or even on the PK9-Mbaiki
17 route?

18 A. [11:46:38] I do not recall, madam.

19 Q. [11:46:44] Thank you. I'm now going to change subjects, still in Yamwara.

20 I'm going to read out to you, madam, an extract of a statement of a Prosecution
21 witness. And I'm going to ask you after that if it reminds you of anything, whether
22 you were witness to that.

23 It is a Prosecution witness who hasn't stood here yet, but was part of the Yamwara
24 group. He states that "In the group there were some soldiers who were responsible
25 for training the civilians into fighting." This is the extract part that interests me.

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1 "The person from the outside came to train the troops so that -- tell them how they
2 ought to behave. * They taught the rules of humanitarian international law. They
3 were white people who had come in a motorised vehicle. Their aim was to make
4 everybody aware of human rights when they were on the front fighting. This
5 training was done already before I arrived and continued afterwards."

6 Before answering, because there is an objection.

7 PRESIDING JUDGE SCHMITT: [11:48:39] I don't know if it's an objection. I don't
8 assume it, actually.

9 Mr Scaliotti, please.

10 MR SCALIOTTI: [11:48:44] Thank you, Mr President. It's not an objection.

11 Simply if we can have the reference to the point that --

12 MS DIMITRI: [11:48:50] Of course.

13 PRESIDING JUDGE SCHMITT: [11:48:50] Yes, of course. You are absolutely right,
14 Mr Scaliotti. Thank you.

15 MS DIMITRI: [11:48:54] Of course. It's P-1647, CAR-OTP-2050-0654, page 0658 to
16 0659, paragraph 33.

17 Q. [11:50:00](Interpretation) I'll give you the time to think about it.

18 A. [11:50:08] No, it's fine. It's fine.

19 The people from the outside came to train the people, no.

20 Q. [11:50:18] You don't remember Blanc who came to the camp to talk about
21 international law?

22 A. [11:50:29] No, I have no recollection of that.

23 Q. [11:50:50] My next questions relate to weapons. A simple question. During
24 your interview with the OTP in 2017, I had the impression that I understood that not
25 everyone had a firearm in Yamwara. It was only the chiefs of sections who had a

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1 firearm, but not all the elements. Is that correct, madam?

2 A. [11:51:25] Yes, madam.

3 Q. [11:51:34] Was it only the chiefs of sections who had a firearm?

4 A. [11:51:45] No, because other chiefs who had confidence or trust in some of the
5 elements gave them weapons, but not everybody. Many of us only had machetes
6 and baton sticks, et cetera.

7 Q. [11:52:04] Thank you, madam.

8 I'm going to change the subject completely now. We are going to come back to
9 Yamwara later on. I would like to talk about an individual which you mentioned on
10 several occasions, Habib Beina. I'm going to ask you once again -- I'm going to do
11 the same exercise as before. I'm going to ask you to confirm some statements which
12 you made in 2017 and 2020 with the Prosecution. If you want me to show you the
13 extract at any point in time, don't hesitate to let me know.

14 Could you confirm to me, as far as you know, is it correct that Habib Beina at that
15 time had a wife and two or three children? Is that correct?

16 A. [11:53:15] Yes.

17 Q. [11:53:19] And do you remember -- am I to understand from your statement that
18 Habib Beina knew his wife before the events? So when you met him for the first
19 time, he already had a wife and two or three children?

20 A. [11:53:40] I don't know. I do know that he was on the route to Mbaïki.

21 Q. [11:53:53] Am I understanding you correctly, madam, did you already meet the
22 wife of Habib Beina who had the two or three children?

23 A. [11:54:08] I never was very friendly to her, but she came to the funeral.

24 Q. [11:54:16] So you met (Expurgé)?

25 A. [11:54:25] Yes.

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1 Q. [11:54:27] * The investigators asked you in 2020, madam, the investigators asked
2 you when talking about Habib Beina whether he had other wives than the one you referred
3 to, and you said, "to tell you the truth, I never saw any." Could you confirm that?

4 A. [11:54:56] I confirm that.

5 Q. [11:55:01] So when you said that the investigators, "I didn't ever see that, I don't
6 want to lie," am I to understand that you never saw Habib Beina with another woman
7 within the Anti-Balaka; is that correct?

8 A. [11:55:16] Yes.

9 Q. [11:55:25] Still in 2020, the investigators of the OTP asked you whether you
10 knew whether these women were pregnant during the time when they were in the
11 Anti-Balaka and you said no. I just would like you to confirm that.

12 A. [11:55:49] I can confirm.

13 Q. [11:56:00] Is it correct, madam, during the entire period when you were within
14 the movement and within the group of Alfred Rombhot Yekatom, is it correct that
15 you never knew another Habib or Abi in the group of Alfred Rombhot Yekatom?

16 A. [11:56:36] I only know Mr Habib Beina.

17 Q. [11:56:43] Thank you, madam.

18 I understood that from the moment when you moved to the axis PK9-Mbaïki,
19 Habib Beina, he was posted at PK9, close to Pissmiss. I'm going to show
20 you -- because I think you made the sketch of this annex, so I'm going to show you
21 what you outlined.

22 (Speaks English) It's tab 85 of the Prosecution binder, CAR-OTP-2125-0717. Can we
23 please not display it to the public because it's the witness's handwriting.

24 (Interpretation) I -- this is -- what's displayed on the screen is not shown to the public
25 because it's your handwriting. Am I to understand from the sketch, madam, that if I

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1 arrive from Sekia and I head towards Bangui, just before crossing the bridge PK9,
2 there is a compound called Pissmiss. And at that place, Habib Beina was positioned.
3 I know you've spoke about Rodrigue Momokama, but now I'm just concentrating on
4 Habib Beina. So your statement is correct as far as the sketch, which we all see
5 displayed.

6 A. [11:59:00] But what I drew is in front of the house. It's close to the bridge.

7 Q. [11:59:22] I think you need to be a bit more specific, because "close to the bridge"
8 is not sufficiently clear. You said "there which I have drawn is in front of". So
9 where you wrote "Habib Beina," it is in front of the Pissmiss compound, is that what I
10 am to understand?

11 I'm going to put my question in a different way.

12 A. [11:59:56] Well, frankly, you say this was for him, but I don't know as regards
13 Pissmiss. But on the PK9 bridge, you would go direction Sekia. On the left there is
14 a villa of Mr Pissmiss. And in front of you there is a garage, and that's where I put
15 the word "site" just to be a bit clearer.

16 Q. [12:00:33] Please listen to my question. It's a bit more specific than that.

17 Now -- and I understand what you are saying with respect to Pissmiss and the garage.

18 What I want to know is, Pissmiss and -- where is Pissmiss and the garage with respect
19 to the bridge? I'll explain what I have understood. You tell me if I'm right.

20 If I leave Sekia and I head towards Bangui, the place where Habib Beina is posted and
21 Momokama is before we cross the bridge. That is to say, Pissmiss or the garage, it
22 doesn't matter, is before we cross the bridge. Have I understood your testimony
23 properly?

24 A. [12:01:33] Yes.

25 Q. [12:01:40] * Madam, I know it's a bit far. Am I right in saying that once we

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1 cross the bridge, so we are heading to Bangui, and after having crossed the bridge, we
2 can see the Burundians from the MISCA and the gendarmes from Bimbo; am I right?

3 A. [12:02:08] Yes, there is -- there is a point there, a check post there.

4 Q. [12:02:18] On Habib Beina - now, the question could seem funny, but this is very
5 important for me - am I right in saying that the only individual called Habib or Abi
6 who died in a road accident, the only individual, the only ComZone who died, the
7 only ComZone who had the role of -- as a leader in Alfred Rombhot Yekatom's
8 movement, he died in a road accident after 2013 is Habib Beina?

9 A. [12:03:22] Yes.

10 Q. [12:03:27] Thank you.

11 (Speaks English) Mr President, I have three questions that have to be asked in private
12 session.

13 PRESIDING JUDGE SCHMITT: [12:03:39] Then we go for that to private session.

14 (Private session at 12.03 p.m.)

15 THE COURT OFFICER: [12:03:57] We are in private session, Mr President.

16 MS DIMITRI: [12:04:16](Interpretation)

17 Q. [12:04:17] Madam, I'm just going to show you some Facebook chats that

18 (Redacted) on Habib Beina's death, because it's actually very important for me to
19 establish the date of his demise.

