

Trial Hearing
WITNESS: CAR-OTP-P-0119

(Private 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 Judge
6 Sergio Gerardo Ugalde Godínez
7 Trial Hearing - Courtroom 2
8 Friday, 14 June 2024
9 (The hearing starts in private session at 9.41 a.m.)
10 THE COURT USHER: [9:41:56] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:42:23] Good morning, everyone. Mr Court Officer,
14 can you please mention the case.
15 THE COURT OFFICER: [9:42:36] Good morning, Madam President. Good
16 morning, your Honours.
17 This is the situation in the Central African Republic II, in the case of the Prosecutor
18 versus Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
19 And for the record, we are in private session.
20 PRESIDING JUDGE SAMBA: [9:43:04] I was thinking we could be in open session
21 and get representation and announcement of the case, then we go into private session.
22 (Open session at 9.43 a.m.)
23 THE COURT OFFICER: [9:43:28] We are in open session, Madam President.
24 PRESIDING JUDGE SAMBA: [9:43:32] Thank you very much. Can you then,
25 therefore, kindly mention the case again for the record.

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- 1 THE COURT OFFICER: [9:43:38] Good morning, Madam President. Good
2 morning, your Honours.
3 This is the situation in the Central African Republic II, in the case of the Prosecutor
4 versus Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
5 And for the record, we are in open session.
6 PRESIDING JUDGE SAMBA: [9:43:56] Thank you very much, Mr Court Officer.
7 Can I ask for representations starting with the Prosecution, please.
8 MS MAKWAIA: [9:44:03] Good morning, your Honours. For the Prosecution this
9 morning, myself, Holo Makwaia, senior trial lawyer; Kamran Choudhry,
10 Marie-Jeanne Sardachti, trial lawyers; Alessia Vitiello, analysis assistant. Thank you.
11 PRESIDING JUDGE SAMBA: [9:44:18] Thank you very much, Ms Makwaia.
12 Counsel for the victims, please.
13 MS WALTER: [9:44:25] Good morning, Madam President, your Honours. I am
14 Caroline Walter for the Office of Public Counsel for Victims.
15 PRESIDING JUDGE SAMBA: [9:44:31] Thank you very much.
16 Ms Naouri for the Defence, please.
17 MS NAOURI: [9:44:36](Interpretation) Madam President, good morning. Next to
18 me, Mr Jacobs still; next to him, Elina Legat; and I am Jennifer Naouri, lead counsel
19 for Mr Said.
20 PRESIDING JUDGE SAMBA: [9:44:50] Thank you very much, Ms Naouri.
21 And for the record, I do take note that Mr Said is here in court with us.
22 A very good morning to you, Mr Said. I hope I see you well.
23 MR SAID: [9:45:07](Interpretation) Yes, good morning, Madam President.
24 PRESIDING JUDGE SAMBA: [9:45:10] Good morning, Madam Witness. Can you
25 hear me? Can you see me?

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1 WITNESS: CAR-OTP-P-0119 (On former oath)

2 (The witness speaks Sango)

3 (The witness gives evidence via video link)

4 THE WITNESS: [9:45:23](Interpretation) Good morning, Madam President. I can
5 hear you and I can see you clearly.

6 PRESIDING JUDGE SAMBA: [9:45:32] Good. Now, Madam Witness, we are going
7 to continue with your testimony. Before I ask the Prosecutor to continue putting
8 questions to you, I'm going to remind you that you're still under oath.
9 I'm going to ask that we go now into private session and continue with the testimony
10 of this witness, please, Mr Court Officer.

11 (Private session at 9.46 a.m.)

12 THE COURT OFFICER: [9:46:13] We are in private session, Madam President.

13 PRESIDING JUDGE SAMBA: [9:46:16] Madam Prosecutor, your witness, please.

14 MS SARDACHTI: [9:46:25](Interpretation) Good morning, Madam President.

15 Good morning, your Honours.

16 QUESTIONED BY MS SARDACHTI: (Interpretation) (Continuing)

17 Q. [9:46:41] Good morning, Madam Witness. How are you?

18 A. [9:46:44] Good morning, I'm doing very well, thank you.

19 * Q. [9:46:49] During your testimony yesterday -- well, I want to hark back to a few
20 points -- you told us that you had seen the bodies of (Redacted). Do
21 you remember seeing any other corpse in March, April 2013 in Boy-Rabe and whose
22 names you may remember?

