

Trial Hearing
WITNESS: CAR-OTP-P-0510

(Open Session)

ICC-01/14-01/21

1 International Criminal Court
2 Trial Chamber VI
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Mahamat Said Abdel Kani - ICC-01/14-01/21
5 Presiding Judge Miatta Maria Samba, Judge María del Socorro Flores Liera and
6 Judge Sergio Gerardo Ugalde Godínez
7 Trial Hearing - Courtroom 1
8 Monday, 10 June 2024
9 (The hearing starts in open session at 9.39 a.m.)
10 THE COURT USHER: [9:39:55] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:40:27] Good morning, everyone.
14 Madam Court Officer, can you mention the case, please.
15 Thank you.
16 THE COURT OFFICER: [9:40:34] Good morning, Madam President, your Honours.
17 Situation in the Central African Republic II, in the case of the Prosecutor versus
18 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SAMBA: [9:40:52] Thank you very much.
21 Can I ask the parties to introduce themselves, please.
22 MS MAKWAIA: [9:40:59] May it please the Court. For the Prosecution this
23 morning, Mr Thomas Bifwoli, Ms Sanyu Ndagire and myself, Ms Holo Makwaia,
24 senior trial lawyer. Thank you.
25 PRESIDING JUDGE SAMBA: [9:41:09] Thank you very much, Ms Makwaia.

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1 Ms Pellet for the victims, please.

2 MS PELLET: [9:41:14](Interpretation) Thank you, Madam President. I was waiting
3 for interpretation. Victims are represented by Caroline Walter and myself
4 Sarah Pellet, counsel at the OPCV.

5 PRESIDING JUDGE SAMBA: [9:41:30] Thank you very much, Ms Pellet.

6 Ms Naouri for the Defence, please.

7 MS NAOURI: [9:41:36](Interpretation) Thank you, Madam President. Good
8 morning. To my right, Elina Legat, and to my left, Dov Jacobs. And I am
9 Jennifer Naouri, lead counsel for Mr Said.

10 PRESIDING JUDGE SAMBA: [9:41:50] Thank you very much, Ms Naouri.

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

12 A very good morning to you, Mr Said. I hope I see you well.

13 MR SAID: [9:42:02](Interpretation) Yes, good morning, Madam President.

14 PRESIDING JUDGE SAMBA: [9:42:09] Good morning.

15 A very good morning to you, Mr Witness.

16 WITNESS: CAR-OTP-P-0510 (On former oath)

17 (The witness speaks Sango)

18 THE WITNESS: [9:42:20](Interpretation) Good morning, Madam President.

19 PRESIDING JUDGE SAMBA: [9:42:22] Good morning.

20 And good morning, everyone, including the interpreters.

21 Today we're going to complete this witness's testimony, P-0510.

22 For the record, P-0510 is the Prosecution's 29th witness. He commenced his
23 testimony before this Chamber on 30 April 2024. However, due to his availability,
24 he was unable to complete his examination.

25 As previously conveyed, due to courtroom availability, the Chamber has only one

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1 hour to complete this witness's testimony and he must be finished today.

2 We note that the Defence indicated that it only needs 40 minutes, at most, to complete

3 its cross-examination and we would be grateful if that is kept to.

4 The Chamber notes that the Defence has requested to add an item to its list of

5 material for cross-examination of this Witness P-0510. This is item

6 CAR-D33-0014-0660.

7 The Prosecution did not respond to the Defence's request. The Chamber sees no

8 reason why this item should not be used and grants the Defence's request.

9 On behalf of the Chamber, I would like to welcome you back to the courtroom,

10 Mr Witness. We are extremely grateful for your cooperation. Your testimony is

11 important to the Chamber and we thank you for continuing to make yourself

12 available to us.

13 Now, as it has been some time since you were last before us, I must remind you that

14 we were in the middle of your cross-examination by the Defence and we are going to

15 continue with that.

16 Lastly, I must remind you that you are still under oath, which means you must speak

17 the truth, the whole truth and nothing but the truth.