20 I'm going to show you the Facebook chats that (Redacted) with Judicael Orofei on
21 Habib Beina's death and a Facebook chat that (Redacted) with Vivien Beina who is
22 Habib Beina's brother. The objective is not to infringe into (Redacted), but the
23 objective is basically just to establish the date of death. I'm just going to let you look
24 at that and we will confirm the death is two or three days around.

25 So the first tab is tab 57.

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1 (Speaks English) So it's tab 57 of the Defence binder, CAR-OTP-2122-6170. The
2 second one is tab 58 of the Defence binder, CAR-OTP-2122-6169. The third one,
3 tab 59, CAR-OTP-2122-6168. Then we have tab 60 of the Defence binder,
4 CAR-OTP-2122-6167. Then we have tab 61 of the Defence binder,
5 CAR-OTP-2122-6166. And the last one, CAR-OTP-2122-6224, and it's tab 62 of the
6 Defence binder.

7 You can remove it from the screen.

8 PRESIDING JUDGE SCHMITT: [12:08:15] And I think you can really shorten the
9 questioning in that regard.

10 MS DIMITRI: [12:08:18] Yes, Mr President. That's why I did them all in a row
11 because it's just one question.

12 PRESIDING JUDGE SCHMITT: [12:08:23] it's always the same date on the --

13 MS DIMITRI: [12:08:26] Yes. Yes, of course. Thank you.

14 Q. [12:08:34](Interpretation) Madam, in light of the (Redacted) with
15 Judicael Orofei on (Redacted) and with Vivien Beina on (Redacted), could you
16 please confirm that we -- it would be one or two days around Habib Beina's death
17 when (Redacted), because from your testimony, we understood that you
18 (Redacted).

19 A. [12:09:16] One or two days?

20 Q. [12:09:20] Perhaps a week?

21 A. [12:09:22] Yes, I do confirm.

22 Q. [12:09:24] Just to establish that he died in June 2017.

23 A. [12:09:29] Yes.

24 Q. [12:09:31] Thank you. One last question on Habib Beina and then we shall
25 move on to another subject. Again, on a Facebook chat that (Redacted), this time it's

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1 with Aristide Beina. It's in tab 116, Defence binder.
2 (Speaks English) So 116 of the Defence binder, CAR-OTP-2122-6369.
3 (Interpretation) Madam, (Redacted) a Facebook chat with Aristide Beina
4 who speaks about Habib. It's not very well written, but from what I can gather, that
5 he has a business and he deals with wooden planks. All I want to know is that, to
6 the best of your knowledge, is it true that just before his death, Habib Beina had a
7 small wooden plank shop, and he died during -- he died in a motorbike accident.
8 And he was actually going to work, and he was hit by another vehicle, by a coach.
9 Are these the circumstances around the death of Habib Beina?

10 A. [12:11:43] (Redacted), but all I know is that he was hit by a coach, by a

11 B. bus.

12 Q. [12:11:52] Thank you so much.

13 Can we remove the picture from the screen.

14 Thank you, madam. I understand that (Redacted). I'm explaining

15 my question. According to what (Redacted)

16 Facebook chat, we do agree that, (Redacted), Habib Beina did not die

17 after a mission where Yekatom would have sent him. He died in a road accident.

18 And he had a shop dealing with wooden boards or planks.

19 A. [12:12:37] I don't know.

20 Q. [12:12:45] Last question. When you were at (Redacted), can you

21 tell me, what did you learn about the circumstances in which he died?

22 A. [12:13:05] I saw that on social media, the announcement of his death, and that's

23 it. (Redacted) and that was it. (Redacted)

24 (Redacted)

25 (Redacted)

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1 Q. [12:13:32] Did the family or friends explain under what circumstances he died?

2 A. [12:13:45] I do not remember that, madam.

3 Q. [12:13:48] No problem. We are going to change the subject now. We are
4 going to talk about certain individuals you mentioned during the testimony.

5 I think the next we can move on to public session.

6 PRESIDING JUDGE SCHMITT: Open session.

7 (Open session at 12.14 p.m.)

8 THE COURT OFFICER: [12:14:23] We are in open session, Mr President.

9 MS DIMITRI: [12:14:36](Interpretation)

10 Q. [12:14:38] During your meeting with the OTP investigators, you said that you
11 knew -- that you had known Satan Rodrigue. Do you confirm that, please?

12 A. [12:14:56] Yes, I do confirm that.

13 Q. [12:15:05] The Satan Rodrigue you know, am I right in saying that he was a
14 FACA who had worked in Bossembele for a few years. He was a FACA. And
15 he -- I'm giving you a few details because I'm trying to identify the person. He
16 allegedly would have been a head of mission in Bozoum for some time?

17 A. [12:15:43] I don't know, but I know that he's FACA.

18 Q. [12:15:48] So there are two Satan Rodrigues. The ones -- the Satan Rodrigue
19 you are referring to was not a gendarme. He was part of the FACA.

20 A. [12:16:10] Yes.

21 Q. [12:16:10] Thank you. The Satan Rodrigue you know, he is still alive today, to
22 the best of your knowledge?

23 I'm going to reformulate my question.

24 To the best of your knowledge, you never learnt until now that the Satan Rodrigue
25 you know is dead?

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1 A. [12:16:34] Yes.

2 Q. [12:16:36] I'm going to show you another video footage. I explained that I get
3 you to confirm certain things and sometimes it's the other way around. So can you
4 confirm that the person on this screen is not Satan, the one you know. So I'm going
5 to show you the video.

6 And for the interpreters, it's just a question, so there is no need for interpretation.

7 Thank you.

8 So it's in tab --

9 (Speaks English) Tab 78 of the Defence binder, CAR-OTP-2012-0523.

10 (Interpretation) Madam, before we play the video footage, I -- and I could actually
11 get -- get to be played several times. I would like you to focus on the individual who
12 is going to be to the left of your screen and who is wearing a hat. And I want to
13 know that he is -- I would like you to confirm that he is not the Satan Rodrigue that
14 you know.

15 And for the records, we are going to play between 09:02 and 09:06. So we are just
16 going to play it for a few seconds.

17 So please focus on the individual who is on the left of your screen and who is wearing
18 a hat.

19 (Viewing of the video excerpt)

20 A. [12:18:42] It is very unclear. We cannot see this.

21 Q. [12:18:48] I'm going to show you that in HD version, and I will ask you the same
22 question.

23 (Speaks English) Tab 36, CAR-OTP-2065-0396.

24 (Interpretation) So I'm actually showing the HD version of the same passage, madam.

25 (Viewing of the video excerpt)

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1 I can actually play it again.

2 A. [12:19:40] I can see his face, but it is not the Satan I know. The Satan I know, he
3 has brownish skin. That's it. He's not black.

4 Q. [12:19:59] Thank you so much for these specifications.

5 So now I'm going to show you two photos of another individual so that you can
6 confirm to me that it is not Satan Rodrigue that you know.

7 (Speaks English) Tab 89 of the Defence binder, CAR-D29-0010-0050.

8 And we can now show her tab 90 of the Defence binder, CAR-D29-0010-0051.

9 (Interpretation) Would you like me to repeat my question?

10 A. [12:21:43] I can't see anything.

11 Q. [12:21:48] I'm going to show you the two photos again then. I apologise.

12 So if we can just present tab 89 of the Defence binder, CAR-D29-0010-0050.

13 Can you see the first photo, madam?

14 A. [12:22:17] Yes, I can.

15 Q. [12:22:18] I'm going to show you another one. So it's tab 90 of the Defence
16 binder, CAR-D29-0010-0051.

17 A. [12:22:38] I do not know this gentleman.

18 Q. [12:22:41] Perfect. Thank you so much.

19 The photo can be removed from the screen.

20 We are going -- I'm going to talk to you now about another individual, and I'm going
21 to repeat the same exercise. Stephane Dawili. Stephane Dawili. I'm going to
22 show you video footage. You knew Stephane Dawili; is that right?

23 A. [12:23:11] Yes, I know him very well.

24 Q. [12:23:13] I'm going to show you a video.

25 Again there is no interpretation necessary for that video footage.

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1 So I'm going to ask you to especially focus on an individual who has a necklace and
2 it's the same exercise. Please confirm that this is not Stephane Dawili.

