

Trial Hearing
WITNESS: CAR-OTP-P-1180

(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 2
8 Monday, 29 April 2024
9 (The hearing starts in open session at 9.33 a.m.)
10 THE COURT USHER: [9:33:39] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:34:04] Good morning, everyone.
14 Madam Court Officer, can you kindly mention the case.
15 THE COURT OFFICER: [9:34:10] Good morning, Madam President, your Honours.
16 The situation in the Central African Republic II, in the case the Prosecutor versus
17 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
18 And we are in open session.
19 PRESIDING JUDGE SAMBA: [9:34:24] Thank you very much.
20 May I ask the parties to introduce themselves, starting with the Prosecution, please.
21 MS MAKWAIA: [9:34:30] Good morning, Madam President, your Honours.
22 For the Prosecution this morning, Thomas Bifwoli and myself, Holo Makwaia.
23 Thank you very much.
24 PRESIDING JUDGE SAMBA: [9:34:40] Thank you very much, Ms Makwaia.
25 Ms Pellet for the victims, please.

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- 1 MS PELLET: [9:34:47](Interpretation) Thank you, your Honour. The victims are
2 represented by Tars Van Litsenborgh and myself, Sarah Pellet, counsel OPCV.
- 3 PRESIDING JUDGE SAMBA: [9:34:59] Thank you very much.
4 Ms Naouri for the Defence, please.
- 5 MS NAOURI: [9:35:07](Interpretation) Thank you, your Honour. Good morning.
6 With me today, Florian François-Jacquemin and *Fiana Gantheret.
7 Behind me, Mr Jacobs. And as for myself, I am Jennifer Naouri, lead counsel.
- 8 PRESIDING JUDGE SAMBA: [9:35:25] Thank you very much, Ms Naouri.
9 And for the record I note that Mr Said is in court with us here.
10 Mr Said, a very good morning to you. I hope I see you well.
- 11 MR SAID: [9:35:41](Interpretation) Yes. Good morning, your Honour.
- 12 PRESIDING JUDGE SAMBA: [9:35:45] Good morning.
13 Now, the Prosecution is calling P-1180 as its 28th witness.
14 The Chamber authorised the introduction of P-1180's prior recorded testimony subject
15 to the conditions of Rule 68(3) of the Rules being met in decision numbered 556.
16 The Chamber notes that P-1180 did not propose to make any changes or corrections to
17 his statement during the witness preparation session.
18 It is the Chamber's understanding that this witness will be testifying in French, so I
19 remind everyone of the importance of the need to speak slowly and to observe
20 the five-seconds rule between questions and answers.
21 The Chamber also notes that the common legal representative of the victims made
22 a request to examine P-1180 for 30 minutes in relation to the following topics:
23 The harm he suffered as a result of the events falling within the scope of the witness's
24 expected testimony, and reparations.
25 The parties did not object to the common legal representatives' request.

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1 The Chamber agrees that the proposed topics relate to P-1180's interests and
2 accordingly authorises the common legal representative to question the witness for no
3 more than 30 minutes.

4 Now, before commencing, the Chamber notes briefly that protective measures are
5 confirmed for this witness by virtue of decision numbered 605. Moreover, the VWU
6 recommends that we follow the pace of the witness, that we do not put pressuring
7 questions to the witness. If we see that the witness becomes nervous or overly
8 emotional, we will take a break.

9 Please note also that the witness is illiterate, so he cannot be asked -- he cannot be
10 asked to read anything.

11 Madam Court Officer, can you please connect us with the witness.

12 Good morning, Mr Witness. Can you see me? Can you hear me?

13 WITNESS: CAR-OTP-P-1180

14 (The witness speaks Sango)

15 (The witness gives evidence via video link)

16 THE WITNESS: [9:39:44](Interpretation) Yes, I can hear you just fine. Good
17 morning.

18 PRESIDING JUDGE SAMBA: [9:39:49] Can you see me?

19 THE WITNESS: [9:40:00](Interpretation) Yes, I can see you just fine on the screen.

20 PRESIDING JUDGE SAMBA: [9:40:04] Yes. Thank you very much.

21 Now, Mr Witness, you're going to testify before the International Criminal Court.

22 And on behalf of the Chamber, I would like to welcome you to this courtroom.

23 Mr Witness --

24 THE WITNESS: [9:40:33](Interpretation) Thank you.

25 PRESIDING JUDGE SAMBA: [9:40:35] Yes.

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1 Mr Witness, you should have before you a solemn undertaking that any witness who
2 appears before the Court must make. I am going to read it out to you and I expect
3 you to listen carefully.

4 I solemnly declare that I will speak the truth, the whole truth and nothing but
5 the truth.

6 Now, do you understand and agree to what I have just read out to you?

7 THE WITNESS: [9:41:25](Interpretation) Yes, I have heard what you just read out
8 and I understand.

9 PRESIDING JUDGE SAMBA: [9:41:31] And do you agree to tell the truth to
10 the Court, nothing but the truth?

11 THE WITNESS: [9:41:52](Interpretation) Yes, I agree.

12 PRESIDING JUDGE SAMBA: [9:41:53] Thank you very much, Mr Witness.

13 Now, Mr Witness, the following measures are put in place to protect you: We have
14 in place for you voice and face distortion for the duration of your testimony. This
15 means that no one outside the courtroom can see your face or hear your real voice
16 during your testimony.

17 There will also be the use of pseudonym. In accordance with that, we will all refer to
18 you only as "Mr Witness", to make sure that the public does not know your name.
19 When you answer questions that will not give away who you are, we will do so in
20 open session, which means that the public can hear what is being said in
21 the courtroom.

22 When you are asked to describe anything that relates specifically to you, or you are
23 asked to mention facts that might reveal your identity, we will do so in private
24 session. In private session, Mr Witness, there is no broadcast and no one outside
25 the courtroom can hear your answer.

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1 If ever anything gets said during public session which should have been said in
2 private session, we will do our best to protect this information.
3 Your testimony will be broadcast on a delay so we can remove any such remarks
4 from the public broadcast. This means, if anything does go wrong, we can try and
5 stop the public from hearing it. The parties and the legal officers of the Chamber are
6 monitoring this at all times, so please be assured that you are protected.

7 And, lastly, Mr Witness, I have a few practical matters you should have in mind when
8 giving your testimony: Everything we say here is written down and interpreted. It
9 is therefore important to speak clearly and at a slow pace. Please speak into
10 the microphone before you and only start speaking when the person asking you
11 the question is finished. To allow for the interpretation, everyone has to wait a few
12 seconds before starting to speak. If you, yourself, if you have any questions or if you
13 need a break, please raise your hand so that we know that you wish to say something.

14 Now, have you understood all that I have said, Mr Witness?

15 THE WITNESS: [9:45:44](Interpretation) Yes, I've understood.

16 PRESIDING JUDGE SAMBA: [9:45:47] Thank you very much.

17 We are going to start your testimony.

18 And before we do that, I want to remind the parties, as we all know, and Ms Pellet for
19 the victim, that we have but four days for four witnesses in this block. So I'm asking
20 that, you know, we manage our time effectively and only ask questions that are
21 relevant in chief, in cross, or by Ms Pellet.

22 So, Madam Prosecutor, your witness, please.

23 MS MAKWAIA: [9:46:33] Mr Bifwoli will be leading the witness, your Honour.

24 PRESIDING JUDGE SAMBA: [9:46:40] Your witness, Counsel.

25 MR BIFWOLI: [9:46:48] Thank you, Madam President, your Honours.

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1 QUESTIONED BY MR BIFWOLI:

2 Q. [9:46:52] Good morning, Mr Witness.

3 A. [9:47:01] Good morning.

4 Q. [9:47:04] My names are Thomas Bifwoli. I am a trial lawyer on the Prosecution
5 team and today I'll be asking you questions on behalf of the Prosecution.

6 Madam President, may we go into private session, please, so that I ask the witness
7 questions relating to his identity.

8 PRESIDING JUDGE SAMBA: [9:47:29] Madam Court Officer, can we go briefly into
9 private session, please.

10 (Private session at 9.47 a.m.)

11 THE COURT OFFICER: [9:47:50] We're in private session, your Honours.

12 PRESIDING JUDGE SAMBA: [9:47:53] Thank you.

13 Counsel, continue, please.

14 MR BIFWOLI: [9:47:56]

15 Q. [9:47:56] Mr Witness, we are now in private session, meaning that what you say
16 can only be heard in this courtroom.

17 I will now ask you questions about your identity and occupation.

18 Can you tell the Court your full names, please.

19 A. [9:48:28] (Redacted) is my name and my first names are (Redacted)

20 Q. [9:48:38] What is your date of birth?

21 PRESIDING JUDGE SAMBA: [9:48:46] Now, Counsel, I just said that
22 you -- the papers you gave to us, you said that the witness has not made any
23 corrections. What we have on his statement is -- being that we are in private session,
24 his date of birth is I think (Redacted).

25 So, please, let's move on fast so that we make progress.

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1 MR BIFWOLI: [9:49:20] Thank you, Madam President.

2 Q. [9:49:21] Mr Witness, were you born on (Redacted)

3 PRESIDING JUDGE SAMBA: [9:49:34] Mr Witness, don't answer that question.

4 There is no correction to the statement. I'm sure you heard me. There is no
5 correction, no clarification. Please put another question to the witness.

6 MR BIFWOLI: [9:50:05] Madam President, I'll ask to go into open session.

7 PRESIDING JUDGE SAMBA: [9:50:08] Thank you very much.

8 Madam Court Officer, can we go briefly into -- can we go into open session, please.
9 (Open session at 9.50 a.m.)

10 THE COURT OFFICER: [9:50:25] We are back to open session, Madam President.

11 PRESIDING JUDGE SAMBA: [9:50:29] Thank you.

12 Counsel, continue, please.

13 MR BIFWOLI: [9:50:32]

14 Q. [9:50:33] Mr Witness, I'm going to ask you questions briefly about your witness
15 statement.

16 Now, do you recall being asked questions by investigators from the Office of the
17 Prosecutor in relation to what happened in the Central African Republic during
18 the 2013 conflict?

19 A. [9:51:05] Yes, I remember.

20 Q. [9:51:10] Do you recall the year or the month when you were interviewed?

21 A. [9:51:34] I no longer remember the year or the date.

22 Q. [9:51:39] That's fine, Mr Witness.

23 During that interview, were your answers noted down in a document by the said
24 investigators?

25 PRESIDING JUDGE SAMBA: [9:52:13] It's okay. Yes, Counsel.

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1 MR BIFWOLI: [9:53:09] Thank you.

2 (Pause in proceedings)

3 PRESIDING JUDGE SAMBA: [9:56:02] Okay, Counsel, we are going to stand this
4 matter down until the electricity problem, or whatever the technical problem is, is
5 fixed. Thank you.

6 THE COURT USHER: [9:56:14] All rise.

7 (Recess taken at 9.56 a.m.)

8 (Upon resuming in open session at 10.01 a.m.)

9 THE COURT USHER: [10:01:53] All rise.

10 Please be seated.

11 PRESIDING JUDGE SAMBA: [10:02:08] Good morning, again. Sorry for that short
12 interruption.

13 Mr -- Counsel for the Prosecution, your witness, please.

14 MR BIFWOLI: [10:02:35] Thank you, Madam President, your Honours.

15 Q. [10:02:39] Mr Witness, just before the break I had asked you the question:

16 During your interview with investigators from the Prosecution, were your answers
17 noted down in a document by the said investigators?

18 PRESIDING JUDGE SAMBA: [10:02:56] Counsel, just so we know, I want
19 the witness to know that we are in open session and just to remind you also that we
20 are in open session. Thank you.

21 Yes, Mr Witness, can you answer the questions, please. Were your answers to
22 the investigators written down in note form?

23 Mr Witness, can you hear me? Can you see me?

24 THE WITNESS: [10:03:53](Interpretation) I can hear you.

25 PRESIDING JUDGE SAMBA: [10:03:58] Counsel, try again, please.

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1 MR BIFWOLI: [10:04:00] Thank you, Madam President.

2 Q. [10:04:03] Mr Witness, I will repeat the question slowly so that you can be able
3 to understand it.

4 Just before the break I had asked you whether you met investigators from the Office
5 of the Prosecutor and you said yes. Now my next question is: During your
6 interview with investigators from the Office of the Prosecutor, were your answers
7 noted down in a document by the said investigators?

8 A. [10:04:52] Yes.

9 Q. [10:04:57] And at the end of that interview, was the document which contained
10 your answers read back to you in a language that you understand?

11 A. [10:05:21] Yes, that's correct.

12 Q. [10:05:29] Do you recall if you signed that document which was read back to
13 you?

14 A. [10:05:45] Yes, I signed the document.

15 MR BIFWOLI: [10:05:51] Court Officer, please display tab 1, CAR-OTP-2043-0483.

16 This document is classified as confidential, do not display in the gallery, please.

17 I am interested in the bottom part with the signatures.

18 Q. [10:06:35] Mr Witness, can you see the document displayed on your screen?

19 A. [10:06:50] Yes, I can see the document very well on the screen.

20 Q. [10:06:53] Yes. Now, I would like to focus your attention on the signatures.
21 Can you see the signatures appearing on the screen?

22 A. [10:07:12] I can see them very well.

23 Q. [10:07:14] Now, without mentioning names, do you know whose signature is
24 the one on top, the top-most signature, do you know whose it is, without mentioning
25 names?

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- 1 A. [10:07:38] Yes, I recognise this signature.
- 2 Q. [10:07:42] Whose is it?
- 3 A. [10:07:53] It is my signature.
- 4 Q. [10:08:08] Now, Mr Witness, I will now ask you questions about your meeting
- 5 with members of the Prosecution team. Sorry.
- 6 Sorry, Madam Court Officer, before I go there, Madam Court Officer, I will request
- 7 that we -- we go to page 30 of that document at ERN CAR-OTP-2043-0512.
- 8 Mr Witness, can you see the document appearing on your screen now?
- 9 A. [10:09:04] Yes, I can see the document on the screen very well.
- 10 Q. [10:09:07] And can you see the signature appearing on that document?
- 11 A. [10:09:21] Yes, I see it very well.
- 12 Q. [10:09:23] And, again, without mentioning names, can you tell the Court whose
- 13 signature is that?
- 14 A. [10:09:40] It is indeed my signature.
- 15 Q. [10:09:43] Thank you.
- 16 Now, Mr Witness, I will ask you questions about your meeting with members of
- 17 the Prosecution team last week.
- 18 Do you recall meeting members of the Prosecution team last week during your
- 19 witness preparation session?
- 20 A. [10:10:19] Yes, I remember.
- 21 Q. [10:10:21] On that occasion, did you have an opportunity to go through your
- 22 witness statement with the help of the Sango interpreter?
- 23 A. [10:10:42] Yes.
- 24 Q. [10:10:46] And on that occasion were you also shown the annexes referred in
- 25 your witness statement?

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1 A. [10:11:09] Yes.

2 Q. [10:11:13] And during that occasion you did not make any changes to your
3 witness statement; can you confirm that?

4 A. [10:11:32] Yes.

5 Q. [10:11:44] Mr Witness, do you agree to the judges using your witness statement
6 and annexes in this case?

7 A. [10:12:05] Yes, I agree.

8 MR BIFWOLI: [10:12:10] Madam President, your Honours, the Prosecution submits
9 that Witness P-1180's prior recorded testimony be introduced into evidence since
10 the requirements of Rule 68(3) are met.

11 I have no further questions for this witness.

12 PRESIDING JUDGE SAMBA: [10:12:28] Thank you very much, Counsel.

13 The requirements of Rule 68(3) having been met, the opportunity of the Defence and
14 the Trial Chamber, having an opportunity to question this witness, we accept
15 the witness's prior recorded testimony and the annexes into evidence.