18 Do you understand and agree with that, Mr Witness?

19 THE WITNESS: [9:45:04](Interpretation) Yes, I agree and I have fully understood.

20 PRESIDING JUDGE SAMBA: [9:45:08] Thank you very much.

21 We will continue with your cross-examination and I'm going to ask Ms Naouri to put

22 her questions to you on behalf of Mr Said. Thank you.

23 Ms Naouri, your witness, please.

24 MS NAOURI: [9:45:36](Interpretation) Thank you very much, Madam President.

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

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1 Q. [9:45:43] Good morning, Witness.

2 A. [9:45:47] Good morning.

3 Q. [9:45:48] I want to hop back today to a very few specific points relating to your
4 prior statement. That is the testimony you gave to the Prosecution and which is on
5 record.

6 In your previous statement -- well, I notice that we are in open session,
7 Madam President. Can I request that we discuss this issue in private session, please.

8 PRESIDING JUDGE SAMBA: [9:46:17] Certainly.

9 Madam Court Officer, can we go into private session, please.

10 (Private session at 9.46 a.m.)

11 THE COURT OFFICER: [9:46:44] We are in private session, Madam President.

12 PRESIDING JUDGE SAMBA: [9:46:44] Thank you very much.

13 Ms Naouri, continue, please.

14 MS NAOURI: [9:46:48](Interpretation) Thank you, Madam President.

15 Q. [9:46:51] I want to refer to an incident in your previous statement relating to

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted); is that correct?

20 A. [9:47:29] Yes, that is correct.

21 Q. [9:47:36] During that meeting, (Redacted)

22 (Redacted); is that correct?

23 A. [9:47:57] (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 MS NAOURI: [9:51:28](Interpretation)

23 Q. [9:51:29] Do you confirm these two numbers?

24 A. [9:51:31] Yes, those two numbers are indeed my numbers. So those were

25 the numbers I -- I used to call.

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 Do you confirm that Henri Wanze-Linguissara was the chief of cabinet for
5 Nouredine, minister of the interior, and not as director of the police for internal
6 security, can you confirm that?

7 A. [9:52:24] Yes, I can confirm that.

8 Q. [9:52:26] Let me read out an excerpt from a testimony by Benjamin Mallo who
9 testified in open court who said that the director of the OCRB, and this was on
10 11 September in his testimony -- transcript of 2 October, rather, 2022, T-019,
11 line 22 -- 17 to 20, page 22.

12 The question was: "Is it correct that Linguissara at that time was maintained as
13 director of the police, director general?" And your answer was -- "director of
14 the police and the gendarmerie?"

15 And your answer was "Yes".

16 So my question for you is on what basis do you determine that Linguissara was no
17 longer director of the police under Djotodia but that he worked for the minister
18 Nouredine?

19 A. [9:53:42] I believe that at the time of the coup d'état -- in fact, before
20 the coup d'état, Linguissara was the director of the police and the gendarmerie.
21 Now, when the Seleka took power under Djotodia, Linguissara was the director of
22 the cabinet for Nouredine Adam. I do not know whether the decree appointing
23 him as director general of the police had been abrogated or not, I need to search my
24 files. What I know is that at that time he was the director of cabinet for Nouredine
25 Adam.

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1 Q. [9:54:39] So what you are telling us is that it was common knowledge that he
2 was the director of cabinet of Nouredine Adam, that it was public knowledge that
3 his official functions under Djotodia were director of cabinet; is that correct?

4 A. [9:54:54] Yes, that is correct.

5 Q. [9:55:04] Very well, Mr Witness. I will now show you a document, tab 51 of
6 your list of documents. That would be CAR-D33-0014-0499.

7 This is a document that is public, can be shown to the witness.

8 We are looking here at the press article "General Director of the Police, Chief of
9 Battalion, Wazé Linguissara, condemns the incident which led to the death of
10 a driver".

11 This was published by the Centrafrique Press Agency. And, if you look further
12 down, you will see, you can see the title, if we scroll down.

13 Thank you very much.

14 So we see here a summary: "The General Director of the Police, Chief of Battalion,
15 Wazé Linguissara, condemned the incident leading to the death of a driver of
16 Cameroonian nationality around 6 p.m., in PK12 sector, on Thursday, 2 May 2013 in
17 Bangui."