3 So the video is in tab 91 of the Defence binder, CAR-OTP-2065-3172. The metadata
4 are in tab 92 of the Defence binder, CAR-OTP-2065-7122. And for the records, we
5 are going to freeze the image at 36 seconds.

6 Before we start, can you confirm that you have this on your screen, because we
7 changed the screen. Can you see anything at all on your screen?

8 A. [12:24:29] Yes, I can.

9 Q. [12:24:31] Fine. This is -- the screen has been frozen at 36 seconds. The
10 individual who is wearing a necklace, the individual who is wearing a necklace and a
11 red bandana on the head, can you confirm that that is not Stephane Dawili?

12 A. [12:25:06] No.

13 Q. [12:25:09] No, you don't confirm or no, it is not Stephane Dawili?

14 A. [12:25:14] No, this is not Stephane Dawili.

15 Q. [12:25:17] Thank you so much.

16 I'm going to show you the Stephane Dawili that you know on another video footage.
17 Tab 38, CAR-OTP-2094-7618. Once again, no interpretation necessary for the video
18 because it's just an identification exercise.

19 We are going to show you 23:33.

20 Do you recognise him?

21 A. [12:26:05] Yes, I do.

22 Q. [12:26:08] For the records, is it the person who is wearing *son galon*, at the right,
23 it's as if Mr Yekatom is looking at him. He has red attire. * He is facing the screen. Is
24 this Dawili, the person you call Morgan?

25 A. [12:26:39] Yes.

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1 THE INTERPRETER: [12:26:45] Correction from the interpretation booth, it is: He
2 is wearing red stripes.

3 MS DIMITRI: [12:26:52](Interpretation)

4 Q. [12:26:52] I'm going to do the same exercise with Goliatha. I'm now going to
5 show you a short footage.

6 The objective is the same. We don't need interpretation.

7 (Speaks English) Tab 68 of the Defence binder, CAR-OTP-2065-4849. The metadata
8 are at tab 69, CAR-OTP-2065-7668. It's a video taken on 13 December 2013 by P-1819.

9 And for the record, I will play from 01:31 up to 01:39.

10 (Interpretation) Madam, I'm going to play the footage -- a few seconds of the footage
11 and I'm going to ask you to focus especially on the person who is standing in the
12 middle of the screen and who is talking to the group who is sitting. And please
13 confirm if he is the person you refer to as Goliatha.

14 (Viewing of the video excerpt)

15 A. [12:28:38] I confirm.

16 Q. [12:28:40] Thank you so much, madam.

17 I'm just going to talk a bit about Captain Kamezolari. I'm asking you a question, and
18 if you feel that we should reply in private session, please do feel free to say so.

19 You talked about Captain Kamezolari during your testimony. Are you in a position
20 to tell me when did you see him for the first time in Yamwara?

21 A. [12:29:49] The memory I have of him is during a meeting.

22 Q. [12:29:59] I understand that you do not have -- you are not often in
23 touch -- regularly in touch with him when you were in Yamwara.

24 A. [12:30:11] Yes.

25 Q. [12:30:13] I'm going to show you a video footage and please tell me if you can

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1 see him in the video. Please try and identify him.

2 (Speaks English) Tab 75 of the Defence binder. And this time I'll need the

3 interpreter's help. CAR-OTP-2065-4512. The metadata is at tab 76 of the Defence

4 binder, CAR-OTP-2065-7532. The translation is tab 77, CAR-D29-0006-1186.

5 So the interpreters should have tab 77 in their binder. You have it. Thank you.

6 The video lasts 1 minute, 35 seconds. It was taken by P-1819. Again, around

7 13 December 2013.

8 (Interpretation) Madam, I'm going to show you the video in its entirety and I have

9 some questions afterwards.

10 (Viewing of the video excerpt)

11 THE INTERPRETER: [12:32:05](Interpretation of the video excerpt)

12 "No, that's in order to fight. If they have the means to do so.

13 There is a problem that we don't have enough ammunition.

14 It's the presence of the French, those people who shot arms.

15 The French were behind it.

16 It was the Chadian FOMAC who supported them. The French were there as

17 observers.

18 They were in front. Even the Chadians threatened the French. They simply

19 pretended to be French, but they were the Chadians, and they shot at us.

20 He already took that -- yes, yes, yes, he took it already. They bought the meat and

21 also the stuff in order to fill it up."

22 MS DIMITRI: [12:33:54] Thank you.

23 Q. [12:33:58](Interpretation) The individual at the beginning of the video who was

24 speaking, he was talking on the telephone, do you agree with me that his profile -- he

25 moved his head very quickly, but perhaps he recognised the voice and his profile.

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1 Would you -- am I correct in saying that is Captain Kamezolai?

2 A. [12:34:31] Yes, I confirm.

3 Q. [12:34:33] Thank you, madam.

4 * I'm going to show you another video. It's Tab 78 in the Defence binder,

5 CAR-OTP-2012-0523.

6 (Speaks English) And this time I again give a break to the interpreters. We're going

7 to -- we're going to view from 43:46 seconds up to 43:50.

8 (Interpretation) Madam, this time I'm going to ask you the opposite exercise. Could

9 you confirm that the individual that is next to Mr Yekatom is not Kamezolai, the

10 individual who is wearing a red T-shirt which seems to be a black leather vest or

11 jacket. I'll let you look at the video.

12 (Viewing of the video excerpt)

13 (Interpretation) I'm going to stop at this image 43:49.

14 A. [12:36:25] Without seeing the entire video, I would say this is not Captain

15 Kamezolai because he doesn't smoke.

16 Q. [12:36:39] You are really very observant. Thank you very much, madam.

17 A. [12:36:44] Excuse me, your Honour, may I have five-minutes break?

18 PRESIDING JUDGE SCHMITT: [12:36:53] Of course. Of course. Take your time.

19 May I suggest that we perhaps then have the lunch break until 2 o'clock. Or is there

20 anything -- because if we have now --

21 MS DIMITRI: [12:37:09] No, I understand. There is just -- could you give me just a

22 second, please, Mr President.

23 PRESIDING JUDGE SCHMITT: [12:37:13] Yes, of course. Of course.

24 MS DIMITRI: [12:37:24] Mr President, this is the issue. I also need a two-minute

25 break. I have no problem breaking now. The plan was -- and so far we are going

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1 according to plan. The plan was that the afternoon session was for Ms Guissé, who
2 has a number of questions. So I wanted to avoid -- because we are going to have a
3 make a complete swap.

4 PRESIDING JUDGE SCHMITT: [12:37:48] Then simply, you may step out,
5 Ms Witness.

6 MS DIMITRI: [12:37:54] May I step out as well?

7 PRESIDING JUDGE SCHMITT: [12:37:57] Of course. Of course.

8 MS DIMITRI: [12:38:01] Thank you.

9 (The witness exits the courtroom)

10 (Ms Dimitri exits the courtroom)

11 (The witness enters to the courtroom)

12 (Ms Dimitri enters to the courtroom)

13 PRESIDING JUDGE SCHMITT: [12:40:59] You can continue.

14 MS DIMITRI: [12:41:03] Thank you. Thank you, Mr President. I'm sorry if I -- if I
15 didn't let you take the lunch break early, but there was --

16 PRESIDING JUDGE SCHMITT: [12:41:10] No, no, I didn't know your plans and it
17 makes sense. So we continue.

18 MS DIMITRI: [12:41:14] Thank you.

19 Q. [12:41:17](Interpretation) Madam, I forgot two questions. I won't show you the
20 videos to gain time. The video where you recognised Kamezolai, do you agree that
21 the person who was shouting, who was walking was Coeur de Lion?

22 For the records, the video was with the striped T-shirt, was 75 of the Defence binder,
23 CAR-OTP-2065-4512*.

24 A. [12:42:00] Are you talking about Coeur de Lion?

25 Q. [12:42:03] yes, I simply want to know whether the person who was getting

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1 across was Coeur de Lion?