23 A. [9:47:28] I remember seeing some dead bodies. Those in particular of one
24 pregnant lady who had been killed. I think I provided the photographs thereof to
25 the investigators. It was a young girl who was (Redacted). She had come

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1 to visit her family. * Her mother's name is (Redacted)-- and she is the
2 one who gave me the photographs after the young girl had been buried, and I handed
3 over those photographs to the investigators.

4 Q. [9:48:10] I'd like to show you a document, Madam Witness, at tab 5, the ERN is
5 CAR-OTP-2032-0786.

6 Can the court officer please display this document. It is a document that has not yet
7 been formally submitted.

8 Madam Witness, do you have the document before you?

9 A. [9:49:07] Yes, I do, and it is indeed the photograph that I handed over to the
10 investigators.

11 * Q. [9:49:21] Can you explain to the Court the circumstances of this death?
12 If you know about them, if you remember.

13 A. [9:49:40] At that time the girl was not at home, but her family was called up and
14 told that she had been shot at a particular location so the family went to that location
15 to collect the body.

16 Q. [9:50:13] You say that she was killed. Did you receive any information about
17 the persons who had killed her?

18 A. [9:50:27] She was killed by the Seleka.

19 Q. [9:50:37] Those who gave you that information, how did they know that it was
20 the Seleka?

21 A. [9:50:51] You see, at the time when she was killed, this was the time at which the
22 Seleka had arrived, had invaded the neighbourhood and had killed a significant
23 number of persons.

24 Q. [9:51:19] Can you give the Court further information about these -- about this
25 person? Who was she, what was her occupation, for example?

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1 A. [9:51:37] I have not understood your question. Who are you asking for
2 information about?

3 Q. [9:51:48] I am talking about the person on the photograph which you recognised.
4 Do you know what that person did in life?

5 A. [9:52:05] She was a lady -- a girl who sold oranges and peanuts. She didn't
6 work in any administrative capacity.

7 Q. [9:52:28] Madam Witness, let me show you a second document.

8 I request tab 6 to be displayed. The ERN number is CAR-OTP-2032-0787.

9 This document has not been formally submitted.

10 Do you recognise this document, Madam Witness?

11 A. [9:53:17] Yes, I do.

12 Q. [9:53:23] Can you tell us whose initials you see at the top of the document?

13 A. [9:53:33] Those initials are mine. That is the identification that I provided and
14 I handed the documents to the investigators of the OTP.

15 Q. [9:53:50] If I've understood you properly, this document is written in your own
16 hand; is that correct?

17 A. [9:54:04] Yes -- or, rather, this document was established with a view to stating
18 the matters relating to persons who had been killed or wounded, but the document
19 was drawn up by an NGO, and they handed it to me afterwards.

20 Q. [9:54:42] Very well, Madam Witness. Thank you.

21 We request the formal submission of the two documents in tab 6 and 7 of our list of
22 materials.

23 Let me move on to another topic now.

24 PRESIDING JUDGE SAMBA: [9:55:12] Counsel, this last document, was it tab 6 and
25 the one before it tab 5, because what we have on the record now is you're submitting

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1 formally tabs 6 and 7? Can you confirm whether it's, rather, 5 and 6?

2 MS SARDACHTI: [9:55:35](Interpretation) I'm referring to tabs 5 and 6, Madam

3 President, the two documents we have just shown the witness.

4 PRESIDING JUDGE SAMBA: [9:55:45] Thank you very much.

5 MS SARDACHTI: [9:55:54](Interpretation)

6 Q. [9:55:56] Madam Witness, I'll move on to another line of questioning.

7 Yesterday, you described to the Court the main reason for which you left M'Poko

8 following the aggression and following orders from Djotodia. Now, before this

9 event, had you already received any threats from the Seleka?

10 A. [9:56:37] I have already told you that (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Then the second threat pertains to the wound -- or injury I suffered from a bullet.

18 And then the third is in relation to the time when I was abducted. But at that time,

19 (Redacted). They shot at me and they damaged part of my house.