16 I would now call on Ms Pellet to put questions to this witness. Thank you very
17 much.

18 Ms Pellet, your witness, please.

19 MS PELLET: [10:13:06](Interpretation) Thank you, your Honour. With your
20 indulgence, I would just ask you for a minute.

21 Thank you very much, your Honour.

22 In accordance with your decision of this morning and because the Prosecution has
23 just satisfied the requirements of Rule 68(3), my questions will be limited therefore to
24 the harm suffered by the witness during the events of 2013 and the impact of these
25 events on his life and that of his family.

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1 QUESTIONED BY MS PELLET: (Interpretation)

2 Q. [10:14:00] Good morning, Witness. We know each other, but for the transcript
3 I have to state that I am your legal representative because you have been authorised
4 to participate in the proceedings on 27 May 2022 and, once again, 8 November, 2023
5 on the basis of a form that we filled in together on 10 March 2022.

6 Your Honour, in this regard, where it concerns the modalities associated with filling
7 in the form, I also refer to paragraph 30 and 31 of our submissions, our filing
8 *ICC-01-14/01-21-518.

9 Witness, before starting to put questions to you, as the President said this morning,
10 the Presiding Judge said this morning, I would like to clarify one element. If my
11 questions appear to you to *require answers which could identify you, please could
12 you raise your hand before answering the question in order to avoid information that
13 could identify you being revealed to the public.

14 Have you understood me?

15 A. [10:15:26] Yes, I've understood you well.

16 Q. [10:15:29] Perfect, Witness.

17 Witness, in your previous statement, which has just been tendered into evidence and
18 in paragraphs 154-155, in the English version thereof, and the same for the French
19 version, you indicate that you were tortured when you arrived at the OCRB. Do you
20 have any consequences of this torture? And if so, what kind of effects do you have
21 with you from this torture?

22 Did you hear my question, Witness?

23 PRESIDING JUDGE SAMBA: [10:16:31] Mr Witness, do you want to say something?

24 THE WITNESS: [10:16:42](Interpretation) No, I have nothing to say.

25 PRESIDING JUDGE SAMBA: [10:16:45] Okay. I'm going --

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1 THE WITNESS: [10:16:47](Interpretation) I can hear you.

2 PRESIDING JUDGE SAMBA: [10:16:47] Okay. That's very good. I'm going to ask
3 Ms Pellet to put her question again to you for your answer.

4 Ms Pellet, make is short maybe, so as to help the witness.

5 MS PELLET: [10:17:03](Interpretation)

6 Q. [10:17:05] Witness, you indicated to the investigators of the Office of the
7 Prosecutor that you underwent torture when you arrived at the OCRB in 2013. Do
8 you still have any after-effects from this torture today?

9 A. [10:17:35] Yes, I still have after-effects from it.

10 Q. [10:17:40] Can you describe them for the *Judges.

11 A. [10:18:02] If you could put your question again, please.

12 Q. [10:18:05] Of course, Witness.

13 Could you describe what after-effects you have, what are the consequences that you
14 have as a result of the torture?

15 A. [10:18:26] After the torture that I underwent, I continued to have a lot of pain,
16 I was hospitalised. And I still have pain in my arm. I had surgery.

17 Q. [10:18:53] Thank you, Witness.

18 In your previous statement, in 195, you indicated that you have been treated
19 traditionally, by your parents with traditional medicine. Now, were you treated
20 while you were detained at the OCRB? Were you given medical treatment there?

21 A. [10:19:26] No.

22 Q. [10:19:34] In your previous statement you also describe the psychological effects
23 of the events, the events that happened in 2013. Today, do you still have
24 psychological problems linked to these events?

25 A. [10:20:06] Yes, I still have problems.

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1 Q. [10:20:08] Could you explain to us what you feel when you think about
2 the events from 2013?

3 A. [10:20:29] When I think back to that, I'm not able to sleep. Sometimes I can
4 experience a situation and afterwards it's difficult to remember it, after some time.

5 Q. [10:20:51] Thank you, Witness.
6 Since you were released in 2013, have you had any psychological treatment to help
7 you deal with these memories?

8 A. [10:21:09] No.

9 Q. [10:21:14] Thank you, Witness.
10 In your statement, your previous statement, and namely paragraph 198 you said that
11 you didn't return to work immediately after your detention. So, how long was it
12 before you started working again?

13 A. [10:21:46] I did this work during {PFR: (Redacted)}

14 Q. [10:21:52] Yes. Thank you, Witness. My question was with regard to
15 the period that followed your release from the OCRB in 2013. Now, during your
16 detention, and after your release, you indicated that you weren't able to start work
17 again directly after your detention. So I was asking you how long was this period
18 without work?

19 A. [10:22:31] *It was a long time ago.

20 Q. [10:22:42] Thank you, Witness. Who looked after your family during that
21 period when you couldn't work?

22 A. [10:23:02] It was my mother who took care of the family and met their needs.
23 She went to the fields and she sold the products and it was with these means that she
24 managed to meet the needs of the family.

25 Q. [10:23:18] Thank you, Witness.

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1 What do you expect from the trial that is under way against Mr Said? What do you
2 expect from this -- from these proceedings before the International Criminal Court?

3 A. [10:23:53] I would like the International Criminal Court to pronounce the law
4 with regards to the events that took place.

5 Q. [10:24:07] And why did you decide to testify and to participate in
6 the proceedings as a witness and as a victim?

7 A. [10:24:30] It was with regards to everything I suffered. I came to testify so that
8 the entire world would know about the events that happened, such that peace can be
9 re-established in the country.

10 Q. [10:24:55] Thank you very much, Witness. I have no further questions.

11 PRESIDING JUDGE SAMBA: [10:25:00] Thank you very much, Ms Pellet.

12 Ms Naouri, before we get to you, just a moment, Ms Naouri. Just a moment.

13 Mr Prosecutor, you did mention certain annexes during your examination-in-chief.

14 We need to know which ones you are submitting. I know you referred to "annexes"
15 that the witness gave the investigators, but you did not mention, like, tab numbers,
16 where they are at, where we can find them. Do you want to address that for us?

17 MR BIFWOLI: [10:25:50] Yes.

18 PRESIDING JUDGE SAMBA: [10:25:58] Just the tab, the tab numbers, for the record.

19 (Counsel confers)

20 MR BIFWOLI: [10:26:24] Madam President, your Honours, we are -- the Prosecution
21 is submitting all the documents on its list of evidence.

22 PRESIDING JUDGE SAMBA: [10:26:36] Okay, but still can you tell us which
23 tab numbers the annexes that you refer to are.

24 MR BIFWOLI: [10:26:43] Yes.

25 PRESIDING JUDGE SAMBA: [10:26:44] Because what we have here, we have them

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1 in our folders, but you know, for the record we need them.

2 MR BIFWOLI: [10:26:53] Tab 2, tab 3, tab 4, tab 5, tab 6, tab 7, tab 8, tab 9, tab 10 and
3 tab 11.

4 PRESIDING JUDGE SAMBA: [10:27:32] Thank you very much.

5 MR BIFWOLI: [10:27:35] Thank you.

6 PRESIDING JUDGE SAMBA: [10:27:35] You may be seated.

7 Ms Naouri for the Defence, cross-examination?

8 MS NAOURI: [10:27:46](Interpretation) Thank you, your Honour.

9 The cross-examination will be carried out by *Maître* François Jacquemin.

10 PRESIDING JUDGE SAMBA: [10:27:59] Mr François-Jacquemin, I have to learn to
11 pronounce the name in full.

12 Okay, your witness, please.

13 MR FRANÇOIS-JACQUEMIN: [10:28:11](Interpretation) Good morning, and
14 doubly thank you for this presentation and this pronunciation, which was perfect, of
15 my name.

16 QUESTIONED BY MR FRANÇOIS-JACQUEMIN: (Interpretation)

17 Q. [10:28:21] Good morning, Mr Witness. You have heard, my first name is
18 Florian, my surname François-Jacquemin. I will put certain questions to you on
19 behalf of the Defence team of Mr Said.

20 As the Prosecution did, I will address you saying "Mr Witness".

21 I will be careful as to how I speak to you and I will try to speak slowly, giving time for
22 the interpreters to interpret everything that I say.

23 The same way, when you answer the questions, I will wait five seconds to allow
24 the interpreters to finish their interpretation. I would ask you to listen attentively to
25 my questions and to try to only answer the question that I put to you. As such, we

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1 will be able to advance, losing as little time as possible.

2 Your Honour, could we go into private session, please.

3 PRESIDING JUDGE SAMBA: [10:29:25] Madam Court Officer, can we go briefly
4 into private session, please.

5 (Private session at 10.29 a.m.)

6 THE COURT OFFICER: [10:29:41] We are in private session, your Honours.

7 PRESIDING JUDGE SAMBA: [10:29:44] Thank you very much.

8 Counsel, continue with your questions, please.

9 MR FRANÇOIS-JACQUEMIN: [10:29:48](Interpretation) Thank you very much,
10 your Honour.

11 Thank you, Court Officer.

12 Q. [10:29:56] Witness, we are in private session, so you can speak without fear of
13 being identified -- (inaudible)

14 What was your professional activity before working (Redacted)

15 A. [10:30:23] I was unemployed. I was just a trader.

16 Q. [10:30:29] And what year did you move to (Redacted) work?

17 A. [10:30:39] I started to (Redacted)

18 Q. [10:30:47] How did you get this job, Mr Witness?

19 A. [10:31:01] Well, I was looking for a job. I went there and there was a vacancy.
20 I applied and I got a -- well, I started working there ultimately.

21 Q. [10:31:19] Did someone tip you off and let you know that there was this
22 vacancy?

23 A. [10:31:31] I was looking for a job and I asked people about this and I heard that
24 there was an opening and I applied.

25 Q. [10:31:42] *In your previous statement, Mr Witness, which is at our tab 1.3, tab 1

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1 for the English version, CAR-OTP-2127-7599, page 7602, paragraph 12.

2 THE INTERPRETER: [10:31:55] Message from the interpreter: we have some white
3 sound troubling us, but we will do the best we can.

4 MR FRANÇOIS-JACQUEMIN: [10:32:04](Interpretation)

5 Q. [10:32:05] Sir, you said that (Redacted)

6 (Redacted)

7 (Redacted)

8 A. [10:32:20] Yes, that's correct.

9 Q. [10:32:21] And what was she doing (Redacted)? What was her job there?

10 A. [10:32:36] (Redacted)

11 Q. [10:32:42] And when did she come back? Is she still there, working there?

12 A. [10:32:54] She's still (Redacted)

13 Q. [10:33:00] And you went back and you were (Redacted).

14 What kind of work were you doing specifically?

15 A. [10:33:18] We would go every day (Redacted)

16 (Redacted)

17 Q. [10:33:35] Thank you. Did you have any other duties, Mr Witness?

18 A. [10:33:45] That's what we did. That's all.

19 Q. [10:33:51] Now, in your previous statement, tab 1 for the English version,
20 paragraph 25, you said, and I quote:

21 "About one week before my arrest, I had been transferred (Redacted)

22 (Redacted)

23 My duties there were (Redacted)

24 (Redacted)

25 (Redacted)

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1 Is that correct?

2 A. [10:34:37] Correct.

3 Q. [10:34:38] Why were you transferred at that point in time, sir?

4 A. [10:34:55] I started working several years ago (Redacted)

5 and I -- well, I was not getting any progress and so I made a request to transfer to that
6 other job.

7 Q. [10:35:16] And during that period of time, were transfers done normally at the
8 (Redacted), was it a normal kind of thing?

9 A. [10:35:25] Yes, it worked very well.

10 Q. [10:35:33] And that is (Redacted) became your direct supervisor,
11 correct?

12 A. [10:35:42] Yes, that's right.

13 Q. [10:35:46] Can you read and write, Mr Witness?

14 A. [10:35:59] I can read, but not very well.

15 Q. [10:36:06] What sort of qualifications did you have for this particular work,
16 these duties, (Redacted)

17 A. [10:36:30] Well, it was because of the way I behaved at work and my way of
18 doing things, my way of answering people. And so I was seconded from that other
19 job. I didn't start immediately doing that work, there was someone else who was
20 doing that job and this other person trained me. After that, I began to work in this
21 new job all on my own.

22 Q. [10:36:59] Now, before your arrest, you had been doing this new job for about
23 (Redacted), so I would imagine you were still being trained; is that correct?

24 A. [10:37:13] Yes, that's right.

25 Q. [10:37:14] Who provided this training and how long did it last?

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1 A. [10:37:28] I was transferred to this particular unit and it was just (Redacted)
2 before I was abducted.

3 Q. [10:37:40] Who was training you during that (Redacted), Mr Witness?

4 A. [10:37:56] I don't remember the person's name. It was a long time ago.

5 Q. [10:38:04] In your previous statement you (Redacted).

6 Why do you refer to this person as (Redacted)", Mr Witness?

7 A. [10:38:23] He's a soldier, that's his rank. We would call him (Redacted). And
8 so I too would refer to him or call him (Redacted).

9 Q. [10:38:40] So he was a soldier while he was working (Redacted); is this what
10 you're telling us, Mr Witness?

11 A. [10:38:49] Yes, that's right.

12 Q. [10:38:53] And do you know what his duties were?

13 A. [10:39:09] He was a (Redacted).

14 Q. [10:39:23] Is there a (Redacted), to your knowledge, Mr Witness?

15 A. [10:39:35] I'm not a soldier, so I'm not in a position to know where (Redacted)
16 (Redacted). I know the (Redacted) where we work with soldiers.

17 Q. [10:39:54] *In your previous statement, from which I read out an excerpt to you,
18 you said that (Redacted) in
19 French, what did that mean?

20 A. [10:40:12] He was the one who kept an eye on the various units within
21 (Redacted) and also the various equipment and materials (Redacted)

22 Q. [10:40:29] In addition to that, did he conduct (Redacted)? You say he
23 was a (Redacted) as well.

24 A. [10:40:42] That's what he used to do. I told you that. That's what I know
25 about him.

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1 Q. [10:40:54] Now, could you explain to us what you were doing when you were
2 working in the unit led (Redacted), and then after that I'll be done with this
3 topic.

4 A. [10:41:14] I would come very early in the morning and I would (Redacted)
5 Then, after that, I would go out -- correction, I would (Redacted)
6 (Redacted)

7 Q. [10:41:43] The names (Redacted) who would come in gradually, as the day
8 went on; is that what you mean?

9 A. [10:41:54] Yes, that's right.

10 Q. [10:41:58] Thank you, Mr Witness. Were there other people who worked for
11 (Redacted)

12 A. [10:42:15] Yes. As I told you, he was the one who was responsible for
13 overseeing all the (Redacted)

14 Q. [10:42:25] Very well. Were you the (Redacted); is this
15 what I should understand?

16 A. [10:42:39] No, I wasn't (Redacted)

17 Q. [10:42:44] Very well. Thank you, Mr Witness.
18 How many brothers and sisters do you have, Mr Witness?

19 A. [10:43:09] I have (Redacted), and then there's me, (Redacted), and then I have
20 (Redacted) sisters as well.

21 Q. [10:43:27] Now, within your family, are there any people who work for
22 the police or within the military forces?

23 A. [10:43:42] (Redacted)

24 Q. [10:43:54] And what's her name?

25 A. [10:44:05] *Her name is (Redacted)

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1 Q. [10:44:10] And where was she assigned at the time of your arrest?