2 A. [12:42:10] With a green T-shirt, a green T-shirt.

3 Q. [12:42:18] Look, my memory also fails me here. Let me also just check.

4 A. [12:42:23] The one in the green T-shirt is Coeur de Lion.

5 Q. [12:42:27] Yes, yes, yes, that's him.

6 A. [12:42:29] I confirm.

7 THE INTERPRETER: [12:42:30] And tab 75, the CAR-OTP is 2065-4512.

8 MS DIMITRI: (Interpretation)

9 Q. [12:42:38] And, madam, the other question which I forgot to ask you, and it's a
10 mistake on my part. You know, I showed you two videos on Dawili, the first where
11 you said it wasn't Dawili.

12 And for the records, this was tab 91, CAR-OTP-2065-3172.

13 Could you confirm that in the first video, there was no Dawili. In fact, in all the
14 images on that extract, there was no Dawili image. It was only on the second video
15 that I showed you that you saw Dawili.

16 A. [12:43:24] Dawili wasn't a video, but it was a photo that was displayed in front
17 of Mr Yekatom with his ranking, his military stripes.

18 Q. [12:43:39] * If you look at the screen, timestamp 36 minutes... timestamp 36
19 seconds, CAR-OTP-2065-3172, that is the first still. And here do we agree that none
20 of the individuals in this screenshot, none of them is Dawili?

21 A. [12:44:03] I confirm.

22 Q. [12:44:04] Thank you. I'm now going to go back to Kamezolai.

23 As far as you know of the discussions that you had and because what you heard
24 being said - I'm not asking you to you saw but what you heard - was Kamezolai -- did
25 he participate in the attack of December 2013, on the 5th?

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1 A. [12:44:41] I don't know.

2 Q. [12:44:47] From all that you heard, is it correct to say that Kamezolai, Captain
3 Kamezolai was a former presidential guard like Coeur de Lion?

4 A. [12:45:04] I don't know.

5 Q. [12:45:15] Apart from the discussions of the group, because you've heard this,
6 but what you heard when they talked amongst each other or what you were told,
7 even after the events, do you know whether that the presidential guard -- is that
8 something you heard, that the presidential guards had tight links between each other?

9 A. [12:45:44] I don't know.

10 Q. [12:46:00] Still on Kamezolai. At the point in time when you left the group of
11 Alfred Rombhot Yekatom, when you finally left, did Kamezolai, was he still in the
12 group -- was he still playing a role in the group or had he left already?

13 A. [12:46:31] I don't know.

14 Q. [12:46:53] Does the name Basile Mbomon mean anything to you? Have you
15 heard that name?

16 A. [12:47:09] No.

17 Q. [12:47:24] Based on the questions when I put some questions on the presidential
18 guard, did you notice or am I correct in saying that since you were a civilian, you
19 didn't have access to everything the military was saying so that on several occasions,
20 the soldiers were amongst each other and were discussing amongst each other; am I
21 correct?

22 A. [12:47:53] Yes, that is correct.

23 PRESIDING JUDGE SCHMITT: [12:47:55] And I would like to give an ERN number
24 that is not on the record already. This was the for the videos, it was

25 CAR-OTP-2065-4849. I think the microphone was not activated and that's the reason

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1 why. It was tab 68 of the Defence binder.

2 MS DIMITRI: [12:48:27] Thank you, Mr President.

3 Q. [12:48:34](Interpretation) During your interview with the OTP, you said, again
4 on Kamezolari, madam, when talking about the relationship between Captain
5 Kamezolari and Mr Yekatom, you said that Kamezolari, because he is a captain, he
6 respects, this is when you are talking of Yekatom, and he also helped a lot in the
7 rebellion. Can you confirm that.

8 A. [12:49:31] I confirm.

9 Q. [12:49:42] I'm going to show you -- sorry, sorry. I think -- (Speaks English)
10 Mr President, if we could go into private session for the -- it's only one question.

11 PRESIDING JUDGE SCHMITT: [12:49:51] Yes.

12 Private session.

13 (Private session at 12.50 p.m.)

14 THE COURT OFFICER: [12:50:07] We are in private session, Mr President.

15 MS DIMITRI: [12:50:09] Thank you.

16 Q. [12:50:11](Interpretation) Madam, I'm going to show you two exchanges on
17 Facebook which (Redacted) Captain Kamezolari. Simply, because I want to
18 confirm two telephone numbers that (Redacted)
19 (Speaks English) The first one is at tab 81 of the Defence binder, CAR-OTP-2122-6334.
20 And the second one, tab 82 of the Defence binder, CAR-OTP-2122-6333.

21 (Interpretation) My question is very simple, madam. Can you confirm that

22 (Redacted) on Facebook with Captain Kamezolari in (Redacted) and (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 A. [12:51:55] I confirm.

2 Q. [12:51:56] Thank you, madam.

3 We are going to be in closed session for the next series of questions because it's

4 conversations (Redacted) with Léopold Bara. In fact, the next subject is Jean-Jacques

5 Demafouth. Some small questions because I noticed something when you had an

6 interview with the OTP, you explained that Léopold Narcisse Bara acted as -- wanted

7 security because he was scared. He had received some threats, and the investigators

8 asked you to be more specific, and you answered that (Redacted)

9 (Redacted). I would like you to

10 confirm that statement, madam.

11 A. [12:53:16] I confirm that.

12 Q. [12:53:19] Thank you, madam.

13 And final question on this subject: Could you tell me, what did Léopold Narcisse

14 Bara (Redacted)?

15 A. [12:53:37] (Redacted)

16 (Redacted)

17 (Redacted).

18 Q. [12:53:57] Thank you, madam.

19 (Speaks English) If the court reporter could -- if the -- the English transcript is frozen,

20 and that's my guide to know if I'm going too fast.

21 PRESIDING JUDGE SCHMITT: [12:54:07] But it's okay, I think.

22 MS DIMITRI: [12:54:09] Okay. Thank you. It's back now.

23 Q. [12:54:14](Interpretation) So am I correct in thinking that Léopold Narcisse Bara

24 (Redacted).

25 And it's within this context that (Redacted), and

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1 in this context (Redacted)?

2 A. [12:54:44] Could I read the transcript where I said that?

3 Q. [12:54:55] This is tab 54 of the Prosecution binder, CAR-OTP-2072-1003,
4 page 1005.

5 (Speaks English) If you could zoom on line 71 and 72.

6 A. [12:55:45] I confirm.

7 Q. [12:55:48] Thank you, madam.

8 MS DIMITRI: [12:55:58] Mr President, I'm changing subjects, and we could go into
9 open session or have the break. I'm in your hands.

10 PRESIDING JUDGE SCHMITT: [12:56:12] How long will -- I understand from you --

11 MS DIMITRI: [12:56:16] It's the chicken farm, so it's going to take --

12 PRESIDING JUDGE SCHMITT: [12:56:20] It's going to take -- let's have then the
13 lunch break until 2.30.

14 MS DIMITRI: [12:56:26] Thank you.

15 THE COURT USHER: [12:56:27] All rise.

16 (Recess taken at 12.56 p.m.)

17 (Upon resuming in open session at 2.32 p.m.)

18 THE COURT USHER: [14:32:04] All rise.

19 Please be seated.

20 PRESIDING JUDGE SCHMITT: [14:32:27] We are in open session.

21 I understand, Ms Guissé, that we have to go to private session.

22 Then we do that, please.

23 Witness.

24 THE WITNESS: [14:32:50](Interpretation) I have something to say, please, your

25 Honour. According to our -- well, my conversation with Ms Dimitri this morning,

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1 some things that she said, to point out where I was living and so on and so forth, for
2 greater security, I would prefer that the name of my neighbourhood not be uttered,
3 because I am the only girl in my neighbourhood (Redacted).

4 (Redacted)-- I'm saying this because of my concerns about my own security.

5 PRESIDING JUDGE SCHMITT: [14:33:42] First Ms Dimitri, then Mr Vanderpuye.

6 MS DIMITRI: [14:33:45] Thank you, Mr President. I just wanted --

7 PRESIDING JUDGE SCHMITT: [14:33:47] Well, didn't I say we go first to private
8 session.

9 MS DIMITRI: [14:33:51] Oh, I thought it was done. Sorry.

10 PRESIDING JUDGE SCHMITT: [14:33:53] Yeah, I also thought it was done. So this,
11 of course, is extremely unfortunate, but we have to redact this immediately.

12 (Private session at 2.34 p.m.)