18 This is the first document I want to show you.

19 Then there is another document I would like you to take a look at, tab 59 on our list of
20 materials, CAR-D33-0014-0524.

21 It is a document that is already officially submitted and can be shown to the witness,
22 of course.

23 So you can see here it's an article -- please can we scroll down to see the title of
24 the article.

25 It is an article captioned "The Guest" or "*L'invité* 08/07/2013" published by BBC News

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1 Africa. And I will read out the text for you:

2 "Our guest on Africa today is the general director of the Central African police,

3 Lieutenant Colonel Henry Linguissara. From 1 July elements of the FOMAC

4 initiated, in collaboration with the Central African security forces, an operation -- or

5 a disarmament operation in Bangui. The purpose of this operation is to put an end

6 to the exactions and pillaging in Bangui which has taken place since the Seleka came

7 to tower. Lieutenant Colonel Henri Linguissara starts off by saying that the security

8 situation in Bangui has improved significantly." Ends of quote.

9 Now, Mr Witness, based on these journalistic cases -- scenarios, which present

10 Mr Linguissara as the director general of the police, why did you not cross-check or

11 verify what Henri Linguissara's role was, because it was public knowledge that he

12 was the director of the police? Now, even if you didn't have to revert to the decree.

13 A. [9:59:07] Let me repeat. Before the Seleka coup d'état, Henri Linguissara

14 Wanze was the director general of the police. After the coup d'état, the decree was

15 repealed, but thereafter I don't know what happened, all I know is that he was

16 the director general. You see, in any event, (Redacted)

17 (Redacted)

18 (Redacted). And let me say

19 furthermore that he was the director of cabinet. In fact, that's all I know, that he was

20 the director of the cabinet for Nouredine at that time. And under the Bozizé regime

21 he was appointed director general of the police. So I don't know whether after

22 the Seleka came to power, that decree was repealed or not. So, as a lawyer, I think

23 you ought to go to the field and check whether the decree appointing him had been

24 repealed or not.

25 I used to live in the country at that time, but -- and what I know is that Wanze

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1 Linguissara was the director of police under Bozizé, but under the Seleka he became
2 the director of cabinet for Nouredine Adam. Now, whether he occupied these two
3 functions or not is something that I -- I don't know.

4 Q. [10:00:59] Very well. Thank you very much, Mr Witness, for this clarification.

5 (Redacted)

6 (Redacted)

7 A. [10:01:27] I have not understood your question.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [10:02:08] I'm sorry, Mr Witness. I'm going to interrupt you. I have a limited
13 here, so this was a "yes" or "no" answer. You say (Redacted)

14 (Redacted). All right, I'm just going to guide you here because I have limited time
15 and I need to move forward on a number of topics here.

16 I'm just going to pause here because I have asked -- or, forgotten, in fact, to request
17 the submission of the two press articles that I've just presented to the witness. It's
18 a little bit new for me, I do apologise.

19 So I would like to request that these two elements that have been shown be formally
20 submitted.

21 (Redacted)

22 (Redacted). I'm going to be showing to you, Mr Witness, a document.

23 And for things to be a little easier, Madam Courtroom Officer, we're going to take
24 over, here, take over the screen, in order to facilitate the presentation of this item of
25 evidence. We are now talking about the tab number 54, CAR-D33-0014-0516 and it is

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1 a non-submitted item of evidence.

2 Oh, I was a little bit wrong with D33 here, I've been told. I'm going to repeat. So

3 it's not correct on my little piece of paper, here. I do apologise. So it's

4 D33-0014-0219 and we're going to be taking over. I believe it's on evidence 2, but I

5 might be wrong.

6 So, it's coming up on evidence 2.

7 This is an Excel table analysing your testimony telephone calls based on the

8 (Redacted)

9 Now, it has been organised in order of contact and we prepared it on the basis of

10 information that was available in the Nuix database and the sources are indicated in

11 the column D, I believe. (Redacted)

12 (Redacted)

13 Now line 3, Mr Witness, can you see the document? Is it up on the screen?

14 A. [10:04:37] Yes, I can see the document.

15 Q. [10:04:41] Very well. Now, we can see that (Redacted)

16 (Redacted)

17 (Redacted)

18 A. [10:05:26] I do recall.

19 Q. [10:05:27] Very well. (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted). Now, we can see at line 4 -- oh, Mr Witness, I do apologise, I was taken
2 off guard by your response. (Redacted)

3 (Redacted)

4 How can you explain that?

5 A. [10:06:37] (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 A. [10:08:07] Time has passed and I do not know what we discussed. I do not
18 recall any longer.