2 A. [10:44:24] She was in Bangui.

3 Q. [10:44:33] What sort of (Redacted)

4 A. [10:44:45] She worked at (Redacted)

5 (Redacted)

6 Q. [10:44:57] Do you remember what her rank was, Mr Witness?

7 A. [10:45:06] At the time, well, I'm not a soldier myself, so I don't know

8 the different ranks, so I'm really -- I'm not in a position to know what her rank was.

9 Q. [10:45:20] Thank you, Mr Witness.

10 Court Officer, could we put up tab 16 without showing it to the witness. This is

11 CAR-OTP-00000512, page 3. If that could be put up on the screen.

12 This document is not on the record of the case.

13 Thank you, Court Officer.

14 Mr Witness, this document is a report from OTP investigators and I've asked

15 the court officer to show it to the parties and the participants, and in it some

16 telephone numbers are allocated to you, in other words, the OTP says that these are

17 your testimony numbers.

18 Now, the first number is 60 -- the first number is (Redacted). Is this indeed your

19 number, Mr Witness?

20 A. [10:46:53] Yes, it is my number.

21 Q. [10:46:56] Thank you, Mr Witness.

22 When did you start using this number?

23 A. [10:47:12] A long time ago, so I can't tell you exactly when it was, when I'd first

24 started using this number.

25 Q. [10:47:22] Do you still use this number today?

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- 1 A. [10:47:26] No, I lost it a long time ago.
- 2 Q. [10:47:30] And do you remember when you lost it, Mr Witness?
- 3 A. [10:47:49] When I lost the number? No, I've forgotten.
- 4 Q. [10:47:56] I would like to ask for this item of evidence to be placed on the record
5 of the case.
- 6 Thank you, Mr Witness.
- 7 I'd now like to turn to something else and, namely, the events that led to your
8 conviction. *And you appeared before the Bangui Tribunal de Grande Instance in
9 summer 2013 and I would like us to hark back to these events.
- 10 Do you know which ruling I am talking about, Mr Witness?
- 11 A. [10:48:52] I'm listening.
- 12 Q. [10:48:56] You were released, now, weren't you, Mr Witness?
- 13 A. [10:49:09] Yes, that's right.
- 14 Q. [10:49:12] And do you remember when the ruling having to do with you was
15 issued?
- 16 A. [10:49:31] I told you, I have trouble with my memory. Those events happened
17 a long time ago, so I don't remember anymore.
- 18 Q. [10:49:39] Very well, Mr Witness. I'll try to refresh your memory.
- 19 Court Officer, could we move to tab 39 on our list. This is CAR-OTP-2135-3202,
20 page 3232. And this document can be shown to the witness. The document is not
21 currently on the record of the case.
- 22 MR FRANÇOIS-JACQUEMIN: [10:50:28](Interpretation) Thank you. Could you
23 please zoom in so we can look at the first red line and the second large box. Exactly,
24 if we could zoom in some more, please. Thank you very much.
- 25 Q. [10:50:46] Mr Witness, can you see this document?

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- 1 A. [10:50:56] Yes, I can see it.
- 2 Q. [10:51:00] Do you see your name at the bottom?
- 3 A. [10:51:14] Yes, I see my name.
- 4 Q. [10:51:15] And you see the date that is in red ink at the top on the right-hand
5 side?
- 6 A. [10:51:37] 30/08/2013.
- 7 Q. [10:51:44] Exactly so, Mr Witness.
- 8 *Now, this document is a record from the Bangui Tribunal de Grande Instance and it
9 provides a summary of various decisions. The decision (Redacted) relates to
10 you, Mr Witness. Can you read the names of the judges, or would you like me to read
11 the names to you?
- 12 A. [10:52:17] Could you please read the names to me.
- 13 MR FRANÇOIS-JACQUEMIN: [10:52:29](Interpretation)
- 14 Q. [10:52:30] *It says that the tribunal's Presiding Judge was Maurice de
15 Yombazane, the Registrar was Sosthène Denamena and the Prosecutor was Yolande
16 Mamia Yamathia. Does that refresh your memory, Mr. Witness ?
- 17 A. [10:52:58] Those events occurred a long time ago. Those names don't really
18 ring a bell.
- 19 Q. [10:53:10] Very well. Do you remember the prosecutor who was at the
20 hearing?
- 21 A. [10:53:24] It was a lady.
- 22 Q. [10:53:31] Do you remember whether she was there for the entire hearing?
- 23 A. [10:53:37] Yes, she was there.
- 24 Q. [10:53:45] And do you remember what she wanted, so to speak, in relation to
25 you?

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1 A. [10:53:52] No, I don't remember.

2 Q. [10:53:57] You don't remember whether she wanted you to be convicted or not
3 convicted?

4 A. [10:54:16] The last day, the day of the hearing, I was just released. I was told
5 that I was innocent.

6 Q. [10:54:25] I won't go back to the topic of the prosecutor right now. Do you
7 know whether other people were also brought before the court at the same time as
8 you and whether they were also released?

9 A. [10:54:46] Yes.

10 Q. [10:54:57] We would like to ask that this document at tab 39 be placed on
11 the record of the case. CAR-OTP-2135-3232.

12 Mr Witness, do you remember the names of the other people who were released?

13 A. [10:55:29] Yes.

14 Q. [10:55:34] Could you give the names to me, Mr Witness?

15 A. [10:55:45] Well, the events happened a long time ago, so I can only give you two
16 or three names.

17 Q. [10:55:55] Go ahead, please.

18 A. [10:56:06] (Redacted)

19 Q. [10:56:30] *Sorry for interrupting, (Redacted), was he found not guilty at the
20 trial, sir ?

21 A. [10:56:37] Amongst us, (Redacted) and I, we were the only ones to be released.

22 Q. [10:56:55] And did you receive a copy of this decision, Mr Witness?

23 A. [10:57:07] Yes, I was given a copy, but -- but I've lost it.

24 Q. [10:57:19] I'm asking you that because we do have a document on the case file that
25 relates to the people who were also put on trial with you, (Redacted), and the OTP of

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1 the ICC was able to find that person's decision. And I'd like to show it to you.

2 Could we please put tab 22 up on the screen, *CAR-OTP-2043-0489, page 0479.

3 The document is already on the record of the case.

4 Thank you, Madam Court Officer.

5 Now, Mr Witness, were you given a document that looked like this one?

6 A. [10:58:36] The document, it was my elder brother who had it. He's now
7 deceased. I don't know where the document is now.

8 Q. [10:58:47] But when you were given the document, I would suppose -- well, it
9 must have been your elder brother who gave it to you?

10 A. [10:59:01] On the day I was released, I went immediately to a funeral.
11 The other documents remained behind and it was my elder brother who went to
12 the court to get the documents. And, as I've told you, he is now deceased.

13 Q. [10:59:27] Thank you, Mr Witness.

14 Mr Witness, do you remember, what was the charge standing in your name before
15 the court?

16 A. [10:59:45] No, I don't know.

17 MR FRANÇOIS-JACQUEMIN: [10:59:52](Interpretation) Your Honour, I see
18 the time.

19 PRESIDING JUDGE SAMBA: [10:59:55] Let's go on for lost time. The Registry will
20 accommodate us for some 10, 11 minutes more. So carry on.

21 MS NAOURI: [11:00:06](Interpretation) Your Honour, we do want to make up for
22 lost time, but Mr Said is seated. He's been seating -- seated for a while now, and we
23 do have three sessions today, so I think it might be a good idea to have the break now.

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- 1 PRESIDING JUDGE SAMBA: [11:00:32] That's okay.
- 2 Mr Witness, we will break off here and come back after 30 minutes.
- 3 I will stand this court down for 30 minutes, please.
- 4 THE COURT USHER: [11:00:42] All rise.
- 5 (Recess taken at 11.00 a.m.)
- 6 (Upon resuming in open session at 11.31 a.m.)
- 7 THE COURT USHER: [11:31:32] All rise.
- 8 Please be seated.
- 9 PRESIDING JUDGE SAMBA: [11:31:50] Good morning again, everyone.
- 10 Mr François-Jacquemin, your witness, and for you to know and for the witness, we
- 11 are in open session.
- 12 Just to let Mr Said know that we also very much care about his health, Ms Naouri,
- 13 and I'm sure if we need two or three minutes, you all could accommodate us, but we
- 14 very much care about his health.
- 15 Mr François-Jacquemin, your witness, please.
- 16 MR FRANÇOIS-JACQUEMIN: [11:32:37](Interpretation) Thank you,
- 17 Madam President.
- 18 Q. [11:32:39] Good morning, once again, Witness. We are in open session. I'm
- 19 going to try and put certain questions to you in open session. If we don't manage to,
- 20 I will go back into private session, but please be careful not to give your name or the
- 21 name of people, please, Witness.
- 22 A. [11:32:54] Very well. Yes, I understand.
- 23 Q. [11:33:06] Perfect.
- 24 Court officer, could you show, but not to the parties -- or not to the public, tab 39 of
- 25 our list of notification, CAR-OTP-2135-3202, page 3233. So CAR-OTP-2135-3202,

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1 page 3233.

2 Witness, I asked you a moment ago for what offence you were being prosecuted, and
3 do you remember?

4 I didn't hear the answer, Witness. Could you repeat it, please?

5 THE INTERPRETER: [11:34:34] Message from the Sango booth: We didn't -- we
6 don't receive the witness.

7 PRESIDING JUDGE SAMBA: [11:34:41] Mr Witness, is your microphone on? Can
8 you speak into the microphone, please?

9 THE WITNESS: [11:35:01](Interpretation) Yes, I can hear you perfectly.

10 MR FRANÇOIS-JACQUEMIN: [11:35:07](Interpretation)

11 Q. [11:35:08] Witness, do you remember what offence you were being prosecuted
12 for?

13 A. [11:35:18] I told you that I have forgotten.

14 Q. [11:35:30] In line 81 of the document, which is in front of everyone, we can see
15 that you were being prosecuted for an act of a nature to compromise public security.
16 Do you understand what that means, Witness?

17 A. [11:35:50] I'm following what you said. I've understood.

18 PRESIDING JUDGE SAMBA: [11:36:03] Did you say line 81? Because what we
19 have before us is 084. Okay.

20 Yes, Mr François-Jacquemin, continue, please. Now we have it.

21 MR FRANÇOIS-JACQUEMIN: [11:36:25](Interpretation) Thank you very much,
22 Madam President.

23 Q. [11:36:29] The document is problematic. Could you please show tab 17,
24 CAR-OTP-2001-3199, page 3243. It's a public document, and it is submitted into the
25 case file. Tab 17, CAR-OTP-2001-3199, page 3243. Thank you, court officer.

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1 *This is the Central African criminal code, of which article 295, which I'm going to
2 read, provides that:

3 "Any manoeuvre or act which would compromise public security or which would
4 cause serious political trouble, or provoking hatred of the government, which
5 breaches the laws of the country will be punished with a prison sentence of one to
6 five years."

7 And this is what you were accused of, Witness. Do you understand the meaning of
8 this article?

9 A. [11:38:00] I've followed what you read.

10 Q. [11:38:10] Perfect. Could you explain to us the reasons why you were released?
11 Why did the judge consider that you were not guilty?

12 A. [11:38:26] Because I know that I've done nothing, and I told the truth, and that's
13 why the judge freed me.

14 Q. [11:38:44] Do you remember why other people were also released in this case?

15 A. [11:38:54] No, I don't know that.

16 Q. [11:39:05] Do you remember if some people who were with you were convicted,
17 Witness?

18 A. [11:39:15] Yes. We went before the tribunal at the same time.

19 Q. [11:39:32] Why were these people convicted, Witness?

20 A. [11:39:41] Who are you talking about?

21 Q. [11:39:48] I'm speaking about the other people who were with you in the
22 tribunal and who were sentenced -- they were convicted in the same case as you.

23 Now, the judge considered there was nothing against you, as well as other people,
24 they were released, but other people were convicted.

25 So what I'm asking you is if you remember why these people were convicted,

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1 Witness?

2 A. [11:40:17] I don't know.

3 Q. [11:40:23] I would imagine that you are not before a tribunal every day to be
4 tried, and you probably remember what these people were reproached for and what
5 the judge considered them to be guilty of. So why were they convicted?

6 PRESIDING JUDGE SAMBA: [11:40:52] I think he has answered that question. He
7 said he doesn't know.

8 THE WITNESS: [11:40:54](Interpretation) I don't know.

9 PRESIDING JUDGE SAMBA: [11:40:57] He said he doesn't know. Asked and
10 answered.

11 MR FRANÇOIS-JACQUEMIN: [11:41:05](Interpretation) Thank you, your Honour.

12 Q. [11:41:08] I'd just like to make a clarification for the English translation.

13 So, *relaxé* doesn't mean released, but it means declared not guilty.

14 Witness, do you remember if during the trial, pamphlets or flyers were shown?

15 A. [11:41:50] I didn't see this document. No document of such type was shown
16 during the hearing. No, we weren't shown that. I can't lie about that.

17 Q. [11:42:17] Thank you, very much, Witness.

18 Court officer, could we now show tab 39 from our notification list,

19 CAR-OTP-2135-3202, page 3232. This document isn't for the public.

20 CAR-OTP-2135-3202, page 3232. Do you have the document before you, Witness?

21 A. [11:42:54] Yes, I can see the document.

22 Q. [11:43:15] Could you go down in page 3232, a bit lower, please, court officer.

23 Thank you very much.

24 Do you see that the word "Appeal", "*Appel*", is written in French?

25 A. [11:43:45] Yes.

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1 Q. [11:43:47] It's also written with regards to this person that this person was found
2 guilty and *he was handed an 8-month suspended prison sentence. This person
3 appealed against their conviction. Now, do you know what happened during this
4 appeals process?

5 A. [11:44:21] No, I don't know.

6 Q. [11:44:31] The other people, sir, or other people - I'm sorry - also were convicted
7 to a sentence of eight months with suspension, or 12 months with a suspended
8 sentence and they appealed. Did you have information with regards to what
9 happened in appeal for these people?

10 A. [11:45:05] No, I didn't receive any information concerning them.

11 Q. [11:45:22] Did you stay in contact with some of them -- some of the co-accused
12 in this trial after the trial? Don't say their names.

13 A. [11:45:40] We are not in contact.

14 Q. [11:45:44] You are not in contact with any of the people who were in the trial
15 with you?

16 A. [11:45:55] That's correct.

17 MR FRANÇOIS-JACQUEMIN: [11:46:06](Interpretation) Could we now quickly go
18 into private session, your Honour.

19 PRESIDING JUDGE SAMBA: [11:46:12] Madam Court Officer, can we go into
20 private session, please.

21 (Private session at 11.46 a.m.)

22 THE COURT OFFICER: [11:46:18] We are back to private session.

23 PRESIDING JUDGE SAMBA: [11:46:37] Thank you very much.

24 Mr François-Jacquemin, please continue with your questions.

25 MR FRANÇOIS-JACQUEMIN: [11:46:44](Interpretation) Thank you, your Honour.

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1 Q. [11:46:45] Witness, you're not in contact with (Redacted) since the trial?

2 A. [11:46:52] That's correct.

3 Q. [11:47:11] He no longer works at the (Redacted) since the events?

4 A. [11:47:29] He still works (Redacted)

5 Q. [11:47:33] And when you took up service again, you never spoke to him again,
6 since 2013?

7 A. [11:47:39] We continue to work together, but the -- we have different timetables,
8 very different.

9 Q. [11:47:58] So is he still working (Redacted)

10 A. [11:48:04] Yes, that's correct.

11 Q. [11:48:12] And since 2013, when you started work again, you continue to write
12 (Redacted); that's correct, is it not?