13 THE COURT OFFICER: [14:34:09] We are in private session, Mr President.

14 PRESIDING JUDGE SCHMITT: [14:34:12] Okay.

15 Ms Dimitri, first.

16 MS DIMITRI: [14:34:14] Thank you, Mr President.

17 I just want to reassure the witness, and I just checked with my colleagues, I was

18 extremely careful. And I know I mentioned (Redacted), but I mentioned it in

19 private session, and that's when -- and she will recall that when she spoke about her

20 (Redacted), even that I made sure that we went immediately in private session.

21 And I assume there was a redaction request that was not opposed by the Defence.

22 I'm very, very careful. I know she's the only woman of that -- I know there were not

23 very women in the group. And whenever there is something that tends to identify

24 her, I really tried to be careful and to always be in private session.

25 I know she can't see it because she probably doesn't have in front of her private or

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1 open, but we are extremely cautious. If we could just reassure the witness in that
2 regard.

3 PRESIDING JUDGE SCHMITT: [14:35:12] Mr Vanderpuye, do you want to add
4 something? But I think it's clear.

5 MR VANDERPUYE: [14:35:16] Mr President, it's clear. And you caught my
6 concern, mainly. But in respect of what Ms Dimitri says, I would also like to
7 re-emphasise that it is important to be extremely attentive to the possible
8 identification of the witness in the course of her testimony.

9 PRESIDING JUDGE SCHMITT: [14:35:34] Thank you.

10 First of all, Madam Witness, you are right, we have to be extremely careful, and we
11 understand your concern, but what Ms Dimitri said I think might reassure you.
12 Even we sometimes do not know if something has been said in private or open
13 session, but with regard to where you live, this has been discussed in private session.
14 Can we continue on that?

15 THE WITNESS: [14:36:05](Interpretation) Yes. Thank you.

16 MS GUISSÉ: [14:36:13](Interpretation) Thank you, your Honour.

17 QUESTIONED BY MS GUISSÉ: (Interpretation)

18 Q. [14:36:19] Good afternoon, Madam Witness. I'll introduce myself once again,
19 even though we did see one another briefly during the courtesy visit. I'm Anta
20 Guissé, and I'm one of the lawyers representing Mr Yekatom. As you said, and I will
21 explain once again, my colleague Ms Dimitri and I are sharing the work. I just have
22 one short series of questions on a particular topic, and then Ms Dimitri will take over
23 and finish the questioning. But this is how we have divided up our work.
24 I remind you -- and I think people have told you this many times, but I think it's a
25 good reminder for you and for me that we're both speaking French, so it's always

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1 important to pause briefly. And I think you are getting into the habit of doing so,
2 even more than at the beginning of your testimony. If one of my questions is not
3 clear, don't hesitate and ask me to clarify. But I have been listening to you testify
4 ever since the beginning, so I say all the same once again, don't hesitate to ask for
5 clarification.

6 We are in closed session, and I'd like to ask you something about a topic raised by the
7 Prosecutor. And I need some additional information from you.

8 I'm talking about the day on which (Redacted)

9 (Redacted). And, more specifically, I would like to

10 hark back to that (Redacted) because you had a hard time visualising where it was.

11 I'd like to see if you can give us any more information so that we can determine the
12 specific location of the roadblock. And we're going to work towards that goal a bit
13 slowly, one step at a time.

14 My first question to you is this: On 27 October, at 10.40 timestamp, you said that

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 or was it somewhere else?

19 A. [14:39:09] It was a (Redacted). It wasn't inside a house.

20 Q. [14:39:21] Very well. Thank you for specifying that.

21 And (Redacted) in relation to the Yamwara school, first of all, and

22 then in relation to the (Redacted)?

23 A. [14:39:44] The house of Coeur de Lion and just behind his house, a few metres

24 behind, there was sort of a hut with clay bricks and a straw roof. There was a mango

25 tree as well located there. Then after that, there were a few buildings and (Redacted)

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1 (Redacted) as well behind.

2 Q. [14:40:24] Now, you mentioned a hut with walls made of bricks. I'd like to

3 specify one thing. (Redacted)

4 there was a hut, and I believe that when you were questioned by the OTP

5 investigators, you referred to it as (Redacted).

6 Do we agree that (Redacted)?

7 A. [14:41:02] I don't understand about the (Redacted) because where -- you see,

8 (Redacted) was, that -- that's also a post, but before crossing, there are some

9 (Redacted) or -- and -- but not close. But to say close to the (Redacted), I

10 don't really understand.

11 (Redacted) and those other people. And when

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. [14:42:08] Thank you for your explanations.

17 I'd like to go through this one step at a time. I want to make sure I've understood.

18 Now, from the (Redacted) talking to

19 these people, no?

20 A. [14:42:25] (Redacted)

21 Q. [14:42:30] I'm sorry. You're right. I meant to say (Redacted).

22 So it was indeed (Redacted). Okay. Have I

23 understood correctly?

24 (Redacted); is that what

25 I am to understand?

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1 A. [14:43:15] I don't know whether there was (Redacted), but I do know
2 that -- well, what I told you, yes.

3 Q. [14:43:30] And we agree that (Redacted)
4 (Redacted)

5 A. [14:43:47] Not most regularly. (Redacted)
6 (Redacted). It wasn't regular.

7 Q. [14:44:11] If I've understood you correctly, and correct me if I've misunderstood,
8 (Redacted) there was a mango tree, correct?

9 A. [14:44:26] Yes.

10 Q. [14:44:29] And beside this mango tree, (Redacted)
11 (Redacted); is that correct?

12 A. [14:44:38] The (Redacted), not at the mango
13 tree. (Redacted)
14 (Redacted)

15 Q. [14:45:00] So if I've understood correctly, (Redacted)
16 (Redacted)

17 A. [14:45:15] Yes, (Redacted)
18 (Redacted)

19 Q. [14:45:33] When you came across (Redacted) at that location, do we agree that
20 you were going to take your -- (Redacted)
21 (Redacted); is that correct?

22 A. [14:46:01] When I was in the group, it was the only group that I was in. And
23 that's where I was. And from there, I went to Yamwara.

24 Q. [14:46:22] When you came across this group (Redacted), am I correct in saying
25 that there were other elements alongside (Redacted), alongside this group, and that

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1 there was a limited number of firearms at that place?

2 A. [14:46:46] No. There weren't enough weapons. There were some elements
3 who had machetes and sticks, but not a lot of weapons. But there were some, yes.

4 Q. [14:47:13] And we agree that (Redacted) was in charge of this checkpoint?

5 A. [14:47:25] Yes.

6 Q. [14:47:33] As I was telling you, I'd like to determine whether there's some way to
7 determine the specific location of this checkpoint on a map. And I think we can do
8 this in open session, as long as my questions are general and we go back to private
9 session when I get into greater detail.

10 Mr President.

11 PRESIDING JUDGE SCHMITT: [14:48:06] Open session.

12 (Open session at 2.48 p.m.)

13 THE COURT OFFICER: [14:48:24] We are in open session, Mr President.

14 MS GUISSÉ: [14:48:33](Interpretation) Thank you, your Honour.

15 Q. [14:48:40] Madam Witness, we are now in open session, so please be careful
16 when you answer the questions.

17 And, first of all, as I was saying, I'd like to try to visualise this location where the
18 checkpoint was. Could you tell us which road the checkpoint was located on.

19 A. [14:49:04] I can't tell you which road it was because it wasn't my area.

20 Q. [14:49:20] I've understood that there were some public showers not far from the
21 checkpoint. Were there other buildings that you could tell us about that would
22 allow yourself to visualise the place?

23 A. [14:49:40] I told you, there wasn't a -- I told you that there was a public shower
24 at that location, yes.

25 Q. [14:50:00] Thank you. I notice that you said shower in the singular.

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1 So what was the distance between the checkpoint and the Yamwara school?

2 A. [14:50:15] I think you said that you were going to show me something so I could
3 show you the location.

4 Q. [14:50:30] Absolutely. I'm getting there. But I'd like to see if you can give us
5 an estimate of the distance. But if you think that the satellite map might help you,
6 fine. But before that, could you confirm that at the checkpoint, at times there were
7 people from the population who went by and the elements at the control -- at the
8 checkpoint would ask people where they were going and they would make these
9 checks. Does that correspond to the checkpoint you were telling my colleague about
10 when you said that there were locations where the comings and goings of the
11 population were being checked?