19 Q. [10:08:14] Very well. No problem.

20 So I would like to formally request the submission of this item.

21 And I go on. In your statement you say, and this is -- oh, I do apologise this morning.

22 I am told that my D33 number was in fact correct. So the document we showed was

23 CAR-DD33-0014-0513. That was the document that we showed and there was a little

24 bit of a numbering issue in the binder, apparently. For everything to be clear and

25 correct in the record.

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1 Now I'm coming back to your statement, Mr Witness, and you say at paragraph 23,

2 CAR-OTP-2104-0996, you say at page 1003 and 1004, you say that (Redacted)

3 (Redacted). And you made mention of this

4 a little earlier today.

5 So, I'm asking you why it is that we have absolutely no trace of a telephone exchange

6 (Redacted) in the information that we have available with regard to

7 your telephone conversations?

8 A. [10:09:50] I have not understood your question, counsel.

9 Q. [10:09:56] We have all the telephone conversations that were -- or telephone calls

10 that were made and received on your telephone (Redacted)

11 (Redacted)

12 (Redacted), and how can you

13 explain that?

14 A. [10:10:31] I do not know that individual, this individual by the name of

15 (Redacted) who called me?

16 PRESIDING JUDGE SAMBA: [10:10:41] Ms Naouri, can I ask that you Slow down

17 when you are mentioning or -- mentioning numbers, slow down so that

18 the interpreters can catch the numbers that you want on the record. Thank you.

19 MS NAOURI: [10:11:11](Interpretation) Yes, indeed, of course, Madam President,

20 thank you.

21 Q. [10:11:11] Now, to understand your testimony, Mr Witness, (Redacted)

22 (Redacted), did he not?

23 A. [10:11:35] Yes, that is correct.

24 Q. [10:11:35] Very well. Now, my question to you is: How is it that we have no

25 trace of that call on your Telecel number? It does not exist, how can you explain

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1 that?

2 A. [10:11:56] (Redacted) called me.

3 Q. [10:12:01] Very well. Thank you, Mr Witness.

4 Now, in your statement you also claim, at (Redacted), that you received

5 (Redacted)

6 (Redacted); is that

7 correct?

8 A. [10:12:35] I never called (Redacted).

9 Q. [10:12:44] Very well. Now I'm going to be showing you a document,

10 Mr Witness.

11 And we're going to be taking over again, Madam Courtroom Officer.

12 It is tab 54 of our list of material. CAR-D33-0014-0516.

13 And it's still the very same Excel table that we showed to you, but on this occasion we

14 are looking at the (Redacted)

15 (Redacted)

16 (Redacted), Mr Witness. How did you

17 attain his telephone number?

18 A. [10:13:57] I do not know Nouredine Adam's number and I never called him

19 using my telephone. I never called him.

20 Q. [10:14:13] Very well. Well, we can see at line 3 that once again it was your

21 number that called the number attributed to (Redacted)

22 (Redacted)

23 MS NDAGIRE: [10:14:36](Overlapping speakers) Madam President, I hesitate to rise.

24 In relation to the previous question that has been posed by my learned friend across

25 regarding the --

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1 THE INTERPRETER: [10:14:43] Could counsel please speak closer to
2 the microphone.

3 MS NDAGIRE: [10:14:49] I beg your pardon.

4 Madam President, I hesitate to rise and object to the sequence of the phone calls that
5 were made on (Redacted). The document that has been displayed to the witness
6 only shows the subsequent phone call that was made by the witness to (Redacted)
7 and, yet, in the original document that was disclosed to the Defence from which they
8 originated or generated their own analysis of the telephone logs, on Saturday, this is
9 (Redacted)
10 (Redacted)
11 (Redacted)
12 (Redacted). So I just wanted to correct
13 that, for the record.