13 A. [11:48:31] Having been released, I no longer had that function.

14 Q. [11:48:46] Very well. So in (Redacted) you were never in contact
15 with (Redacted)

16 A. [11:49:00] That's correct. He and I are no longer in contact with each other.

17 Q. [11:49:09] Very well. Now, in paragraph 175 in your previous statement,
18 which was provided to the Office of the Prosecutor, you spoke about (Redacted)
19 (Redacted); do you remember that?

20 A. [11:49:36] I remember him well.

21 Q. [11:49:39] Did you ever go to the Combattant neighbourhood, Witness?

22 A. [11:49:54] Yes, of course. It's my country, I go everywhere.

23 Q. [11:49:58] Now, at the time you stated that (Redacted) was working as
24 (Redacted) where he was a butcher's representative.

25 Is that still the case?

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1 A. [11:50:25] Well, after I was released, I don't know anymore what he exercises in
2 terms of his activities, or functions.

3 Q. [11:50:34] And how did you know that he was (Redacted) at the time and how
4 come you had his telephone number during your previous statement in 2016?

5 A. [11:51:01] We were in detention and we communicated, and thank god we were
6 freed and we met each other and we had good relations. And that's how I got his
7 telephone number. And afterwards I lost his telephone number and since then I no
8 longer have any news from him.

9 Q. [11:51:22] When did you lose his telephone number, Witness?

10 A. [11:51:26] I lost it a long time ago.

11 Q. [11:51:42] The number he gave you in 2016. You said, "I had good relations
12 with him. Afterwards I lost the number." Between 2013 and 2016 did you see him?

13 A. [11:51:56] Yes, we would meet.

14 Q. [11:52:11] When did you stop seeing him, sir?

15 A. [11:52:14] Well, I don't remember exactly what year it was. It was a long time
16 ago.

17 Q. [11:52:39] Very well. But at the time that you gave his telephone number to the
18 Office of the Prosecutor, you were still in contact with him then?

19 A. [11:52:51] Yes, that's correct.

20 Q. [11:52:59] Very well.

21 So I'm still in the same document, for the Court, tab 1.3. You have one version
22 French and I'm going on to the paragraph 176.

23 So, Witness, do you remember (Redacted)?

24 So tab 1.3 for the English version, page 7625. I'm going on to paragraph 176.

25 A. [11:53:33] Yes.

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1 Q. [11:53:33] Did you stay in contact with him after the trial?

2 A. [11:53:52] Yes, we met. We live in the same arrondissement. But towards
3 2019 we didn't meet anymore.

4 Q. [11:54:07] Thank you, Witness. Do you remember (Redacted)
5 I'm now at paragraph 177.

6 A. [11:54:25] Yes, I know him.

7 Q. [11:54:29] Did you continue to see him after the trial, Witness?

8 A. [11:54:35] After we were released, sometime afterwards we separated, and since
9 then we haven't seen each other.

10 Q. [11:54:52] In 2016, during your testimony, did you have any news from him -- or,
11 rather, when you gave your witness statement did you have any news from him?

12 A. [11:55:04] No.

13 Q. [11:55:08] In paragraph 177 you state: (Redacted) and his
14 telephone number is (Redacted)

15 If you have no further contact with him, how do you know where he lives?

16 A. [11:55:47] When he was freed, we had relations, we stayed in contact with each
17 other. He gave me his address and his telephone number, and I had his number to
18 call him. But because I lost my mobile phone, I couldn't contact him anymore.

19 Q. [11:56:10] I'll put the question again. How did you know where he was living
20 if you were no longer in contact with him, Witness?

21 A. [11:56:21] It was when we were released.

22 Q. [11:56:50] I didn't hear your answer, Witness.

23 I'm sorry, it's just appeared on the screen.

24 The document that I'm speaking to you about, this is your previous statement. 2016
25 was when you gave this statement with investigators of the Office of the Prosecutor,

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1 so it's already -- you had already been freed three years ago. So I'm asking how you
2 knew at the time where (Redacted) was living, and not -- not at the time when he was
3 released, but when you were speaking to the Office of the Prosecutor in 2016; how did
4 you know that?

5 A. [11:57:50] I don't know how to answer you.

6 Q. [11:57:52] Shall I remind you of what you said to me a moment ago, Witness?

7 And here I'm in the French transcript, 35 -- page 35, and I'm looking at line 24. And I
8 asked you, Witness: "Did you stay in contact with some of the co-accused in this case
9 after the trial? Don't give any names." And what you answered me, "We are not in
10 contact." End of quote.

11 But from what I understand now from your answer, in fact you did stay in contact
12 with some of the people from that trial after the trial; is that correct?

13 A. [11:58:42] Yes, that's correct.

14 Q. [11:58:53] Very well. So who did you stay in contact with, Witness?

15 A. [11:58:58] Well, I don't remember a lot of these details because it was a long time
16 ago and I didn't have my phone anymore.

17 Q. [11:59:16] When did you lose your telephone, Witness?

18 A. [11:59:20] Well, the first number, I -- it was stolen with the telephone, so I didn't
19 have my SIM card. I lost the numbers and I -- so I had to buy another SIM card, and
20 the numbers which I should have had, which were in the mobile phone, I lost them.

21 Q. [12:00:00] Thank you, Witness.

22 When you saw the people again with whom you were tried, did you speak about the
23 trial anymore?

24 MS MAKWAIA: [12:00:12] Excuse -- apologies for interrupting, your Honours.

25 Can counsel be a bit more specific with names, because it's a bit vague. There's a

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1 number of people in the manner in which the question is put.

2 PRESIDING JUDGE SAMBA: [12:00:28] Yes, Mr François-Jacquemin, as the names
3 are stated on -- well, the English version of his statement, pages 25 and 26, you may
4 want to -- or if you want to choose specific names, you may want to put that to the
5 witness, just so that you guide him.

6 MR FRANÇOIS-JACQUEMIN: [12:00:48](Interpretation) I'm going to continue with
7 the list of names in order to see with which one of them the witness is still in contact,
8 and -- or for how long, until when. So I will go from the previous statement,
9 paragraph 178.

10 Q. [12:01:12] So, Witness, after the trial, are you still in contact with (Redacted)

11 A. [12:01:22] No.

12 Q. [12:01:29] Mr Witness, in 2016 you stated to the Office of the Prosecutor, and
13 here I'm in paragraph 178 of your previous statement, (Redacted) And you gave his
14 telephone numbers. So how did you know where he was living if you were not in
15 contact with him?

16 A. [12:02:01] (Redacted), and when I come back
17 from work, we would sometimes meet, but we don't really have contact. He was
18 living (Redacted)

19 Q. [12:02:23] So you would sometimes meet. What is the difference between
20 sometimes meeting and being in contact with somebody? Just so we are clear that
21 we are speaking about the same thing.

22 A. [12:02:48] I think you are talking about calls, that we would call each other.

23 Q. [12:02:53] So the previous people who I -- names I mentioned - that is (Redacted)
24 (Redacted)- when you said you were in contact, you meant that
25 you spoke to them on the telephone; is that right?

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1 A. [12:03:20] Yes, that's correct.

2 Q. [12:03:26] Very well. And what type -- what was the type of relationship that
3 you had with them?

4 A. [12:03:33] Well, the relation was just because we were detained together. That
5 was it.

6 Q. [12:03:49] So I would imagine that you would speak about your detention,
7 because that's the only subject of your relationship?

8 A. [12:04:04] Yes.

9 Q. [12:04:09] Court officer, could we have a look at the beginning of the following
10 page, please.

11 Mr Witness, I'd like to ask you some questions about another person.

12 Thank you.

13 Now, after the trial, did you remain in contact with (Redacted)

14 THE INTERPRETER: [12:04:47] Tab 180, corrects the interpreter.

15 THE WITNESS: [12:04:51](Interpretation) No.

16 MR FRANÇOIS-JACQUEMIN: [12:04:52](Interpretation)

17 Q. [12:04:53] And did you see this person from time to time?

18 A. [12:04:56] Well, after we were released we did not see one another again.

19 Q. [12:05:12] Now, in your statement you said that he lived close to *the M'Poko
20 airport in 2016. How would you -- how could you know that if you haven't seen him
21 since the two of you were released?

22 A. [12:05:28] I know that. We were held together and he told me at the time
23 where he was living.

24 Q. [12:05:42] Did you remain in contact with (Redacted) after the trial?

25 A. [12:05:56] I don't have any contact with him.

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1 Q. [12:06:03] Did you stay in touch with (Redacted)

2 A. [12:06:14] No, not at all.

3 Q. [12:06:18] Did you remain in touch with (Redacted)

4 A. [12:06:34] (Redacted) lives in the Fouh neighbourhood. Sometimes I would go that
5 way and I would see him at his workshop. He is a carpenter. That's a -- it was a
6 very long time ago. I don't see him anymore.

7 Q. [12:06:52] And did you talk to him after the trial about your trial and your
8 detention?

9 A. [12:07:01] No.

10 Q. [12:07:15] I've nearly concluded.

11 Did you stay in touch with (Redacted) after the trial?

12 A. [12:07:28] I no longer see (Redacted)

13 Q. [12:07:36] Madam Court Officer, could we scroll down, please. Thank you,
14 thank you, thank you. If you could scroll up slightly. Thank you.
15 Paragraph 195 -- 185.

16 Are you in touch with (Redacted)

17 A. [12:08:32] No, I haven't seen him.

18 Q. [12:08:33] At paragraph 185, you say that he continues to work in Combattant.
19 How do you know that if you haven't seen him ever since the trial ended?

20 A. [12:08:51] When we were in prison he told me all about that. He gave me all
21 that information.

22 Q. [12:09:01] I understand, but the document that I'm talking about here, you gave
23 this statement in 2016, and I can understand that you have said that a person lives or
24 works in a particular spot because that's what he told you in *2013. But here you
25 said (Redacted). How did you know

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1 that in the year 2016, that he continues to work (Redacted)

2 A. [12:09:37] I know that because he was selling goods alongside the road and he
3 made mention of that. He had a stand (Redacted) and he sold items there.

4 That's what he told me and I provided that information.

5 Q. [12:09:57] Very well. And what about (Redacted), have you still -- have
6 you remained in touch with him?

7 A. [12:10:15] No, I don't have contact with him.

8 Q. [12:10:16] And after the trial, were you in touch with (Redacted)

9 A. [12:10:24] No, I don't have any contact with him.

10 Q. [12:10:32] After the trial, were you in touch with (Redacted)

11 A. [12:10:39] No.

12 Q. [12:10:46] If have you been in touch with (Redacted) after the trial ended?

13 A. [12:11:00] No, I'm not in contact with him.

14 Q. [12:11:06] And after the trial, were you in touch with (Redacted)

15 A. [12:11:21] No.

16 Q. [12:11:27] Thank you.

17 Could we please turn to tab 24, CAR-OTP-2136-0699, tab 24. This is a confidential
18 document. It can be shown to the witness. It has not been submitted. Could we
19 please move to page 0711.

20 Mr Witness, this document that I'm showing you right now is entitled "Plumitif", it's
21 the register from *the Bangui Tribunal de Grande Instance.

22 Could we scroll to the bottom of the page, please. Thank you very much, court
23 officer.

24 I will read what's written here: The correctional hearing of serious offences of the
25 (Redacted)

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1 Now, your trial was held on that date, (Redacted). Does that refresh your
2 memory?

3 A. [12:13:30] No, I've forgotten everything.

4 Q. [12:13:44] I will try to put some questions to you all the same.

5 Now, do you know what happens if you appear before a -- whether you -- do you
6 remember whether you appeared before the tribunal several times?

7 A. [12:13:59] When I was at the prison, yes, I would go there.

8 Q. [12:14:07] Do you remember how often you appeared before the tribunal for
9 your trial?

10 A. [12:14:18] At that time, I don't know. I didn't -- I don't remember how many
11 times we went there. I've forgotten everything.

12 Q. [12:14:32] Do you remember whether you had a lawyer with you, Mr Witness?

13 A. [12:14:42] I did not have a lawyer. The person who defended me --

14 Q. [12:15:12] Could we please move on to another document, page -- another page,
15 page 0713.

16 THE INTERPRETER: [12:15:25] Interpreter correction. The witness ended his
17 previous reply with the following: "The person who was defending me was my
18 god".

19 MR FRANÇOIS-JACQUEMIN: [12:15:36](Interpretation)

20 Q. [12:15:37] Could we move to the bottom of the page.

21 Can you see your name at the bottom of the page, Mr Witness?

22 Just before that, let's stay here at this spot, please.

23 *Mr. Witness, this comes from the transcript of your hearing. If I mention the
24 (Redacted) does that refresh your memory?

25 A. [12:16:21] I don't know that name.

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1 Q. [12:16:24] *In this transcript, it is written that (Redacted) said at the hearing:

2 "My client is only a (Redacted)

3 (Redacted)

4 (Redacted)

5 A. [12:16:58] Yes, yes.

6 Q. [12:17:12] Now, in your previous statement, Mr Witness, you said that you were

7 assisted by a lawyer. Does that refresh your memory? Do you remember a lawyer

8 being with you, now that we've had a look at this?

9 PRESIDING JUDGE SAMBA: [12:17:32] Counsel, can you refer us to the paragraph

10 in the statement where you said he had a lawyer. I mean, for ease of reference.

11 MR FRANÇOIS-JACQUEMIN: [12:17:47](Interpretation) Of course. I'm sorry if

12 I've gone too quickly, your Honour.

13 Tab 1.3, page 7625 of the English version, paragraph 171.

14 PRESIDING JUDGE SAMBA: [12:18:18] Paragraph 171? Paragraph 171?

15 MR FRANÇOIS-JACQUEMIN: [12:18:20](Interpretation) Yes, indeed. Exactly,

16 your Honour.

17 I will read this out to the witness.

18 Q. [12:18:27] Mr Witness, I'll read out your previous statement to you:

19 (Redacted), our group was taken to court to hear the judge's decision. Once

20 there, I saw (Redacted) in court. The court had already appointed us some lawyers

21 during the trial. Some families had brought their own private lawyers too. The

22 judge decided that we were innocent." End of quote.

23 Do you now remember having a lawyer with you, Mr Witness?

24 A. [12:19:23] I was defending myself all alone. I didn't have a lawyer who was

25 defending me. My lawyer was god. There were many lawyers at the hearing, but

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1 to say that I had a lawyer, that a particular person was my lawyer, no, no, no.

2 Q. [12:20:00] Very well. And do you remember (Redacted) speaking on your
3 behalf to defend you? Do you remember that -- (Redacted)

4 A. [12:20:17] Well, you're the one telling me about this lawyer. I've never heard
5 any such name.

6 Q. [12:20:34] Very well. I wanted to refresh your memory by showing you that on
7 this court record it has been recorded that this gentleman, (Redacted), was acting
8 on your behalf. But I've heard your response.

9 We would like to request that this item of evidence be formally submitted, tab 34 on
10 our list, CAR-OTP-2136-0699.

11 Mr Witness, another witness explained to us - and this is the edited transcript,
12 transcript 58, page 46, line 8, for the parties, transcript 58, page 45, line 22.

13 Another witness explained this to us and I'll tell you what he told us. Page 45,
14 line 22 to page 46, line 8:

15 Question: "Could you tell us a bit more about how it came to be that you chose this
16 lawyer?"

17 Answer: "When we were arrested, there were proceedings and the lawyers who were
18 constituted could assist us. It was the state who made them available to us. They
19 were lawyers who were assigned to us on an automatic basis."

20 Question: "Were there other lawyers? And you said that there were some statutory
21 lawyers, I see one name here: (Redacted). Were there other lawyers who were there
22 in a statutory function?"