12 A. [14:51:30] Those are two different posts or checkpoints. What I told your
13 colleague was -- I told you about the one close to M'Poko, and this one is a different
14 one. I told you that the checkpoint that you are talking about, that's the one I had
15 gone to for the first time. And it was quiet when I was there, really quiet. And it
16 was actually rare to see people go by.

17 Q. [14:52:16] And to conclude on this point that you were telling my co-counsel
18 about, at that position, would sometimes people bring food to the checkpoint? Or is
19 that completely different to what you were telling us about this morning?

20 A. [14:52:41] That's completely different. The only checkpoint where the
21 position -- the population gave us things voluntarily was the one at M'Poko.

22 Q. [14:53:02] Now I'd like to turn to the document that may help you situate the
23 location. This is at tab 81 of the OTP binder. It can be shown publicly, as long as
24 we don't show anything that would allow one to identify the witness. This is
25 CAR-OTP-2066-1468. Please don't show the top of this particular document.

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1 Madam Witness, here you can see a document that you commented upon to the OTP
2 investigators. Now, with this image, can you visualise the place where the
3 checkpoint was located? This checkpoint we've been talking about.

4 Just to specify while you're looking at this, if you think that on the satellite -- that the
5 satellite photo is not big enough or the -- the area around the school is not big enough,
6 I have another map, if that's of help to you, to help you situate the place.

7 Do you mind if I scroll -- I'll ask the court officer for assistance.

8 A. [14:55:40] If you could scroll up, up.

9 Q. [14:55:50] I can provide a hard copy of the satellite photo, if that's of assistance.

10 Maybe that will help you better visualise, with the assistance of the court officer and
11 the leave of the Presiding Judge.

12 Once again, I'd like to stress that if the map is too small, I have another one that is
13 larger, if that's useful.

14 A. [14:57:13] Okay. I would prefer working from the larger map.

15 Q. [14:57:17] Thank you, Madam Court Usher.

16 Now, as for the large map, the broader map, as we await that, I'll move on to another
17 document, namely, tab 80 from the Defence list, CAR-D29-0003-0052. This is a
18 document with several pages, and the first page, which you should see up on the
19 screen, this is a map, a somewhat bigger map that shows both Kokoro 2 school and
20 the *cité de la paix*.

21 My first question for clarification: Do we agree that Yamwara school was also called
22 *école Kokoro 2*?

23 A. [14:58:39] I don't know.

24 Q. [14:58:42] Now, on this map, do you recognise -- or, rather, do you see where
25 the spot where the evangelical church is located? * More or less in the middle of the

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1 map we read the word "évangélique", below "complexe Marie-Claire"?

2 A. [14:59:27] Yes, yes, *évangélique*, I see it.

3 Q. [14:59:31] Do you remember if not far from Yamwara school there was an
4 evangelical church within the *cité de la paix* alongside the school?

5 A. [14:59:58] When I was there, ma'am, I really wasn't paying attention to all these
6 things that were around me. I was focussing more on the place where I was, and I
7 really wasn't trying to determine what was around the place.

8 Q. [15:00:24] I will attempt -- I'm going to try and show you another document.

9 It's on this document, but it's on page 54. Page 54 - there we go - it's a satellite image
10 from March 2020 but corresponds or tallies to the satellite image that you annotated
11 with the OTP.

12 On the right, can you see in blue "*école* Yamwara"?

13 A. [15:01:21] Yes.

14 Q. [15:01:24] Can you see on the left of that label the *maison* of -- the house of
15 Coeur de Lion?

16 A. [15:01:37] Yes.

17 Q. [15:01:39] With the satellite image, which is slightly enlarged -- no, it's true, it
18 doesn't move in the same direction in the one in which you annotated. But if I
19 would provide you with a paper version of this satellite photo, and you can then turn
20 it around however you like, do you think you would be able to point out the place,
21 the location of the checkpoint?

22 Do you want the paper, the hard copy so that you can move it around in any
23 direction?

24 A. [15:02:39] No, it's not necessary.

25 Q. [15:03:13] Can you find yourself in that? Can you see the place where the

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1 checkpoint was positioned? If you don't see it, don't worry about it.

2 A. [15:03:28] It's so difficult. It's years ago, madam.

3 PRESIDING JUDGE SCHMITT: [15:03:33] I think perhaps just a clarification with
4 the witness.

5 For you, in your -- in your opinion, is checkpoint and roadblock the same thing? Or
6 is it something different in your understanding?

7 THE WITNESS: [15:04:02](Interpretation) They are two different things. The
8 first -- as I said to you, the first wasn't a post as such. We simply sent a section to
9 control the path. But the other, where we were going on to M'Poko, it wasn't
10 necessarily our section. We went with other sections.

11 PRESIDING JUDGE SCHMITT: [15:04:35] Ms Guissé.

12 MS GUISSÉ: [15:04:36](Interpretation)

13 Q. [15:04:39] I'm going to try a last time. We have another map. It's true, I
14 showed you the satellite image of 2020 because it was in colour, but I'm now going to
15 show you another satellite image which corresponds to 2014 which might be easier
16 for, but it will be in black and white. We'll see whether that helps you more. This is
17 page -- the next page, which ends as 55. So it's the same image but in 2014.
18 Perhaps this configuration of the buildings is easier for you.

19 A. [15:05:30] No clue.

20 PRESIDING JUDGE SCHMITT: [15:05:33] It is also indeed not easy, so to speak.

21 MS GUISSÉ: [15:05:38](Interpretation) Absolutely, your Honour.

22 Q. [15:05:43] And thank you, madam, for at least having tried. I completely
23 understand that it's not easy to do.

24 Now, I'm going to have to ask you, your Honour, to go into private session, please.

25 PRESIDING JUDGE SCHMITT: [15:06:04] Yes.

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1 Private session.

2 (Private session at 3.06 p.m.)

3 THE COURT OFFICER: [15:06:17] We are in private session, Mr President.

4 MS GUISSÉ: [15:06:23](Interpretation)

5 Q. [15:06:25] Ms Witness, we are now in private session, so I'll continue my
6 question.

7 I am going to go back to the (Redacted). * Am I correct in
8 saying, did I understand correctly from your testimony that it was (Redacted)
9 (Redacted)?

10 Is that correct?

11 A. [15:06:55] Yes.

12 Q. [15:07:03] During your testimony, when you saw the photo where you
13 recognised them -- shown to you by the Prosecution, that the (Redacted)
14 (Redacted); is that correct?

15 A. [15:07:31] Yes.

16 Q. [15:07:34] And you also said to the investigators of the OTP that he always
17 (Redacted) and before joining the Anti-Balaka, and that he
18 even (Redacted). Is that information correct? Can you confirm.

19 A. [15:08:10] I confirm that.

20 Q. [15:08:21] Am I also correct in saying that (Redacted)
21 (Redacted) on that particular day?

22 A. [15:08:40] I said, and I said to you last time as well, he knew them very well.

23 Q. [15:08:53] And do you agree that one of them was (Redacted); is that
24 correct?

25 A. [15:09:01] Yes.

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1 Q. [15:09:10] Do you remember whether on that day (Redacted)

2 (Redacted)?

3 A. [15:09:28] No.

4 Q. [15:09:36] Without having said it, or if he said it another time when you weren't

5 there yet, did he talk about the fact that (Redacted)

6 (Redacted)?

7 A. [15:09:54] No, he hasn't said anything to me.

8 Q. [15:10:07] We heard witnesses say that (Redacted) in

9 particular by saying that (Redacted) but he came to the Anti-Balaka because of

10 the way that he and one of his friends were mishandled by (Redacted). Do

11 you remember that statement being made? Or if you haven't heard it on that

12 particular day, is that something he talked to you about? Did he ever talk to you

13 about (Redacted)?

14 PRESIDING JUDGE SCHMITT: [15:10:45] Mr Scaliotti.

15 MR SCALIOTTI: [15:10:46] Mr President, simply once again, if we can have the

16 reference.

17 MS GUISSÉ: [15:10:55](Interpretation) No problem, your Honour. * This is P-1704,

18 hearing T-128, at around 12:04. And we also have 1716, CAR-OTP-2053-0062,

19 paragraph 28.