20 After they left, I decided to seek refuge in M'Poko.

21 MR JACOBS: [9:58:17](Interpretation) Madam President.

22 PRESIDING JUDGE SAMBA: [9:58:21] Yes, Mr Jacobs. Yes, Mr Jacobs.

23 MR JACOBS: [9:58:25](Interpretation) Good morning, Madam President.

24 I just want to take advantage of the end of this questioning to refer to what the

25 Prosecutor said that the victim was aggressed or attacked following orders from

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1 Djotodia. So I ask for reference for that. This has never been before the Court, so
2 could the Prosecutor please provide us with the reference to that particular idea.

3 Thank you very much.

4 MS SARDACHTI: [9:59:05](Interpretation) We are referring to the transcript,
5 page 53, from line 7, where it is mentioned -- that she talks about statements made by
6 another Seleka: "Djotodia asked me to go where she was found -- where she was
7 with the document and the Seleka answered 'How is that possible, Djotodia had all
8 the ability because he is the one who asked us to come and kill her'".

9 That's the reference. That's the reference.

10 MR JACOBS: [9:59:42](Interpretation) Thank you.

11 PRESIDING JUDGE SAMBA: [9:59:47] Carry on, Madam Prosecutor.

12 MS SARDACHTI: [9:59:58](Interpretation)

13 Q. [9:59:59] Madam Witness, yesterday you gave us names of Seleka members.

14 You talked about Mr Dhaffane, page 41, real-time French transcript; you referred to
15 Mr Moussa, and that is on page 42, lines 6 and 7; and also Mr Djotodia, page 42,
16 line 10.

17 Now, do you know their positions, their titles?

18 Let us begin with Mr Dhaffane. Do you know what position he occupied within the
19 Seleka?

20 A. [10:00:53] I can tell you that I do not know what was the title or function of
21 Dhaffane, but I know his name because he attended a meeting in which we were all
22 present, and he provided his phone contacts and introduced himself as Dhaffane.
23 During that period, we could not approach them and ask what their positions were.

24 Q. [10:01:32] Just a clarification in relation to that meeting which you talked to us
25 about yesterday. Who was chairing this meeting?

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1 A. [10:01:50] (Redacted), they arrived in a group while
2 we were already seated. There was Dhaffane, Moussa, Nouredine. They made
3 speeches, they gave out their numbers and then they left.

4 Now, when we came out of the room, there were many vehicles containing looted
5 items, so it was not possible to know who specifically had organised the meeting.

6 Q. [10:02:44] Yesterday, on page 41, 42, lines 28, 1, you said that Dhaffane gave you
7 their phone numbers. Did other Seleka members also provide their phone contacts
8 to you?

9 A. [10:03:07] Yes. Some of the Seleka members also provided their telephone
10 numbers. Dhaffane gave his number (Redacted)
11 (Redacted)

12 Q. [10:03:42] Do you remember these other people that you are talking about who
13 made their numbers available, their names?

14 A. [10:04:03] At the end of that meeting the person who can provide reliable
15 information is (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 Q. [10:05:16] Page 9, line 10, you referred to Dhaffane, Moussa and Nouredine.
22 Can you give us the full name of Nouredine, please?

23 A. [10:05:30] His first name is Adam.

24 Q. [10:05:48] And did you know which position he occupied?

25 A. [10:06:06] At that time, he was the one -- he was the one who was supposed to

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1 be president. But Djotodia auto-proclaimed himself over the radio as the president
2 and after Djotodia took power, we heard that he was Déby's cousin.

3 Q. [10:06:46] And can you describe him based on your recollections during that
4 meeting?

5 A. [10:07:09] Noureddine has the features of a Chadian. He does not resemble
6 people from the Central African Republic.

7 Q. [10:07:31] And did you hear him speak?

8 A. [10:07:53] I have told you that when they came into the hall, it was possible to
9 see that they were true warriors. That was my opinion, so we were very scared
10 while being in the room. We were afraid for our lives. They spoke in turn and after
11 they had finished speaking, they left the room.

12 Q. [10:08:37] Madam, you have said that they looked like true warriors. Were
13 they armed?

14 A. [10:08:52] I have told you that when they arrived, they were armed. They
15 entered the room with their weapons. They were followed by their teams. They
16 had packed their vehicles in front of the premises in which the meeting took place
17 and we were all waiting for what they were going to say. I've already told you that
18 we were all very afraid.