23 Answer: "Yes, there were other lawyers."

24 Question: "Thank you. If you remember, could you give us their names?"

25 Answer: "Well, if I remember correctly, there was (Redacted), there was also

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1 (Redacted). (Redacted) is also there. And I think they were the
2 ones -- they're the ones I remember." End of quote.

3 Mr Witness, another witness who was part of the same trial said that there were
4 lawyers -- well, including statutory appointed lawyers for everyone. What do you
5 make of that?

6 A. [12:24:00] In that case, those lawyers provided by the state were indeed there.
7 They were defending everyone. But to say that I hired a personal lawyer to defend
8 me, my case, no. Just the lawyers who were provided by the state, they were the
9 ones who spoke on behalf of the accused. But hiring a lawyer to defend me for my
10 particular specific case, no.

11 Q. [12:24:57] Thank you, Mr Witness. Perhaps I wasn't clear enough. What I'd
12 like to know is not whether you paid for a lawyer, but whether there was a lawyer to
13 defend you.

14 So you're confirming that there was a lawyer who had been appointed on a statutory
15 basis to represent you and defend you?

16 PRESIDING JUDGE SAMBA: [12:25:21] Mr François-Jacquemin, can you confirm
17 whether the statement you just referred to by the other person is tab 34? Can you
18 confirm which tab number you are talking about?

19 MR FRANÇOIS-JACQUEMIN: [12:25:45](Interpretation) No. This is a transcript
20 which was not notified. I'm making reference to transcript 58, and I'm told that
21 transcripts do not need to be notified under a tab number. This was a statement by
22 another -- rather, correction, this was testimony from another witness. Transcript 58,
23 page --

24 THE INTERPRETER: [12:26:22] Overlapping speakers.

25 THE COURT OFFICER: [12:26:23] Maybe I clarify. The former item requested to

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1 be formally submitted, you referred during your questioning on tab 34, where I think
2 it's tab 24 that was requested to be formally submitted. Maybe this is -- the Chamber
3 would like to have clarified on the record. Thank you very much. I think it is
4 tab 24 to be formally submitted. Thank you.

5 PRESIDING JUDGE SAMBA: [12:26:48] Can you check whether or not it is tab 24
6 that you want formally submitted and confirm that, please.

7 MR FRANÇOIS-JACQUEMIN: [12:27:05](Interpretation) It is indeed tab 24. I'm
8 sorry for the mix-up. You must have read my mind.

9 PRESIDING JUDGE SAMBA: [12:27:13] Thank you very much.

10 You may continue, Mr François-Jacquemin.

11 Q. [12:27:30] Mr Witness, after the trial you were freed, isn't that so?

12 A. [12:27:35] Yes, that's right.

13 Q. [12:27:47] Court officer, could we have tab 3, CAR-OTP-2043-0515, please.

14 This is a confidential document. It can be shown to the witness and it was submitted
15 today under Rule 68(3).

16 And I will just wait for the document to come up on your screen, Mr Witness,
17 reference number CAR-OTP-2043-0515.

18 Thank you very much, court officer.

19 Sir, can you see this document?

20 A. [12:28:35] Yes, yes. I see it.

21 Q. [12:28:51] This is the document that -- was this the document that was given to
22 you when you were released, Mr Witness?

23 A. [12:28:56] Yes, that's right.

24 Q. [12:29:00] Do you remember who signed this document?

25 A. [12:29:07] Which signature? My signature? Which signature are you talking

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1 about?

2 Q. [12:29:27] Do you remember whether it was the Prosecutor who was also
3 present at your hearing, Mr Witness?

4 A. [12:29:52] Yes, yes. I remember him.

5 Q. [12:30:00] It was a woman, wasn't it? Are we in agreement on that point?

6 A. [12:30:10] Yes, that's right.

7 Q. [12:30:14] When was this document provided to you -- when and where?

8 A. [12:30:28] It was drawn up at the court and it was given to us at the Ngaragba
9 prison.

10 Q. [12:30:45] So after the court, you went back to the prison, Mr Witness?

11 A. [12:30:54] yes, but I didn't go back myself. After the court, I went to the place
12 where the funeral was being held, but the others went back to the prison, the
13 Ngaragba prison.

14 Q. [12:31:18] I don't understand, Mr Witness. You just told me - and this is
15 today's transcript, page 51, line 26 to page 52, line 1 - and I quote, you said: "This
16 document was drawn up at the court and given to us at the Ngaragba prison." End
17 of quote, line 27.

18 Where did you receive this document, Mr Witness? I don't understand.

19 A. [12:32:01] The others that we -- well, they went to Ngaragba and they are the
20 ones who gave me this document.

21 Q. [12:32:13] Who provided you with this document, Witness?

22 A. [12:32:17] After we'd been freed, there was the funeral area and I went directly
23 to the church, and the other detained persons, they left to Ngaragba to take this
24 document. And afterwards, they joined me at the funeral area and they gave me
25 that document then. And afterwards, they left.

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1 Q. [12:32:54] All the detained persons came to the funeral square, or just some of
2 them, Witness?

3 A. [12:33:02] After we were freed, I went to the funeral square and when they took
4 the document, they came together and they helped me and then they went home.

5 Q. [12:33:21] Very well. So I understand that all detained persons joined you at
6 the funeral square. Now, who among them provided you with the document?

7 A. [12:33:35] When -- well, we had a delegate who was (Redacted) who was our
8 delegate, and he was the one who provided that document. (Redacted)

9 Q. [12:34:09] Were there other moments when you all came together, having been
10 freed, or after your release?

11 A. [12:34:16] No.

12 Q. [12:34:26] And (Redacted), you saw him, or you had him on the
13 phone after being at the funeral square?

14 A. [12:34:44] After the funeral -- I met him at the market two days after we were
15 released, and after these two days I don't know where he was anymore.

16 Q. [12:35:01] Thank you, Witness.

17 Was another document provided to you when you were released in addition to this
18 one?

19 A. [12:35:13] Only this document.

20 Q. [12:35:24] Thank you, Witness.

21 Court officer, could you show tab 21 from our list of notification, please,

22 CAR-OTP -- so that's tab 21 of our list, CAR-OTP-2089-1242.

23 Can you see the document, Witness?

24 It's already submitted to the case. It can be shown to the witness.

25 A. [12:35:57] Yes, I can see it.

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1 Q. [12:36:08] It is a certificate of release which the Office of the Prosecutor has
2 recovered. It concerns an individual who was tried with you, was he not? You
3 would agree with that, would you not, Witness?

4 A. [12:36:29] Yes, that's correct.

5 Q. [12:36:35] Do you remember if (Redacted) was also declared not guilty at the
6 same time as you?

7 A. [12:36:45] Yes, we were released together, but they went to the *maison d'arrêt*
8 and I went to the funeral square. And I left from the tribunal and I went to the
9 funeral square and they were the ones who went to the prison. We weren't in -- we
10 weren't together.

11 Q. [12:37:19] Did (Redacted) give you a document like this in your name?

12 A. [12:37:26] Well, it was a long time ago, I've forgotten. I don't know anymore.

13 Q. [12:37:36] I would like to ask you some questions with regard to your
14 provisional detention. Now, you were in Ngaragba prison, were you not?

15 A. [12:37:51] That is correct.

16 Q. [12:37:57] When you say that (Redacted), what does that mean,
17 exactly, Witness?

18 THE INTERPRETER: [12:38:07] "*Le délégué* in French.

19 THE WITNESS: [12:38:14](Interpretation) *Well, he's like a pastor. In the evenings
20 we get together, he gives us advice, we talk about God's word. When we were
21 brought money, we gave it to him, and he gave us food. When our families brought
22 us medicine, we gave it to him. That's why we called him "Delegate.

23 MR FRANÇOIS-JACQUEMIN: (Interpretation)

24 Q. [12:38:47] He was the one who proposed himself to have this post or was he
25 asked to take on that role?

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1 A. [12:38:58] No, he didn't ask.

2 Q. [12:39:04] Court officer, could we now show tab 18 on your notification list,
3 CAR-OTP-2001-3680, and page 3694. And this can be shown to the witness. *This
4 is from the Central African code of criminal procedure. It has been submitted to the
5 case.

6 Under Article 91 there is a possibility for provisional detention. Do you understand
7 what provisional detention means, Witness?

8 A. [12:39:58] I'm following you.

9 Q. [12:40:04] The fact of keeping somebody in prison in the expectation of their trial,
10 or judgment, in order to avoid this person changing evidence or coming into
11 agreement with other people, just to simplify things.

12 During this provisional detention that you underwent, were you presented to a judge,
13 an investigating magistrate?

14 PRESIDING JUDGE SAMBA: [12:40:41] Sorry, counsel, if we can get -- you know, so
15 it's correct, just for clarification, provisional detention as to where? You mean at the
16 Ngaragba prison or the allegations as to when he was at the OCRB or the other camps?
17 Let us know which period are you talking about.

18 MR FRANÇOIS-JACQUEMIN: [12:41:10](Interpretation) That's what we're trying to
19 clarify, your Honour. I want to give you my understanding of the documents that
20 we have because the Central African Republic proceedings is very close to the French
21 proceedings that I know much more than yours, furthermore.

22 So I understand -- what I understand from the documents and from what Mr Jacobs
23 has already tried to show is that *people were held in custody at Camp de Roux.

24 And then the person who was arrested, he was *déférées*, he was sent to the prosecutor,
25 and from that moment they were in provisional detention, firstly at the OCRB until

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1 the opening of Ngaragba prison where they extended their provisional detention.

2 *So, I repeat: we have the arrest in July, that's what we're going to try to show, a

3 placement in police custody and there was the investigation carried out by the police

4 under the control of the prosecutor of the republic, and then the persons were sent to

5 the prosecutor of the republic and they were no longer in custody, but we're talking

6 about provisional detention awaiting trial. And this detention was at the OCRB.

7 And then they were in the prison when it opened until the day of their release.

8 I don't know if I was clear in that regard.

9 PRESIDING JUDGE SAMBA: [12:42:47] Well, you are clear. I'm asking because

10 you mentioned Ngaragba prison. So I wanted a kind of a context so that the witness

11 is helped.

12 Put your question again, Mr François-Jacquemin, and let the witness answer.

13 MR FRANÇOIS-JACQUEMIN: [12:43:07](Interpretation) Of course, your Honour.

14 Q. [12:43:19] So when you were at the OCRB, and then in Ngaragba prison,

15 Witness, do you remember having been taken before an investigating magistrate?

16 A. [12:43:35] Well, it was a long time ago, I've forgotten everything.

17 Q. [12:43:49] Court officer, could we show tab 14 on our notification list.

18 CAR-OTP-2135-3192, page 3201. The document is already on the record of the case.

19 You will see the document, Witness.

20 THE INTERPRETER: [12:44:18] So CAR-OTP-2135-3192, page 3201.

21 MR FRANÇOIS-JACQUEMIN: [12:44:40](Interpretation) Thank you, court officer.

22 Q. [12:44:42] So, Witness, this is a document by which a magistrate asks for a

23 person to be brought before him, which was made by the judge Maurice

24 De-Yombazane, who is the investigating magistrate in the tribunal of grand instance

25 in Bangui.

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1 Now, if we go down a bit, and this was found by the office of the prosecutor in the
2 tribunal of *grande instance* in the case file. You can see that it concerns (Redacted)
3 and that this is from (Redacted). Do you remember having been brought before
4 a judge, you as well, Witness, on that date?

5 A. [12:45:42] Yes, we were transferred to the court but we were not questioned.
6 They just showed us the document to transfer us to the central prison, and that was
7 the first time for me to read this document.

8 Q. [12:45:58] Very well, Witness.

9 Court officer, could we see tab 21 again, that I already mentioned a moment ago.

10 PRESIDING JUDGE SAMBA: [12:46:27] Sorry, before you do that, Ms Court Officer,
11 can we just confirm, this document that we are looking at, the date is (Redacted)

12 Is that correct, Mr François-Jacquemin, (Redacted)

13 MR FRANÇOIS-JACQUEMIN: [12:46:43](Interpretation) That's what I read, your
14 Honour.

15 PRESIDING JUDGE SAMBA: [12:46:44] Okay. And we agree that the arrest was
16 made on 4 August of -- 4 July 2013, is that correct, for the record?

17 MR FRANÇOIS-JACQUEMIN: [12:46:56](Interpretation) That's what I've
18 understood, your Honour.

19 PRESIDING JUDGE SAMBA: [12:46:59] Okay. Thank you.

20 Carry on.

21 MR FRANÇOIS-JACQUEMIN: [12:47:03](Interpretation) Thank you very much,
22 your Honour.

23 Court officer, so if you would be so kind, tab 21, I will repeat, CAR-OTP-2089-1242.

24 Q. [12:47:23] Witness, on the certificate of release of (Redacted), you can see
25 that he was placed on the (Redacted) under a *mandat de dépôt*. Do you know what

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1 that is?

2 A. [12:47:53] No, I have no idea.

3 Q. [12:47:56] That's quite normal.

4 Court officer, could you show us tab 18 on our notification list, CAR-OTP-2001-3680,
5 page 3692. Can we have a look at Article 85, which is a bit further down.

6 So, by way of information, you have the*Central African code of criminal procedure.

7 So the Article 85 provides that you have a warrant to appear and a summons warrant,
8 and the judge has the powers to bring a person who is accused to the court. Now,
9 do you understand that, witness?

10 A. [12:49:28] Yes, I've understood that.

11 Q. [12:49:40] Congratulations.

12 Court officer, could we now go on to page 3693. Can we have a look at the top on
13 the left.

14 And this is still the same article and it explains that this committal order is the order
15 given by a judge - and I will simplify it - to put somebody in prison.

16 Do you understand what I mean by that, Mr Witness?

17 A. [12:50:22] Yes, I've understood that.

18 Q. [12:50:28] And if you're able to follow me, you will see that your committal
19 order, that was somebody who was with you, that dated from (Redacted). That means
20 that the decision by a judge to put you in provisional detention was taken (Redacted).
21 Are you able to follow me, witness?

22 A. [12:50:47] Yes, I'm following you.

23 Q. [12:50:59] Do you remember who ordered this placing in provisional detention,
24 Witness?

25 A. [12:51:06] The judge. I didn't have this possibility to identify anything. I was

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1 in the heat of the moment. I was devastated. I didn't know that precisely, your
2 Honour.

3 Q. [12:51:32] I understand. Do you remember at the time of this committal
4 order - and that's (Redacted)- having been taken to the tribunal or court of Bangui?

5 A. [12:51:51] I don't remember anything. There's a lot of water that has gone
6 under the bridge since then.

7 Q. [12:52:07] I understand that well. It's technical.

8 In French law, and in the systems of law that are inspired by French law, which is the
9 case of the Central African Republic law, there is a time which is called a deferral, or
10 "*déferrement*" in French.

11 MS MAKWAIA: [12:52:35] Sorry for the interruption, Madam President. There's
12 been a series of questions with respect to a legal text and this witness is now being
13 called to give his opinion. We think this is an improper question. This is not a legal
14 expert. This is a factual witness to events that he lived through.

15 So perhaps counsel could direct the questions to what actually happened to this man
16 in respect to his statement as opposed to the judicial process that is undertaken in the
17 CAR republic, drawing from French law or other law.

18 PRESIDING JUDGE SAMBA: [12:53:14] Thank you very much, Madam Prosecutor.

19 Now, Mr François-Jacquemin, we appreciate you just touching on some of these legal
20 documents. It is not that as judges we don't have our minds to the possibility of
21 them being available, we know very well what happens when someone is arrested
22 and detained, but this man before us, the witness before us, is a lay person.