20 PRESIDING JUDGE SCHMITT: [15:11:37] Thank you.

21 Is anything in that regard, with regard to the person, (Redacted), has anything

22 been mentioned to you, or did you come to know anything about that?

23 THE WITNESS: [15:11:52](Interpretation) No. Nothing on that, your Honour.

24 MS GUISSÉ: [15:12:01](Interpretation)

25 Q. [15:12:03] * Within the framework of the discussions you had with (Redacted),

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1 one day did he talk to you about a soldier from his year called

2 (Redacted)?

3 A. [15:12:18] No.

4 Q. [15:12:30] I'm now going to go back to the (Redacted). I

5 understood that (Redacted), but, in

6 any case, that is what you said to the investigators of the OTP. (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted). Am I correct in saying that at that point in time, (Redacted)

10 (Redacted)

11 A. [15:13:31] Yes, it's true. We had our suspicions.

12 Q. [15:13:43] I'm now going back to the moment when (Redacted)

13 were discovered. The 27 October you said at the hearing, and I quote you, T-70, at

14 10:40, he said, talking about (Redacted)

15 (Redacted)

16 (Redacted) End of quote.

17 So am I to understand that the (Redacted), and based on that,

18 (Redacted); is that correct?

19 A. [15:14:38] It wasn't the (Redacted). (Redacted) of them. But it was at

20 (Redacted)

21 (Redacted) of them there.

22 Q. [15:15:05] It's true. It wasn't precise, my question. So thank you for that

23 clarification.

24 As regards those (Redacted)

25 (Redacted)? Do you know (Redacted)?

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1 A. [15:15:27] I don't know.

2 PRESIDING JUDGE SCHMITT: [15:15:33] Madam Witness, did you see (Redacted)
3 (Redacted)?

4 THE WITNESS: [15:15:47](Interpretation) Yes, sir.

5 MS GUISSÉ: [15:15:48](Interpretation)

6 Q. [15:15:49] You said that (Redacted).

7 Do you know whether he (Redacted)?

8 A. [15:16:10] No.

9 PRESIDING JUDGE SCHMITT: [15:16:14] That does -- no. Excuse me,
10 Madam Guissé.

11 MS GUISSÉ: [15:16:22](Interpretation)

12 Q. [15:16:23] I think the question, "No, you don't know," or "No, you're sure that he
13 wasn't called"?

14 A. [15:16:30] I don't know. It's better to say, "I don't know."

15 Q. [15:16:32] Thank you for that clarification.

16 (Redacted). I know I'm stressing about

17 the distance, but could you tell us roughly how much time it takes on foot to go from
18 the checkpoint to Coeur de Lion.

19 A. [15:17:03] It's -- it's a few minutes. It's not very far away from the place of
20 Coeur de Lion.

21 Q. [15:17:15] Do you agree that at that moment, (Redacted)
22 (Redacted)?

23 A. [15:17:29] Are they (Redacted).

24 Q. [15:17:40] And when (Redacted), am I correct to say (Redacted)
25 (Redacted)

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1 A. [15:17:57] Could you repeat the question, please.

2 Q. [15:18:00] When (Redacted) of Yamwara, (Redacted)

3 (Redacted)

4 A. [15:18:11] Yes.

5 Q. [15:18:18] And do you agree that, (Redacted)

6 (Redacted)

7 A. [15:18:25] Yes.

8 Q. [15:18:29] When (Redacted)

9 already present? Did (Redacted), or did he arrive a little later? Did
10 he come afterwards?

11 A. [15:18:49] He was there.

12 Q. [15:18:54] Was he in front of the house, or was he inside the house?

13 A. [15:19:15] I don't know.

14 Q. [15:19:20] I'm going to go back to the episode of the (Redacted)

15 (Redacted). * You raised this point on 27 October, T-170, still at around 10:40, and

16 you said (Redacted). And I quote what you said: (Redacted)

17 (Redacted)

18 Am I correct in saying that, before (Redacted)

19 (Redacted)?

20 A. [15:20:10] They were (Redacted) them again.

21 Q. [15:20:25] So, once (Redacted)

22 (Redacted), if I can put it like that.

23 A. [15:20:39] Correct.

24 Q. [15:20:49] * Am I correct in saying that the fact that (Redacted),

25 which no one else found before, (Redacted) as a

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1 member, and that is why you said, once again, during hearing T-170, that, (Redacted)

2 (Redacted); is

3 that correct?

4 A. [15:21:25] Yes.

5 Q. [15:21:30] Am I correct in saying that (Redacted)

6 (Redacted)?

7 A. [15:21:48] * (Redacted)... by a lot of people. I would say

8 the group.

9 Q. [15:22:06] Do you agree that the fact that (Redacted)

10 (Redacted)

11 (Redacted)

12 A. [15:22:27] Yes.

13 Q. [15:22:37] Am I correct in my understanding when I'm saying, after you had

14 (Redacted)

15 (Redacted)

16 A. [15:22:53] Yes.

17 Q. [15:22:57] Do you know whether (Redacted)

18 (Redacted)?

19 A. [15:23:08] No.

20 PRESIDING JUDGE SCHMITT: [15:23:13] Again, I think it's a bit -- since you made a

21 gesture, do we understand you this way that you know (Redacted)

22 (Redacted)? Or don't you know what happened?

23 THE WITNESS: [15:23:33](Interpretation) (Redacted)

24 (Redacted)

25 (Redacted)

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1 PRESIDING JUDGE SCHMITT: [15:23:42] Okay. So I interpreted the gesture
2 correctly, I think.

3 MS GUISSÉ: [15:23:53](Interpretation)

4 Q. [15:23:54] Am I correct in saying that after, (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 A. [15:24:15] Yes.

9 Q. [15:24:18] As my co-counsel asked you questions which might seem to you
10 surprising given your testimony, but it's because I need to have a clear precise answer
11 in the records. So if I say to you that a witness said before this Court that (Redacted)
12 (Redacted), do you

13 agree with me that that person was not telling the truth?

14 A. [15:24:49] I'm here to tell the truth. Completely false.

15 Q. [15:25:02] And before the Prosecutor asks me, I'll give you the reference, P-1716,
16 CAR-OTP-2053-0062, paragraph 38.

17 So I'll continue. (Redacted)

18 (Redacted) -- I won't go into the details of the facts there, but we agree that it is
19 then that (Redacted) in the inside. Do you
20 agree?

21 A. [15:25:51] Yes.

22 Q. [15:25:56] And the (Redacted)

23 (Redacted); do you agree with that?

24 A. [15:26:06] Yes.

25 Q. [15:26:08] After those facts or actions, you said (Redacted), and all of a

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1 sudden (Redacted). In your statement, before the investigators of
2 the OTP, you said that (Redacted)
3 (Redacted).

4 Am I to understand that (Redacted) which we mentioned earlier?

5 A. [15:26:49] Yes.

6 Q. [15:26:52] I'm going back now to another part of my questions, namely,
7 information which you obtained afterwards. I understood -- if you understand the
8 meaning of my questions, I understood that you didn't really know what happened
9 but you were given information. So what I'm interested in is what information were
10 you given.

11 So what I understood -- at least this is what you said at the hearing, T-70, at 10:47,
12 approximately, that it is (Redacted)
13 (Redacted). Is that correct? (Redacted) that
14 information?

15 A. [15:27:54] Yes.

16 Q. [15:27:57] And moving on from there, in reality, you didn't really know what
17 happened, and you said that.

18 Do you also agree that it's (Redacted)
19 (Redacted)?

20 A. [15:28:34] Yes.

21 Q. [15:28:40] I'm continuing on the information that were given to you afterwards.
22 Once again, I'm going to be clear with you. I'm not saying that this
23 information -- that you can tell me whether they are true or false, but I just want to
24 know what you were told.

25 Am I correct in saying that afterwards you learnt that the (Redacted)

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1 to the (Redacted)?

2 A. [15:29:18] Could you repeat the question, please.

3 Q. [15:29:25] Am I correct in saying that you learnt that the (Redacted)

4 (Redacted)

5 A. [15:29:39] (Redacted), yes.

6 Q. [15:29:49] * At the hearing, transcript T-170, at 10:50, approximately,

7 you -- answering the question of the Prosecution, you said that they were taken -- and

8 I quote what you said -- (Redacted)

9 (Redacted). End of quote.