14 PRESIDING JUDGE SAMBA: [10:16:07] Well, we don't know -- we don't have
15 the document you are reading from. What we have on the screen is that which
16 the Defence has displayed.

17 MS NDAGIRE: [10:16:18] Well, that is the basis of which we are objecting,
18 Madam President, is that only a certain number of the phone call logs made on that
19 day between either the witness (Redacted), or vice versa, have been produced in this
20 document that the Defence has.

21 PRESIDING JUDGE SAMBA: [10:16:40] Okay. Mindful of the time, you have an
22 opportunity for re-examination, don't you? And also, I mean, documents which are
23 already submitted, I mean, you can address on that in your final brief, if you want to
24 wait that long, but you have an opportunity for re-examination.

25 MS NDAGIRE: [10:16:56] Much obliged.

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1 PRESIDING JUDGE SAMBA: [10:16:58] Okay. Thank you very much.

2 Ms Naouri, please continue.

3 MS NAOURI: [10:17:06](Interpretation) Yes, thank you, Madam President, that was
4 my response to the objection.

5 Q. [10:17:11] Now, let's start again. I am at line 3, so what is of interest to me is
6 that your (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted), Mr Witness?

11 A. [10:18:10] These events date back a few years now and I no longer recall.

12 Q. [10:18:12] Thank you very much.

13 So I request that this document be formally submitted into evidence.

14 Now, for matters of time management I'm going to direct you to the second event that
15 you talk about in your prior statement. And you say, notably, that -- well, this is
16 the prior statement CAR-OTP-2104-0996, page 1008.

17 I'm trying, for reasons of time, to not read out the entirety of the paragraph to you.

18 It is -- well, to place you, it is the incident when (Redacted):

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted) End of quote.

23 Now that's the incident that I would like to talk to you about. And you say -- this is
24 paragraph (Redacted):

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted) End of quote.

5 Now I have a number of follow-up questions that I would like to put to you in regard
6 to this article. This is tab 4 on our list of items, CAR-OTP-2017-0872.

7 So we can see the article here up on the screen and I'm going to be reading an excerpt
8 of it to you from the end of the first left-hand side column.

9 So please could we scroll down somewhat.

10 So we might need to go on to the next page, please.

11 There we are, wonderful.

12 Sorry, otherwise I was going to read the entire article out to you.

13 So, can you see the first sentence?

14 Well, yes, this is page 74. I've understood the little technical hitch, so it's the next
15 page. Everything is fine. This is the next page of your article, Mr Witness.

16 Could the courtroom officer please move on to the next page. Lovely. Thank you.

17 So this is the very beginning of the article:

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 I'd like for us to go down somewhat, please.

22 There we are. Now what is of interest to me is the last sentence of the left-hand
23 column. And then it goes on a little bit more. Can we go down a little bit more,
24 please.

25 There we are, thank you.

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1 So, we can see here: "... (Redacted)--

2 THE INTERPRETER: [10:24:29] Could counsel please indicate the precise position.

3 PRESIDING JUDGE SAMBA: [10:24:34] Sorry, Ms Naouri, can you take your time,

4 please, and help the interpreters. Can you go over that again. The interpreters are

5 struggling.

6 THE INTERPRETER: [10:24:47] Could counsel please indicate where she is

7 commencing to read from. Thank you very much.

8 MS NAOURI: [10:24:50](Interpretation) Thank you very much.

9 PRESIDING JUDGE SAMBA: [10:24:55] Please, if you can indicate from where

10 you are reading. I understand it's the last paragraph of the left. If you can indicate

11 that -- that confirm that for the interpreters, please.

12 MS NAOURI: [10:25:16](Interpretation) It is, quite specifically, do you see just

13 underneath the photograph, the -- so it's the sentence just under the photograph.

14 Q. [10:25:31] So, (Redacted)

15 So we can see we continue under the photograph, middle column:

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted) End of quote.

20 (Redacted)

21 (Redacted)

22 (Redacted), correct?