23 Now, for you to testify -- because what you are doing now is from the bar and I
24 expect what you are doing to appear in your final brief, maybe for us, having pointed
25 to some of these laws and you trying, in fact, to bring out the point that the arrest was

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1 lawful, the detention was lawful, because that's what you are trying to do, but in
2 between you know that certain things he alleges happened. If you want to question
3 him on those things, fine; otherwise, let's not get into legal issues that you and I will
4 understand, all of us here will understand but for the witness.

5 The Prosecution's objection is sustained, please.

6 MR FRANÇOIS-JACQUEMIN: [12:54:54](Interpretation) I'll try, your Honour, to
7 link the legal elements to the understanding of things that the witness would have.
8 That's what's of interest to me. The fact that there is a legal process which we are
9 presenting, I'm trying to understand through my questions whether the witness
10 understood them himself.

11 I'm going to continue, subject to your control, when I come to formulating my
12 questions in that sense, your Honour.

13 Q. [12:55:27] So, Witness, do you remember having been registered with the
14 tribunal of great instance in Bangui?

15 A. [12:56:02] Yes, I remember. That's correct.

16 Q. [12:56:09] Do you remember at what time it was?

17 A. [12:56:14] I no longer remember when it was.

18 Q. [12:56:25] Court officer, could we show tab 25 from our notification list,
19 CAR-OTP-2008-2415, page 2501. 2501. 2502, apologies.

20 No, I'm sorry, 2501. I find difficulty reading it.

21 I was looking on the left, thank you. So if you could move it slightly right. Thank
22 you.

23 Now, your registration seems to have taken place on 10 July. Does that refresh your
24 memory, you were registered on 10 July with the tribunal?

25 A. [12:58:01] I just remember that one registration was carried out, but as regards

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1 the exact date, I no longer remember that -- I don't remember the date anymore. I'm
2 completely unaware of it.

3 Q. [12:58:31] Very well. Do you remember, Witness, if when you arrived at the
4 OCRB, you and all the people involved in the trial were taken together to the OCRB?

5 A. [12:58:42] Yes, that's correct.

6 Q. [12:58:51] Do you remember if you were registered when you arrived there, if
7 the people wrote your names down?

8 A. [12:59:02] I no longer remember. When -- well, we were transferred from
9 Camp de Roux, and we arrived and we were told to take our clothes off and then we
10 were put into a cell. If they registered us, that's something I don't know.

11 Q. [12:59:40] Thank you, Witness. I'm now going to give you -- or I'm now going
12 to read a statement from another witness. It's not you, but it's a statement of
13 somebody else who was accused at the same time as you.

14 And here, I'm looking at tab 31 in our list and it's 31.2 for the English version,
15 CAR-OTP-2107 -- it's CAR-OTP-2091-0054. I'm going to read paragraph 55.

16 Thank you, court officer.

17 I'll now read this out to you:

18 "Once we got out of the pick-up truck, the Seleka took us to a table that was in the
19 yard of the OCRB. There was one Seleka person who was in charge of registering
20 the detainees, he was seated at this table. He was wearing military attire. He was
21 speaking their language with the Seleka and Sango with us. He took note of my
22 name, my profession and the neighbourhood I lived in. He also asked me what had
23 happened to me. On the other hand, he did not ask me what ethnic group I came
24 from." End of quote.

25 Does that refresh your memory regarding your registration, Mr Witness?

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1 A. [13:01:57] No. I have no idea. I no longer require --

2 Q. [13:02:12] Thank you, Mr Witness.

3 MR FRANÇOIS-JACQUEMIN: [13:02:14](Interpretation) Your Honour, I see the
4 time.

5 PRESIDING JUDGE SAMBA: [13:02:18] Yes, Mr Witness, we are going to take a
6 break. We are going to go away for lunch and come back again at 2.30 and counsel
7 will continue with cross-examination.

8 So I will rise the Court and ask that we come again at 2.30. Thank you.

9 THE COURT USHER: [13:02:38] All rise.

10 (Recess taken at 1.02 p.m.)

11 (Upon resuming in open session at 2.33 p.m.)

12 THE COURT USHER: [14:33:09] All rise.

13 Please be seated.

14 PRESIDING JUDGE SAMBA: [14:33:34] Good afternoon, everyone. Mr Witness, we
15 are going to continue with your cross-examination by Mr François-Jacquemin.

16 And just for you to note that we are in open session, Counsel, and Mr Witness, we are
17 in open session.

18 Mr François-Jacquemin, your witness, please.

19 MR FRANÇOIS-JACQUEMIN: [14:34:02](Interpretation) Thank you very much,
20 Madam President.

21 Q. [14:34:08] Good afternoon, Mr Witness. Since we are in open session, please do
22 not say anything that might identify you.

23 Court officer, could you show the witness and the Court, but not to the public, tab 17,

24 *CAR-OTP-2135-3192, page 3196.

25 THE COURT OFFICER: [14:35:12](Interpretation) The page starts at 3199.

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1 MR FRANÇOIS-JACQUEMIN: [14:35:28](Interpretation) So it's 2135-3192. Page
2 3196.

3 Is it not tab 17 Madam Court Officer?

4 Ah I'm sorry, indeed it's...

5 THE COURT OFFICER: [14:35:46](Interpretation) It is actually tab 14.

6 MR FRANÇOIS-JACQUEMIN: [14:36:28](Interpretation) *It was our fault. Thank
7 you very much.

8 THE COURT OFFICER: [14:35:46](Interpretation) *Tab 14.

9 MR FRANÇOIS-JACQUEMIN: [14:36:28](Interpretation) Thank you, Madam Court
10 Officer. Can you scroll in so as to be able to see the entire page. Thank you very
11 much.

12 Q. [14:36:53] Mr Witness, this is your -- it's a procès-verbal of questioning of
13 11 July 2013 with the prosecutor, Madam Nicole Yolande Yamathia. Does this ring
14 a bell, Mr Witness?

15 A. [14:37:33] I can't see the document very well.

16 Q. [14:37:36] The document was slightly altered, but do you recognise your
17 signature at the bottom left, Mr Witness?

18 A. [14:37:54] Yes, I can see it.

19 Q. [14:37:55] During that questioning with the prosecutor, did you inform
20 the prosecutor of your conditions in custody.

21 A. [14:38:15] Yes, I explained to her what happened.

22 Q. [14:38:20] Do you remember whether she reread to you what you told her?

23 A. [14:38:35] No.

24 Q. [14:38:39] Very well. Thank you, Mr Witness. Can you tell us where this
25 questioning took place with the prosecutor on {PFR: (Redacted)}

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- 1 A. [14:39:00] I did not quite understand your question, can you repeat, please.
- 2 Q. [14:39:08] Mr Witness, this questioning with the prosecutor on {PFR: (Redacted)},
- 3 can you tell us where it took place, the location?
- 4 A. [14:39:27] It was at the Camp de Roux.
- 5 Q. [14:39:37] You are quite certain that on {PFR: (Redacted)} it was not at the OCRB
- 6 or at the court?
- 7 A. [14:39:53] You know, it was a long time ago, I have probably forgotten
- 8 the precise date.
- 9 Q. [14:40:04] Very well, Mr Witness.
- 10 Court officer, please, can you show the witness and the Court, but not the public,
- 11 please, tab 14 still, page 3197. It is CAR-OTP-2135-3192. Thank you, court officer.
- 12 Without reading it aloud, Mr Witness, can you see your name on that document?
- 13 (No interpretation)
- 14 A. [14:40:58] Yes, I can see my name.
- 15 Q. [14:41:02] Thank you, Mr Witness.
- 16 Court officer, can you show the witness the next page, please. Show it to the witness
- 17 and the parties and participants.
- 18 I will read it out to you.
- 19 You were questioned on {PFR: (Redacted)} and then there were breaks and food.
- 20 And now, court officer, can you show -- can you display the last page, please. 3199,
- 21 that is the next page, please. I made a mistake there. Page 3199, please,
- 22 court officer. I think it was the very next page on the tab that we were looking at.
- 23 Yes, that is the correct page. Thank you, court officer.
- 24 Mr Witness, do you recognise your signature on this document?
- 25 A. [14:43:02] Yes, I can see my signature.

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1 Q. [14:43:08] Thank you, Mr Witness.

2 *This end-of-custody or release from custody document was issued by a judicial
3 police officer called Emmanuel Bitho-Koyangozo. Does that ring a bell to you,
4 Mr Witness?

5 A. [14:43:44] No, I do not know that name.

6 Q. [14:43:52] I will come back to that, Mr Witness.

7 I will ask for the formal submission of this document now.

8 I will ask you a few questions. The person you were referring to as the colonel of
9 the OCRB in your statement when you were interviewed by the Prosecutor, *tab 1.3,
10 tab 1 for the English version, CAR-OTP-2127-7599, page 7623, paragraph 162.

11 Mr Witness, you stated in relation to the colonel of the OCRB, and I quote: "This
12 colonel was not a Central African, as he did not speak Sango. He was tall and in
13 good physical shape. And he had a beard, he wore a military uniform."

14 Is that correct?

15 A. [14:45:36] Yes, that is correct.

16 Q. [14:45:40] Thank you, Mr Witness.

17 I would like to have your reaction on what other witnesses said. I will read you
18 excerpts of other testimonies, that is from other people who were interviewed by
19 the Prosecutor.

20 Court officer, *tab 29.2, tab 29 for the English version, CAR-OTP-2130-5386, page 5392,
21 paragraph 28. And please do not show it to the witness, so as to avoid any
22 identifying information, please.

23 Let me read that testimony, Mr Witness:

24 "The head of the Seleka was quite tall, well built and wearing a military uniform. He
25 was a wearing a *kadamoul* on the day of our arrival but I could see his eyes. I did not

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1 pay great attention to him on those first -- on that first day because the situation was
2 very difficult. Subsequently, I saw him at the OCRB on several other days and I
3 recognised him because of his eyes and his build."

4 Does that correspond to what you said, Mr Witness, that is, what I have just read out
5 to you?

6 A. [14:47:37] No.

7 Q. [14:47:45] What are the differences that you can notice?

8 A. [14:47:57] I have no idea in relation to what you are saying.

9 Q. [14:48:06] Okay, I will repeat, Mr Witness.

10 Initially, I read to you your statements to the OTP in which you were describing
11 the colonel of the OCRB. And then you confirmed that those were your statements
12 according to as far as you could remember. Is that correct, Mr Witness? Are you
13 with me?

14 Are you with us, Mr Witness?

15 A. [14:48:53] Yes, I am with you. I am waiting for your question.

16 Q. [14:48:58] I reread to you your statements and then, secondly, I am reading
17 the statement of another witness and I am asking you whether it corresponds to your
18 memories. So I read that statement from another witness and I'm asking you
19 whether it is compatible with what you remember. Do you understand me,
20 Mr Witness?

21 A. [14:49:28] Yes, I can follow you.

22 Q. [14:49:34] Very well. I will reread his statement.

23 "The head of the Seleka was quite tall, well built and wearing a military uniform. He
24 was wearing a *kadamoul* on the day of our arrival but I could not see his eyes. I did
25 not pay great attention to him on that first day because the situation was very difficult.

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1 Subsequently, I saw him at the OCRB on several other days and I recognised him
2 because of his eyes and his build." End of quote.

3 This statement that I have just read to you, is it compatible with your memory, what
4 you can remember?

5 A. [14:50:39] I cannot lie, but at the time of the facts it was difficult to look at
6 somebody straight in the eyes, because when that was done I was slapped. So I
7 wanted to avoid torture and so I could not identify anyone at all.

8 Q. [14:51:02] Very well. It is because of that, because you talked to us about his
9 way of speaking and the way that -- the fact that he is not Central African.

10 I will reread to you a statement from another witness.

11 Tab 31 of our list of evidence, 31.2 for the English version. Please do not show it to
12 the witness or the public. It is CAR-OTP-2091-0054 and page 64, paragraph 54.

13 And I will read it out to you:

14 "*The colonel in charge of the OCRB - I no longer remember his name - also he
15 greeted the general and they exchanged a few words in Arabic. The colonel of the
16 OCRB was the same height as the investigator (1 metre 85). He was a big -- big bellied
17 and was wearing a boubou. Sometimes he would also wear a military uniform with a
18 red beret. He had a beard and a moustache. He drove a police pick-up. When the
19 general left, I think the colonel explained to his staff why we were at the OCRB. He
20 spoke in their language."

21 Does that correspond to what you can remember, Mr Witness?

22 A. [14:53:01] No.

23 Q. [14:53:02] Thank you, Mr Witness.

24 I will read another statement to you. *It is tab 32.1, tab 32 for the English version,
25 CAR-OTP-2127-9728, page 9742, for the beginning of the paragraph, right up to 9743,

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1 paragraph 72. I will read out this statement from the other witness.

2 THE INTERPRETER: [14:53:48] Madam President, can counsel wait for this to be
3 displayed?

4 PRESIDING JUDGE SAMBA: [14:53:55] Can you wait, Mr François-Jacquemin, for
5 this to be displayed, for the exhibit to be displayed?

6 MR FRANÇOIS-JACQUEMIN: [14:54:19](Interpretation) Can I continue now,
7 Madam President?

8 PRESIDING JUDGE SAMBA: [14:54:27] Mr Court Officer -- Madam Court Officer?

9 MR FRANÇOIS-JACQUEMIN: [14:54:32](Interpretation) Thank you,
10 Madam President.

11 Court Officer, please --

12 THE COURT OFFICER: [14:54:32](Overlapping speakers) not on the witness screen,
13 sorry.

14 PRESIDING JUDGE SAMBA: [14:54:42] Okay.

15 Mr François-Jacquemin, yes, continue, please.

16 MR FRANÇOIS-JACQUEMIN: [14:54:49](Interpretation) Thank you,
17 Madam President, I will try to keep with time without going too fast.

18 Q. [14:54:56] Mr Witness, I will read you paragraph 72 of this other testimony:

19 "On our way to the OCRB, I realised that Tolmo was following us in his vehicle,
20 a small grey vehicle. We arrived at the OCRB through the back gate. Then, Tolmo
21 left his vehicle outside and entered the premises on foot. Then he addressed
22 the group of Seleka who had their office under a tree. They were wearing identical
23 uniforms to those of the Seleka of the Camp de Roux. I realised that one of
24 the Seleka under the tree seemed to be the chief of the rest of the group, and Tolmo
25 spent most of the time appearing to discuss with him. The chief who was under

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1 the tree was tall, with a beard and a *kadamoul*, khaki *kadamoul* rolled around his head."

2 Mr Witness, does that correspond to what you can remember?

3 A. [14:56:15] No.

4 Q. [14:56:23] Thank you, Mr Witness.

5 I will now put to you questions on your *custody at the Camp de Roux.

6 Mr Witness, you remember that you were questioned by a judicial police officer

7 during your *custody at the Camp de Roux; do you remember that?

8 A. [14:56:49] Yes.

9 Q. [14:56:53] Thank you. Court officer, could you please display tab 17, page 31,

10 CAR-OTP -- CAR-OTP-2135-3192. Please do not show it to the public, please.

11 It is tab 14. In fact, there seem to be typing errors. We are sorry about that.

12 Page 3194, court officer, please. We will -- okay, very well.

13 Mr Witness, can you see the document? Please make a sign when you see

14 the document.

15 A. [14:58:46] Yes, I can see the document.

16 Q. [14:58:51] It is procès-verbal number 17 and it was issued by the police

17 commissioner at the OCRB headquarters, Emmanuel Bitho-Koyangozo.

18 You were the one being questioned. Can you see your name at the top of

19 the document, without reading it out?

20 A. [14:59:26] Yes, I can see my name.

21 Q. [14:59:30] Thank you. Very well.

22 Court officer, can we show page 3195, at the very bottom.

23 Thank you very much.

24 Mr Witness, it is the second page of your questioning. When you are able to see it,

25 please tell me if you recognise your signature.