10 Do you agree that, there again, this is information which (Redacted); is that

11 correct?

12 A. [15:30:15] Yes, that is correct.

13 Q. [15:30:26] In response to the OTP investigators, you said, and I quote (Redacted)

14 (Redacted)

15 (Redacted) End of

16 quote.

17 We also agree that this is information that (Redacted)?

18 A. [15:31:02] Yes. But, well, (Redacted)

19 (Redacted).

20 Q. [15:31:14] And that -- and that's information that (Redacted) gave you. Have I

21 understood correctly?

22 A. [15:31:29] Yes.

23 Q. [15:31:31] I put it to you that President Djotodia stepped down from power on

24 10 January 2014. Does that refresh your memory about the date on which he

25 stepped down?

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1 A. [15:31:50] No. I don't remember.

2 Q. [15:31:57] And also on the case record, we have a release from Ms Samba
3 dated --

4 MR SCALIOTTI: [15:32:12] Mr President, I think the question is not fairly put to the
5 witness because she didn't say that President Djotodia left power. She said
6 President Djotodia, at that point (Redacted), was moving to the
7 Libreville agreement. So I think --

8 PRESIDING JUDGE SCHMITT: [15:32:25] And the main point is that she said she
9 had information from (Redacted). So she has no -- and that's the -- I think that's the
10 thing you wanted to bring out, so to speak, that probably the dates do not fit together.
11 I don't see anything objectionable in that.
12 Please continue.

13 MS GUISSÉ: [15:32:44](Interpretation) Thank you, your Honour.

14 Q. [15:32:48] I just wanted to tell you, Madam Witness, that we do have a press
15 release from Ms Samba-Panza at the time when she was not yet president. She was
16 president of the special delegation of the city of Bangui. And in this press release,
17 (Redacted)
18 (Redacted) that day. * And she stated that (Redacted)
19 (Redacted), and that was announced over the radio news.

20 My question to you is this: Am I correct to say that you do not have knowledge of
21 that press release?

22 A. [15:33:34] No, I do not know about that press release.

23 Q. [15:33:38] Once again, I am quite confident that the information was given to
24 you by (Redacted). I'm not criticising you at all, but I think it's important to tell you
25 about this information that we have. And I put it to you that there was (Redacted)

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1 (Redacted) of the president. It didn't happen that way.

2 And so my question to you is this: Do we agree that in relation to your experience,
3 the (Redacted)?

4 A. [15:34:32] I can't say that to you. He was my boss. I went by what he said.
5 I don't know whether it was true or false. I'm just repeating what he said.

6 PRESIDING JUDGE SCHMITT: [15:34:43] I think you have made the point. You
7 can move on.

8 And also it -- I think we agree, I also indicated this a couple of minutes earlier, that
9 she is speaking about something that she heard. So -- and, well -- and this
10 information, what she heard, might not be correct, but she relates what she has been
11 told.

12 Please move on.

13 MS GUISSÉ: [15:35:12](Interpretation) Absolutely, your Honour. And I was
14 coming to the end of my questions on this particular point.

15 Q. [15:35:20] Once again, I will again ask some questions of you that may seem
16 strange to you, but these questions relate to evidence we have heard earlier. So I'm
17 asking you to confirm or not confirm a number of suggestions that I'm putting to you.
18 To the investigators, you said several times that Mr Yekatom was not present on the
19 day of the events, and it also came out of your testimony during the hearings. And I
20 have some follow-up questions in this regard.

21 Would you agree with me that if someone were to come and say to this Chamber that
22 that day it was Alfred Yekatom Rombhot who (Redacted)
23 anyone, that person is not telling the truth? Do you agree with me?

24 PRESIDING JUDGE SCHMITT: [15:36:15] Mr Scaliotti.

25 MR SCALIOTTI: [15:36:18] Mr President, again, I think the question is not fairly put

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1 to the witness. I don't think the witness can comment on whether or not other
2 witnesses said the truth here in front of the judges.

3 PRESIDING JUDGE SCHMITT: [15:36:29] Yeah, I would also suggest that you
4 reword it a little bit. So she cannot -- she cannot comment on another witness, but let
5 me do it, perhaps, in this way.

6 So, Madam Witness, you have already -- (Redacted) to do this?

7 And, again, we are -- we are in the -- just to make it sure, we are -- you have the Rule
8 74 assurances in that regard. (Redacted)?

9 THE WITNESS: [15:37:16](Interpretation) As I told you, basically, at the base, if you
10 (Redacted)
11 (Redacted)

12 PRESIDING JUDGE SCHMITT: [15:37:51] So do we understand it that nobody
13 specifically (Redacted) to do that? Is that a correct understanding of what
14 you are saying?

15 THE WITNESS: [15:38:10](Interpretation) * Amongst us -- well, there was encouragement. There
16 were small groups, some people encouraging us to do it, actually. And we had no choice to do it.

17 PRESIDING JUDGE SCHMITT: [15:38:19] And to make it clear again, was
18 Mr Yekatom present when this happened?

19 THE WITNESS: [15:38:32](Interpretation) No, sir.

20 PRESIDING JUDGE SCHMITT: [15:38:34] Please move on.

21 MS GUISSÉ: [15:38:41](Interpretation)

22 Q. [15:38:44] This may be an unnecessary question in light of your last answer, but
23 we agree that (Redacted),

24 Mr Yekatom was not present?

25 A. [15:38:57] No, he wasn't there.

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1 Q. [15:39:06] That day, was (Redacted)?

2 A. [15:39:20] I don't know.

3 Q. [15:39:33] Do we agree with the fact that, (Redacted)

4 (Redacted) and that Yekatom allegedly said, and I

5 quote: "(Redacted)? Do

6 we agree that you never were present when such --

7 MR SCALIOTTI: [15:40:06] Mr President, sorry to interrupt again, but I think we

8 have a problem with the English interpretation. Because in the French I read the

9 answer from the witness, and she said, (Redacted)

10 (Redacted)

11 I'm afraid that this portion --

12 PRESIDING JUDGE SCHMITT: [15:40:29] This was not translated in English, you

13 are right. So -- but thank you for telling us that.

14 So I think perhaps you summarise your last question again so that we are on the same

15 page.

16 MS GUISSÉ: [15:40:46] (Overlapping speakers)

17 PRESIDING JUDGE SCHMITT: [15:40:50] Perhaps the citation.

18 MS GUISSÉ: [15:40:51](Interpretation)

19 Q. [15:40:55] Just to remind you of the question before the Prosecutor interrupted,

20 we agree that that day (Redacted)

21 (Redacted)

22 (Redacted) End of quote.

23 We agree that you never were present at such a scene?

24 A. [15:41:29] You're talking about (Redacted)?

25 Q. [15:41:34] Yes, yes, that day with that group of people.

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1 A. [15:41:38] That day, I said, and I've said it before, Mr Yekatom was not there.

2 Q. [15:41:47] Thank you for those clarifications. And I think you'll be glad to hear
3 that I've finished my questioning.

4 Your Honour, if you wish to adjourn earlier today, I've received an assurance from
5 Ms Dimitri that she is ahead of schedule, and we will have finished before the time
6 that was initially set or given.

7 PRESIDING JUDGE SCHMITT: [15:42:12] Actually, I'm not surprised to hear that,
8 and I think it's ...

9 Or, Ms Dimitri, if you insist of starting a new topic, I would say yes, but otherwise,
10 we can I think adjourn until tomorrow.

11 MS DIMITRI: [15:42:27] Thank you, Mr President. I'm not insisting. I'm -- indeed,
12 I'm going to shorter than what I had announced. I still can't tell you if I'm going to
13 finish tomorrow, but I'm going to be shorter than what I have announced.

14 PRESIDING JUDGE SCHMITT: [15:42:42] As I said, you get a feeling about how
15 things are going, and I'm not surprised.

16 So then let's do it this way. Thank you to everybody, especially, Madam Witness,
17 another day in court, so to speak.

18 We conclude the hearing for today, continue tomorrow at 9.30.

19 THE COURT USHER: [15:43:03] All rise.

20 (The hearing ends in private session at 3.43 p.m.)