23 A. [10:26:28] Yes, that is correct.

24 Q. [10:26:35] (Redacted)

25 (Redacted)

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1 A. [10:26:58] Each country has their own law and if I misbehaved, they know

2 where to find me. (Redacted)

3 (Redacted)

4 (Redacted)

5 This is a great source of sadness to me.

6 Q. [10:27:38] Very well. I would like for this item to be formally submitted and

7 I'm going to be showing you another document, Mr Witness.

8 It is the number 61 on our list of notifications, CAR-OTP-2001-3680, page 3688. This

9 is a document that has already been submitted into evidence and it is the article 45 of

10 the penal procedure -- code of procedure of the Central African Republic, adopted --

11 THE INTERPRETER: [10:28:11] On a date that the interpreter did not grasp.

12 MS NAOURI: [10:28:15](Interpretation)

13 Q. [10:28:15] And at article 45, at the third paragraph -- and I'm waiting for it to

14 come up on the screen.

15 Page 3688, please. Perfect. Thank you very much.

16 Article 45. We're going to come down a little bit on the page, please.

17 Third paragraph, please, of article 45. If you go down a little bit more. There we

18 are, perfect. Thank you.

19 "Home visits and searches can only take place between the hours of 5 a.m. and 6 p.m.

20 unless caught red-handed, or a complaint has been made from inside the house or if

21 any exceptions are provided for by law."

22 So there is no -- there is no -- nothing is said here to the effect that on nonworking

23 days visits are forbidden.

24 Now, you're talking here and writing an article mentioning therein elements of

25 criminal procedure. What do you say to that?

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1 A. [10:30:04] (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. [10:30:24] Very well. But you can see that home visits are also possible on
5 nonworking days.

6 So this item has already been submitted.

7 I'm going to be showing another document to you, Mr Witness.

8 This is the Central African Penal Code. And it is item 62, CAR-D33-0014-0525. It is

9 a non-submitted item. And this is the law, law number 10.002, the Central African

10 Penal Code. There we are. There we have it.

11 And if we go to the top right-hand corner - there we have it - this is a public annex in

12 a filing submitted before the ICC in another case - the Bemba case, that is - and we see

13 top right-hand corner, please, we can see that this annex was put online.

14 Madam Courtroom Officer, top right-hand corner please.

15 We can see that this annex was placed online on 14 April 2010. This document is

16 accessible by all, just by merely searching "Central African Code of Criminal

17 Procedure" on the internet.

18 We found this item of evidence. (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. [10:32:40] Thank you, Mr Witness.

23 We ask for the formal submission of this document.

24 We will now move to the last topic before putting one or two more questions on

25 the exhibits that we may use with you today.

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(Private Session)

ICC-01/14-01/21

1 I want to very, very quickly talk about your -- your relations with the Office of the
2 Prosecutor. My first question is as follows: After your prior statement was taken,
3 did you maintain contact with the representatives of the OTP?

4 A. [10:33:32] I don't understand. What do you mean by "maintain contact" with
5 them? I haven't understood your question. Can you please clarify.

6 Q. [10:33:42] After they took your statement, did you receive any phone calls, did
7 they ask you for any additional information, did you have conversations with any
8 representatives of the OTP of the ICC after your statement, Mr Witness?

9 A. [10:34:05] Well, when I came to (Redacted), we had a meeting, then I went back
10 to Bangui. Thereafter, I sent some emails containing photos and images, as well as
11 other material that I had promised them. That's all I did, if my memory is correct.

12 Q. [10:34:30] Thank you very much.

13 I'll show you a document, tab 39, CAR-OTP-00036306, page 00001.

14 That is a document that is not formally submitted. It is drafted in English and can be
15 shown to the witness. It is an investigator's report on your contact with the OTP
16 investigators.

17 I would like us to scroll down to line 5 and you can see the title. Please scroll down,
18 please. Thank you.

19 And, here, I'm going to provide an unofficial translation on the day of 15 January 2016.
20 It's written: On 20 January 2016 P-0510 contacted an investigator of the OTP relating
21 to the organisation of a trip.

22 Now, my question is, why did you need help from the investigators of the OTP to
23 arrange for travel? To where and when?