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1 A. [15:00:09] Yes, I can see my signature.

2 Q. [15:00:15] Thank you very much, Mr Witness. Where was the questioning
3 conducted, Mr Witness?

4 A. [15:00:34] This document was drawn up at Camp de Roux.

5 Q. [15:00:36] Could you tell us what you remember about the person who was
6 questioning you.

7 A. [15:00:52] I don't really know much about that person. He came and he said
8 that he had come to try to determine what we had done at the time.

9 Q. [15:01:24] So he was trying to determine what you had done. Do you
10 remember the questions that he put to you?

11 A. [15:01:41] Well, you know, it was a very long time ago. I must have forgotten
12 some details.

13 Q. [15:01:50] I understand, Mr Witness. Do you remember how long it took?

14 A. [15:02:07] I had been subjected to a great deal of torture and I couldn't bear
15 the pain of the torture, so I'm not in a position to tell you how long the questioning
16 took.

17 Q. [15:02:22] I understand that. Now, to your knowledge, Mr Witness, the other
18 people who were involved in your case, were they also questioned by a police official
19 or officer of some kind, or by another person?

20 A. [15:02:49] We were being held in different cells. We weren't taken out at the
21 same time to be questioned. When they took me out, I didn't know whether other
22 people had been questioned before me. They brought me out alone and then, after,
23 they took me right back to my cell.

24 Q. [15:03:12] Thank you. But perhaps afterwards you talked to the others, maybe
25 at the OCRB or at the prison; do you know whether the other people had been

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1 questioned, or do you not know?

2 A. [15:03:33] I was treated differently in comparison to the others, so I wasn't in
3 a position to find out what the others had experienced. I can only tell you about
4 what I experienced. I can't tell you what the others experienced.

5 Q. [15:03:56] Very well, Mr Witness. Let's look at that from that perspective. Now,
6 when you were at Camp de Roux did you see President Djotodia?

7 A. [15:04:12] He was at his residence.

8 Q. [15:04:16] And where was his residence in relation to Camp de Roux?

9 A. [15:04:28] It was within the compound of the camp. You go into the camp and
10 then, when you go in, there's a little fence and then that's where he lived, that's where
11 he lived.

12 Q. [15:04:45] Did you ever see him during your time at Camp de Roux, was he
13 there from time to time?

14 A. [15:04:59] He was there.

15 Q. [15:05:04] Did you see him several times, Mr Witness?

16 A. [15:05:14] Well, they didn't bring us out from the cells at any and all times, so I
17 wasn't in a position to see him several times.

18 Q. [15:05:29] Thank you, Mr Witness.

19 Now, once again, when you were at Camp de Roux, did you see the prosecutor or her
20 assistant?

21 A. [15:05:43] I was in my cell, so I couldn't see who was there or not.

22 Q. [15:05:50] I realise that. Allow me to remind you of something that you said
23 previously, something that you said to the Prosecutor.

24 *This is tab 1.3, tab 1 English version of the prior recorded testimony. I'm going to
25 read paragraph 146 on page 7621. I'm going to read your interview back to you,

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1 Mr Witness, the one you gave in 2016.

2 "The [first] {PFR: (Redacted)}, we were taken to the area next to President Djotodia's
3 house where someone in civilian clothing from the prosecutor's office interrogated us
4 about the circumstances of our arrest and asked us about the crimes we had allegedly
5 committed." End of quote. Paragraph 146. Does that refresh your memory? Do
6 you remember meeting someone from the prosecutor's office, or an assistant?

7 A. [15:07:13] No, I didn't meet them. I have no idea.

8 Q. [15:07:28] You no longer know?

9 A. [15:07:38] It's not a matter of forgetting or not. If I knew I would say so, if
10 I don't know I will tell you so. And if I've forgotten something, I will tell you that I've
11 forgotten it.

12 Q. [15:07:52] Thank you for that, Mr Witness.

13 Did other people say -- well, if other people said as well that the prosecutor
14 apparently came, but since you don't remember, there's no point in my reading this to
15 you and asking you to respond. I heard your answer. Now I'm going to ask you
16 about your arrest. Do you remember approximately when you were arrested?

17 A. [15:08:30] Yes, I remember.

18 MR FRANÇOIS-JACQUEMIN: [15:08:43](Interpretation) I'd like to ask if we could
19 go into private session, your Honour, please.

20 PRESIDING JUDGE SAMBA: [15:08:47] Madam Court Officer, can we go into
21 private session briefly, please.

22 (Private session at 3.09 p.m.)

23 THE COURT OFFICER: [15:09:03] We are in private session, Madam President.

24 PRESIDING JUDGE SAMBA: [15:09:09] Yes, and Mr François-Jacquemin, maybe
25 before we go on (Overlapping speakers)

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1 I'm hearing the French version.

2 When you referred the witness to paragraph 146 of his prior recorded testimony, that
3 paragraph reads: "The sixth day (9 July)".

4 I see in the transcript referred to "The first day (9 July)".

5 It is just for the record to be corrected.

6 The witness's statement says: "The (Redacted), we were taken down to
7 the area next to President Djotodia's house where someone in civilian clothes from
8 the prosecutor's office interrogated us about the circumstances of our arrest and asked
9 us about the crimes we had allegedly committed."

10 It is just for clarification of the record.

11 Mr Jacquemin, you can continue, please.

12 MR FRANÇOIS-JACQUEMIN: [15:10:25](Interpretation) Thank you, Ma'am.

13 Indeed, correct, that's what I said.

14 Q. [15:10:36] Now, Mr Witness, when were you arrested?

15 A. [15:10:57] Between 10 a.m. and 11 a.m.

16 Q. [15:11:00] Thank you, Mr Witness.

17 And when did you get to Camp de Roux, around what time?

18 A. [15:11:15] When I was arrested, they took everything away from me. They
19 took my telephone, so I didn't know what time it was.

20 Q. [15:11:25] Very well, I understand that.

21 Now, in your statement that you gave to the investigators, you said that (Redacted)
22 (Redacted) left Camp de Roux with you. And how much time after was that, after
23 the time that you got to Camp de Roux?

24 A. [15:12:04] You're talking about the time I was arrested and to be taken to
25 Camp de Roux, or are you talking about something else that happened later?

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1 Q. [15:12:15] Indeed, I'm trying to understand how the various events unfolded
2 and in what sequence.

3 Now, you told us that you didn't have a telephone, you don't know when you got to
4 Camp de Roux, but how much time did you spend at Camp de Roux before you left
5 again, when you left again with (Redacted)

6 A. [15:12:54] About 30 minutes. I was taken there and other people were taken at
7 that time. They were beaten up. And they put me in the vehicle, then they brought
8 me back. So I really can't tell you how much time went by. They brought some
9 other people. They put me in the vehicle, they took me out, they brought other
10 people in, they beat people up. So we were going back and forth, in and out of
11 the compound in the vehicle until 1900 hours. *I was taken back to my cell at 7 p.m.,
12 so I couldn't know exactly what happened at what time.

13 Q. [15:13:40] Thank you, Mr Witness. Why did (Redacted) take you with him
14 when he left Camp de Roux again?

15 A. (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 Q. [15:14:23] Thank you, Mr Witness.

20 Now I'd like to ask you some questions about your dealings with the Office of the
21 Prosecutor.

22 Do you remember when you were contacted by the OTP for the first time,
23 Mr Witness?

24 A. [15:14:52] I don't remember.

25 Q. [15:14:57] Do you remember how they got in touch with you? Did someone

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1 come and see you? Did they call you on the telephone? How was contact
2 established?

3 A. [15:15:12] Who are you talking about?

4 Q. [15:15:15] I'm talking about the investigators from the OTP, the people to whom
5 you gave your statement in 2016.

6 A. [15:15:34] They met me at the (Redacted) after looking for me.

7 Q. [15:15:42] So they came to see you in person?

8 A. [15:15:48] Yes, that's right.

9 Q. [15:15:55] Do you know how they got the information that allowed them to
10 know that they should go and see you there?

11 A. [15:16:05] They said to me that they had come from the Court, or the tribunal,
12 and they got the information from there. And that is why they came to meet me.

13 Q. [15:16:19] Thank you, Mr Witness.

14 Did they explain why they wanted to talk to you?

15 A. [15:16:34] When they met with me, they asked me some questions about my
16 detention and I explained to them everything that had happened. They already had
17 the documents and they asked me some questions about my health during the entire
18 time in which I was in detention.

19 MR FRANÇOIS-JACQUEMIN: [15:16:58](Interpretation) I think we can go back into
20 open session, your Honour.

21 PRESIDING JUDGE SAMBA: [15:17:04] That's okay.

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

23 (Open session at 3.17 p.m.)

24 THE COURT OFFICER: [15:17:20] We are back to open session, your Honours.

25 PRESIDING JUDGE SAMBA: [15:17:23] Thank you very much.

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1 Mr François-Jacquemin, continue, please.

2 MR FRANÇOIS-JACQUEMIN: [15:17:29](Interpretation) Thank you, your Honour.

3 Thank you, Court Officer.

4 Q. [15:17:36] Now, when the investigators from the OTP first contacted you, what
5 language did they speak to you in?

6 A. [15:17:50] They spoke English and French.

7 Q. [15:17:57] Was there a Sango interpreter with them?

8 A. [15:18:07] No, there was no interpreter.

9 Q. [15:18:14] And did you understand French well enough to have a conversation
10 with them?

11 A. [15:18:24] Yes, I understand French.

12 Q. [15:18:30] And you speak French well enough to tell them about the events you
13 say you experienced, Mr Witness?

14 A. [15:18:45] I did my best. I did my best to explain those things to them.

15 MR FRANÇOIS-JACQUEMIN: [15:18:56](Interpretation) Court Officer, could we
16 please display for the parties and the witness tab 41, CAR-OTP-2043-0533. Now, it
17 has not yet been officially submitted.

18 Q. [15:19:29] Mr Witness, once you have the document up on the screen and can
19 see it, please let me know.

20 PRESIDING JUDGE SAMBA: [15:20:01] Counsel, the document is on the screen,
21 please.

22 MR FRANÇOIS-JACQUEMIN: [15:20:06](Interpretation)

23 Q. [15:20:09] Do you recognise this document, Mr Witness?

24 A. [15:20:15] Yes, I can see it. And I recognise it.

25 Q. [15:20:23] Now, this is a salary statement for you. Do you confirm that you

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1 handed it over to the OTP investigators when you gave your statement in 2016?

2 A. [15:20:39] Yes, that's right. This is my salary statement.

3 Q. [15:20:49] Now, this is a salary statement from 2014 and this was the only
4 identity document in your possession in 2016, Mr Witness?

5 A. [15:21:09] Yes, that's right.

6 Q. [15:21:11] I would like to request that this item be formally submitted.

7 Between 2013 and 2016 did you have an ID document reissued or redone for you?

8 A. [15:21:31] No.

9 Q. [15:21:38] Mr Witness, in 2022 you filled out an application to take part in
10 the proceedings as a victim; do you remember doing that, Mr Witness?

11 We do not have a response recorded on the transcript, but I believe I heard
12 the witness say "no".

13 A. [15:22:26] I said that I didn't hear the question.

14 Q. [15:22:33] I'll repeat it, Mr Witness.

15 In the year 2022 you made a request to take part in the proceedings as a victim; do
16 you remember that?

17 A. [15:22:50] Yes, I remember.

18 Q. [15:22:53] I'd like to read part of it out to you.

19 Court Officer, could we display tab 15, page 3810, CAR-OTP-2135-3799. Now, this
20 document is not on the record. CAR-OTP-2135-3799. It should not be displayed to
21 the public.

22 I'll read out the beginning of the paragraph at the bottom to you. You were speaking,
23 this is you talking:

24 "I'm not in a position to provide an identity card because I lost it and I didn't have
25 the time to have it reissued. But I have my professional card with me." End of

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1 quote.

2 When did you lose your identity card, Mr Witness?

3 A. [15:24:22] I no longer have one. I lost it a long time ago. I have my -- the card
4 that I now have --

5 Q. (Overlapping speakers)

6 THE INTERPRETER: [15:24:31] Overlapping.

7 THE COURT OFFICER: [15:24:32] Overlapping speakers.

8 PRESIDING JUDGE SAMBA: [15:24:49] Can I ask the witness to complete his
9 statement.

10 Mr Witness, you were saying the card that you now have, can you complete that for
11 us, please.

12 Mr Witness, can you hear me?

13 THE WITNESS: [15:25:16](Interpretation) Yes, I can hear you.

14 PRESIDING JUDGE SAMBA: [15:25:19] Can you complete your testimony. You
15 were saying that the card, the identity card that you now have, can you complete that
16 for us, if you may?

17 THE WITNESS: [15:25:42](Interpretation) I said that I lost my identity card and I
18 used my professional card to move about.

19 PRESIDING JUDGE SAMBA: [15:25:54] Thank you.

20 Counsel, continue, please.

21 MR FRANÇOIS-JACQUEMIN: [15:26:02](Interpretation) Thank you, your Honour.

22 Q. [15:26:06] Thank you, Mr Witness.

23 Could you provide this professional card?

24 When did you actually hand over this card, Mr Witness?

25 A. [15:26:28] The events occurred a long time ago, so I really couldn't tell you.

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- 1 Q. [15:26:39] Thank you, Mr Witness.
- 2 I would like to request formal submission of this item of evidence.
- 3 Madam Court Officer, if we could please, tab 1.3, tab 1 in English up on the screen,
- 4 except for the public. *This is CAR-OTP-2127-7599, page 7600.
- 5 THE COURT OFFICER: [15:27:37] Just for the record, the formal submission of
- 6 the previous item was tab 15? Yes, not related to the card. Thank you.
- 7 MR FRANÇOIS-JACQUEMIN: [15:28:02](Interpretation) Yes, quite so. It was
- 8 the salary statement.
- 9 PRESIDING JUDGE SAMBA: [15:28:25] Which tab was that, please?
- 10 MR FRANÇOIS-JACQUEMIN: [15:28:32](Interpretation) Tab 41, your Honour.
- 11 PRESIDING JUDGE SAMBA: [15:28:53] Continue, please.
- 12 MR FRANÇOIS-JACQUEMIN: [15:28:55](Interpretation) Thank you, your Honour.
- 13 Q. [15:29:03] Now, Mr Witness, when you gave a statement to the investigators you
- 14 said you were born in -- oh, if we could go into private session, your Honour.
- 15 PRESIDING JUDGE SAMBA: [15:29:17] Can we go briefly into private session,
- 16 please, Madam Court Officer.
- 17 (Private session at 3.29 p.m.)
- 18 THE COURT OFFICER: [15:29:34] We are in private session, your Honours.
- 19 PRESIDING JUDGE SAMBA: [15:29:37] Yes.
- 20 Carry on, counsel.
- 21 MR FRANÇOIS-JACQUEMIN: [15:29:42](Interpretation) Thank you, your Honour.
- 22 Thank you, Madam Court Officer.
- 23 Q. [15:29:47] You told the Prosecutor that you were born (Redacted) ; is that correct?
- 24 On (Redacted) ; is that correct?
- 25 A. [15:30:03] Yes, that's correct.

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1 Q. [15:30:04] Thank you.

2 Court officer, if we could please bring up on the screen tab 15 from our list. This is

3 CAR-OTP-2135-3799, page 3799. Page 3799, please.

4 Mr Witness, with the office of the victims you stated that you were born on

5 (Redacted). Now, what is your date of birth, Mr Witness?

6 PRESIDING JUDGE SAMBA: [15:30:57] Sorry, counsel, to be fair with the witness,

7 can you, if you could, read out what you have in brackets, to that date,

8 (Redacted), can you read that out for the witness's attention and for our

9 record, please.