24 A. [10:35:50] Travel arrangements, I have no recollection of that. I don't
25 understand. What -- what travel arrangements are you talking about?

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1 Q. [10:35:58] Mr Witness, I am simply reading from the report of the investigators
2 of the OTP. They simply say that on 15 January 2016 you contacted the OTP
3 investigators regarding travel arrangements. I don't know which travel it is. What
4 travel is it? This is the question for you. For what travel arrangements did
5 the investigators of the OTP provide you with some assistance?

6 A. [10:36:30] Well, I no longer remember. These things happened such a long
7 time ago. I no longer remember anything about that travel.

8 Q. [10:36:40] Very well.

9 Still remaining in that report, let's go down to the next line, where it is written as
10 follows: On 6 June 2020 P-0510 - that's you, as per your pseudonym - you were
11 contacted in relation to details of a lead in the CAR IIB investigations.
12 Now, my question is as follows: Were you an intermediary for the OTP when it
13 came to giving names for them? What was this details of a lead in the investigations?
14 Were you providing them with some names?

15 A. [10:37:39] No, no, no, no, that's not true.

16 Q. [10:37:43] All right. So what is written here is not true, is that what you're
17 saying, Mr Witness?

18 A. [10:37:56] Be an intermediary, how would that be? I don't understand. They
19 contacted me for a statement. That's what I did, I provided a statement. Now, to
20 become an intermediary, I don't know and I don't understand what you're talking
21 about.

22 Q. [10:38:14] Did you provide the OTP with any leads for investigations, tell them
23 about people they could be interested in and locations they could visit, and so on and
24 so forth? Did you provide any such leads for the OTP?

25 A. [10:38:28] No. Well, I think that -- I don't know, I cannot image what lead I

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1 would have given them. I don't think so.

2 Q. [10:38:43] Very well, Mr Witness.

3 We are going to ask for this document to be officially submitted.

4 Finally, the last document is CAR-D33-0014-0660. It is not submitted yet.

5 And, Mr Witness, when we met for the first time, you told us the following, and that's

6 French transcript, edited French transcript, hearing of 30 April 2024, T-69, at

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 So the document I'm going to show you now, which will be displayed soon,

13 CAR-D33-0014-0660.

14 We were authorised to show this document today and we forwarded it to the court

15 registrar -- to the court officer to be able to input it, but if it's easier for us to do, we

16 can do it from here. Thank you.

17 Well, I see it's already displayed, Mr Witness.

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 Let us display the following pages quickly - there are only seven pages - so that be

24 the witness can see what the document looks like.

25 So, let's just pretend that we are leafing through the document so that the witness can

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1 see it for himself.

2 Thank you. Do you confirm that you also received (Redacted), Mr Witness?

3 A. [10:42:14] Yes, that's correct.

4 Q. [10:42:23] Thank you, Mr Witness.

5 Thank you, Mr Witness.

6 Can we go to (Redacted).

7 It is written as follows:

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted), do you

14 know that?

15 A. [10:43:46] Yes, I'm aware of that.

16 Q. [10:43:56] I'll read the last excerpt of your prior statement, CAR-OTP-2104-0996

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 And so that's how it happened.

4 Q. [10:48:35] Thank you, Mr Witness.

5 I would like to ask for this document to be formally submitted.

6 And that brings an end to my cross-examination, Madam President. Thank you.

7 PRESIDING JUDGE SAMBA: [10:48:40] Thank you very much, Ms Naouri.

8 Madam Prosecutor, you may want to re-examine, if at all?

9 MS NDAGIRE: [10:48:51] Madam President, we won't be re-examining. Thank
10 you.

11 PRESIDING JUDGE SAMBA: [10:48:59] Okay.

12 May I ask -- I'll ask my colleagues whether there's any question from the Bench.

13 No, okay.

14 Thank you very much, Mr Witness. This brings us to the end of your testimony.

15 We thank you very much for your cooperation and we wish you well in your future
16 endeavours.

17 On which note I'm going to rise the Court and ask that we come again tomorrow at

18 9.30. Thank you very much.

19 (The witness is excused)

20 THE COURT USHER: [10:49:32] All rise.

21 (The hearing ends in private session at 10.49 a.m.)