10 MR FRANÇOIS-JACQUEMIN: [15:31:18](Interpretation) "I believe, but I have

11 problems remembering the precise date."

12 Q. [15:31:34] Mr Witness, I will ask you my question. To the victims office you

13 said that you were born on (Redacted) and you specified that had you did not

14 remember the precise date. And to the OTP you said that you were born on

15 (Redacted). With the OTP, on which basis did the investigators rely to

16 determine your date of birth, Mr Witness?

17 I will ask you my question again: On what did the investigators of the OTP rely to

18 determine your date of birth?

19 A. [15:32:57] I did not hear all your question. I think there's a network problem.

20 I did not hear your entire question.

21 Q. [15:33:14] No problem, Mr Witness.

22 Now, why did the investigators write that you were born on (Redacted)

23 A. [15:33:32] Because it is my date of birth.

24 Q. [15:33:38] Did you have a document with you -- do you have a document with

25 you that reminds you of the date of birth you gave with the OTP -- you gave to

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1 the OTP?

2 A. [15:33:57] Which document are you talking about?

3 Q. [15:34:01] I do not know, but since you seem to have problems remembering
4 your precise date of birth, I'm wondering whether you had a document indicating
5 that date of birth when you met with the investigators of the OTP, was that the case?

6 A. [15:34:26] No, we did not base ourselves on any document.

7 Q. [15:34:33] Thank you, Mr Witness.

8 Court officer, I would like to ask for the formal submission of tab 15.

9 Mr Witness, in which language did you speak with the investigators of the OTP?

10 A. [15:34:58] We spoke French.

11 Q. [15:35:05] At what time did you have access to a Sango interpreter for the very
12 first time, Mr Witness?

13 A. [15:35:22] They were asking me questions and I gave them answers. After that,
14 they called an interpreter to come and reread to me what they had written so that I
15 should determine whether what they had written was correct or not.

16 PRESIDING JUDGE SAMBA: [15:35:43] Counsel, is there anywhere in the document
17 that says there was a Sango interpreter, so that we look at it, in this statement?

18 Because, well maybe not your words, but what came in through the interpretation is
19 "at what stage a Sango interpreter came in". I'm sure that's what I heard.

20 "At what time did you have access to a Sango interpreter for the very first time?" But
21 when I look at the witness's statement, and you know the page that I'll be looking at,
22 there is nothing that says a Sango interpreter was present. So I'm just asking, maybe
23 there's a paragraph in that statement that says he had access to a Sango interpreter.

24 All we have there is a French -- somebody speaking English or French, or vice versa.

25 MR FRANÇOIS-JACQUEMIN: [15:36:57](Interpretation) Yes, I will clarify. I did

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1 not want to be unfair to the witness. I referred to the Sango interpreter that was
2 made available a few days ago when his statement was being reread to him. I just
3 wanted to know whether he might have had another interpreter at another time.

4 PRESIDING JUDGE SAMBA: [15:37:26] That's okay. Continue. Just for clarity of
5 the record. But continue, please.

6 MR FRANÇOIS-JACQUEMIN: [15:37:33](Interpretation) Very well. Thank you
7 very much, Madam President.

8 Q. [15:37:38] Mr Witness, did the investigators of the OTP give you a telephone for
9 communication purposes at that time?

10 A. [15:37:55] Which time?

11 Q. [15:37:59] It is up to you to tell me, Mr Witness. Did the OTP give you
12 a telephone at any point in time, and if so, when?

13 A. [15:38:20] I do not think so. I have forgotten.

14 PRESIDING JUDGE SAMBA: [15:38:27] Do you want us to still remain in private
15 session, counsel?

16 MR FRANÇOIS-JACQUEMIN: [15:38:34](Interpretation) I am concluding in a few
17 minutes, so I think it would be better to end in private session, so as to avoid
18 a problem.

19 PRESIDING JUDGE SAMBA: [15:38:50] Okay. Carry on. Carry on, please.

20 MR FRANÇOIS-JACQUEMIN: [15:38:57](Interpretation)

21 Q. [15:39:03] Mr Witness, do you remember receiving per diems or DSA by
22 the OTP? Were you financially compensated -- or, rather, reimbursed when you met
23 with the OTP personnel for transportation and other things?

24 A. [15:39:34] Yes, they paid my transport costs.

25 Now, regarding any other amounts, no, I did not receive anything else.

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1 Q. [15:39:49] Do you remember the amount of that money, the fares, they
2 reimbursed to you?

3 A. [15:40:03] It was transport fares.

4 Q. [15:40:11] Mr Witness, you had eight meetings. Do you know how much you
5 were given each time you met with them, that is if indeed they gave you money on
6 each occasion?

7 A. [15:40:32] I really do not know, but they would give me an amount of money
8 per day for my transportation fares.

9 Q. [15:40:47] Do you remember on the average how much money you received
10 each day? Do you have an estimate of that money that you received?

11 (Overlapping speakers)

12 A. [15:41:22] (No interpretation)

13 PRESIDING JUDGE SAMBA: [15:41:25] Can you repeat your answer, Mr Witness.

14 THE WITNESS: [15:41:39](Interpretation) There were many things, so I cannot
15 remember everything, so I cannot invent answers to give you.

16 MR FRANÇOIS-JACQUEMIN: [15:42:01](Interpretation)

17 Q. [15:42:03] Do you remember whether you were asked for a receipt for
18 the transport fares?

19 A. [15:42:16] For the transport costs, no.

20 Q. [15:42:27] Now, did the OTP take care of medical expenses or other
21 expenditures, Mr Witness?

22 A. [15:42:43] No.

23 Q. [15:42:45] Thank you. I have finished with the OTP. I will have some
24 questions to ask you about your links with the victims representation.

25 Mr Witness, at the time that you gave your prior statement to the OTP, did you

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1 inform the investigators of your desire to participate in the case as a victim?

2 A. [15:43:22] Yes, that is correct.

3 Q. [15:43:26] At that time, Mr Witness, had you been put in contact with anyone?

4 A. [15:43:40] Who, for example?

5 Q. [15:43:46] That is what I am asking you. Were you put in contact with anyone?

6 I cannot answer in your place, Mr Witness.

7 A. [15:44:06] There were people that I met to explain to them what had happened

8 to me. That's all, the people I met.

9 Q. [15:44:22] Mr Witness, do you remember having been contacted by

10 the investigators on 22 February 2022 to talk to you about the representatives of

11 the victims, that is if you remember?

12 A. [15:44:46] I no longer remember the date.

13 Q. [15:44:54] You don't remember the date, but you remember that initiation of

14 contact, Mr Witness?

15 A. [15:45:04] Yes, I remember having met with them. But I do not remember

16 the date.

17 Q. [15:45:20] Was it the Office of the Prosecutor that gave your contacts to the Legal

18 Representative of the Victims?

19 A. [15:45:30] Yes, that is correct.

20 Q. [15:45:39] So you did not have contact with the Legal Representative of

21 the Victims or the OTP to propose that you be a participating victim, that is between

22 2016 and that initiation of contact in 2022?

23 A. [15:46:10] I was not asked to participate in the procedure to be a victim. I was

24 the one who explained what had happened to me. It was not the OTP that

25 experienced all the things that I have told you about.

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1 Q. [15:46:34] After this contact in 2022, it was a Central African lawyer who
2 contacted you to meet with the Legal Representative of Victims; is that correct?

3 A. [15:46:50] Yes, that is correct.

4 Q. [15:46:56] Do you remember his name?

5 A. [15:47:06] The name of?

6 Q. [15:47:09] That is the Central African lawyer.

7 A. [15:47:20] *Maître* Dibert.

8 Q. [15:47:30] Is it *Maître* Dibert-Bekoy?

9 A. [15:47:43] Yes. Yes, he was the one who contacted me and spoke to me about
10 the International Criminal Court.

11 Q. [15:47:55] Thank you, Mr Witness.

12 Did you meet Mr Bekoy face to face, physically, I mean?

13 A. [15:48:04] Yes, I met with him on just one occasion.

14 Q. [15:48:15] Thank you, Mr Witness. Can you tell us who was present during
15 that meeting, during that contact?

16 A. [15:48:30] No, there was no one else.

17 Q. [15:48:38] And not even by telephone or video link?

18 A. [15:48:48] I'm simply telling you what I know. I cannot tell you something that
19 I am not aware of.

20 Q. [15:48:59] We agree on that, Mr Witness.

21 Now, that meeting, where did it take place, that contact?

22 A. [15:49:15] In the lawyer's office.

23 Q. [15:49:22] Do you know that in that firm there is another lawyer that is in
24 addition to Mr Bekoy?

25 A. [15:49:33] No, I do not know.

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1 Q. [15:49:40] If I tell you *Maître* Nicolas Tiangaye, does that ring a bell with you,
2 Mr Witness?

3 A. [15:49:53] *Maître* Nicolas Tiangaye is a Central African lawyer. I have heard
4 things about him, about cases in which he is defending people, but apart from that I
5 do not know anything else about him.

6 Q. [15:50:18] I am going to conclude, Mr Witness.

7 Mr Witness, (Redacted)

8 . I will ask you a few questions.

9 Court Officer, can you display tab 15, page 3801. It is CAR-OTP-2135-3799.

10 Thank you, Court Officer.

11 In this document that talks about your exchanges with the victims' representative and
12 you said: "(Redacted) ."

13 End of quote.

14 Mr Witness, when did that operation take place?

15 A. [15:51:41] I have told you that I experienced several things and I do not
16 remember the dates, so if you want me to give you dates I need to have documents at
17 hand, and without such documents, I cannot give you precise dates.

18 Q. [15:52:05] Did you have just one or several operations, Mr Witness?

19 A. [15:52:17] Just one.

20 Q. [15:52:21] And where were you operated upon, Mr Witness?

21 A. [15:52:31] (Redacted)

22 Q. [15:52:41] Did you receive any document that is following that operation, maybe
23 a report of the operation, for example?

24 A. [15:52:57] I did not receive any document. The treatment given (Redacted) are
25 totally free of charge, so they keep the documents with them, but I myself, I have no

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1 document relating to that.

2 Q. [15:53:20] Very well. I will be concluding, Mr Witness.

3 You filled a form to request participation, and that is a document that is displayed on
4 the screen before you. Did anybody assist you in filling out that document,
5 Mr Witness?

6 Court officer, could it be -- could you expand the page so that -- or, rather, zoom out
7 so that the witness can have a broader view of the document.

8 PRESIDING JUDGE SAMBA: [15:54:52] Maybe the first page.

9 MR FRANÇOIS-JACQUEMIN: [15:55:04](Interpretation)

10 Q. [15:55:07] Do you remember this document, application for participation,
11 Mr Witness?

12 A. [15:55:29] This is the first time that I am seeing this document.

13 Q. [15:55:36] Thank you, Mr Witness. So I will not ask you again who assisted
14 you, if you have never seen it.

15 Court officer, can you display page 3804 of that document, that is still tab 15. Thank
16 you, court officer.

17 Mr Witness, can you see the document?

18 A. [15:56:27] Yes, I can see it.

19 Q. (Overlapping speakers)

20 PRESIDING JUDGE SAMBA: [15:56:30] Can we go to the signature
21 page -- the signature portion of that page, please.

22 MR FRANÇOIS-JACQUEMIN: [15:56:42](Interpretation) Thank you, your Honour.

23 Q. [15:56:45] Mr Witness, do you recognise the signature on that document?

24 A. [15:56:57] Yes. It is my signature.

25 Q. [15:57:10] Thank you, Mr Witness.

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1 Madam President, I have no further questions with -- for this witness.

2 Thank you very much, Mr Witness.

3 PRESIDING JUDGE SAMBA: [15:57:20] Well, thank you very much,

4 Mr François-Jacquemin.

5 Mr Prosecutor, do you have any questions for this witness in re-examination, please?

6 Can we go into open session, please. Thank you.

7 (Open session at 3.57 p.m.)

8 THE COURT OFFICER: [15:57:47] We are back to open session, Madam President.

9 PRESIDING JUDGE SAMBA: [15:57:52] Do you have any questions, Mr Prosecutor,
10 in re-examination for this witness, please?

11 MR BIFWOLI: [15:57:59] No re-examination.

12 PRESIDING JUDGE SAMBA: [15:58:02] Thank you very much.

13 Now, Mr Witness, I have one or two -- I have two short questions for you, just for our
14 understanding of your testimony. And I am referring, Mr Witness, to your previous
15 recorded testimony at paragraphs 97 and 104. I'm not asking that it be put up.

16 You told the investigators of the Office of the Prosecutor when you spoke to them in
17 2016, you told them about two men who were arrested with you and they were
18 driven along with you past the OCRB and towards a river. You spoke about one of
19 them was a man with a battery, and the other one, a man who was arrested on
20 the side of the road with a bag. Do you remember?

21 THE WITNESS: [15:59:33](Interpretation) Yes, I remember.

22 PRESIDING JUDGE SAMBA: [15:59:34] Yes. Thank you.

23 So now you told the investigators, and I am looking at paragraph 102 of your prior
24 recorded testimony, you said {PFR: (Redacted)}

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted))

8 Now, my question to you: do you know who those persons were, the bodies you're
9 talking about?

10 THE WITNESS: [16:01:30](Interpretation) These were civilians who had been
11 arrested and then killed. They didn't do anything.

12 PRESIDING JUDGE SAMBA: [16:01:44] Thank you.

13 Now my second point is, and paragraphs 116 to 121 of your prior recorded statement
14 is what I'm looking at.

15 You said on the morning of 5 July, the Seleka removed {ICR : (Redacted)} and {ICR :
16 (Redacted)} from your cell but they brought in two young people in the evening, and
17 you said you don't know their names.

18 You said, later, all three of you were called out and blindfolded and driven out in
19 a vehicle and they took you out of the vehicle at a certain point. Your blindfold was
20 removed and you were given three bags to place bodies in. You remember that
21 testimony, do you?

22 THE WITNESS: [16:03:03](Interpretation) Yes, I remember.

23 PRESIDING JUDGE SAMBA: [16:03:04] Thank you.

24 And you said at paragraph 121: "I placed the body parts of each one of them in a bag"
25 and, with the help of one Seleka guard, you threw the bag down the slope and you

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1 were driven back to the prison house.

2 Now, do you know whose bodies those were that you threw down the slope in
3 the bag, Mr Witness?

4 THE WITNESS: [16:03:54](Interpretation) No, I didn't know those people. It was
5 already dark. They killed those people and they ordered me to carry out
6 the instructions they had given to me. That is what I did, because I said to myself
7 that one day I too might die and then someone would bury me.

8 PRESIDING JUDGE SAMBA: [16:04:22] Thank you very much, Mr Witness.

9 Mr François-Jacquemin, do you have any reaction to the questions just asked this
10 witness, please?

11 MR FRANÇOIS-JACQUEMIN: [16:04:36](Interpretation) I have no further questions,
12 your Honour.

13 PRESIDING JUDGE SAMBA: [16:04:43] Thank you very much, Counsel.

14 Now, Mr Witness, on behalf of the Chamber I wish to thank you very much for your
15 cooperation with the Court. We wish you well in your future endeavours. And
16 please remember to keep yourself safe, so you don't have to discuss your testimony
17 here or having cooperated with the Court with anybody. We do wish you well.

18 (The witness is excused)

19 PRESIDING JUDGE SAMBA: [16:05:16] And I'm going to rise the Court and ask that
20 we come again tomorrow to hear the Prosecution's next witness. Thank you very
21 much.

22 THE COURT USHER: [16:05:23] All rise.

23 *(The hearing ends in open session at 4.05 p.m.)*