19 Q. [10:09:33] Had you seen Adam Noureddine prior to that meeting?

20 A. [10:09:52] I have told you that the first meeting took place (Redacted) and
21 the second meeting took place at M'Poko. I saw Noureddine again for the second
22 time in Ngaïssona's compound when I had taken shelter to see how they were
23 breaking down the gate in order to loot the property. This is someone that I did not
24 know, and it was a young person who told me, "Look, those are Noureddine and
25 Djotodia."

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1 Q. [10:10:55] Apart from Nouredine and Djotodia, were there other people there?

2 A. [10:11:12] There were many of them. They were there with their elements.

3 However, at that time we, could not ask any questions to know who were those
4 people with them.

5 Q. [10:11:36] And Mr Djotodia, how was he dressed? That is, if you remember.

6 A. [10:11:52] When they arrived, they were all dressed in military uniform.
7 No one was wearing civilian clothing.

8 Q. [10:12:19] Now, if you take as a point of departure the arrival of the Seleka in
9 Boy-Rabe, how much time elapsed when -- that is, before that event took place,
10 between the arrival of Seleka at Boy-Rabe and the event that you are talking about?

11 A. [10:12:51] When they seized power, they started committing acts of violence.
12 They occupied all the offices and the administrative premises. No one, no member
13 of the population could move about freely any longer. Students could no longer go
14 to school. The Seleka started circulating in the neighbourhoods and asking that
15 people should resume work. It was thereafter that they started convening the
16 meetings.

17 Q. [10:13:39] Now, coming back to what happened in Mr Ngaïssona's compound,
18 on page 11 you said that in Ngaïssona's compound "I had been hiding" to watch how
19 they were breaking down the gate to take out property.

20 Now, on the basis of what you saw and heard, can you say why they decided to
21 empty Mr Ngaïssona's house?

22 A. [10:14:19] When we went into hiding to observe that, because we could not
23 come out in the open, there was no electricity. They installed a lamp-post and that is
24 what attracted the young people who came and informed me. It was during the
25 night and they started by opening the container. And after the container had been

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1 opened, they ordered that it should be emptied and they realised that it contained
2 office furniture.

3 And Djotodia said, "But why are you telling lies? You said that Bozizé gave
4 weapons to Ngaïssona so that they should oppose us. Now we have come and this
5 is office furniture." He was very angry and he said, "Take all those things away and
6 take them to the presidency so that they could be used by the administration."

7 Q. [10:15:47] Just for clarification, you said "they". Who are those people? Who
8 are "they"? "They" asked that the containers should be opened, "they" ordered the
9 containers -- for the containers to be opened. Who are those people?

10 A. [10:16:12] I believe that I have already told you that Djotodia was present and he
11 had a team with him. He was the one who asked for the container to be opened.
12 He had travelled to that location because he had received information according to
13 which there was a container with weapons in Ngaïssona's compound, so he ordered
14 that the containers should be opened and he realised that it was not weapons, but,
15 rather, office furniture. He was very angry and he was reproaching the people who
16 had provided that information to him. We could hear what he was saying from our
17 hiding places.

18 Q. [10:17:07] Madam Witness, I would like to go back to open session, but before
19 that, let me put one question to you.

20 (Redacted)

21 (Redacted)

22 A. [10:18:09] Can you kindly repeat your question. I am not sure I quite
23 understood it.

24 Q. [10:18:17] (Redacted)

25 (Redacted)

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1 PRESIDING JUDGE SAMBA: [10:18:30] Madam --

2 THE WITNESS: [10:18:36](Interpretation) (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 PRESIDING JUDGE SAMBA: [10:19:10] I'm sorry.

8 Mr Jacobs, please. I'm sorry, I know the witness has given certain answers, but we'd
9 still like to know why you -- why you stood up.

10 MR JACOBS: [10:19:33](Interpretation) Madam President, the witness has already
11 answered, but it seemed to me that the first version of the question was correct, but
12 the second was much too leading. She started mentioning precise information that
13 the witness had not mentioned. But the witness has already answered as you have
14 said, Madam President, and we take note of that answer.

15 PRESIDING JUDGE SAMBA: [10:20:13] Continue, Madam Prosecutor.

16 Thank you.

17 MS SARDACHTI: [10:20:24](Interpretation) Madam President, I would like to show
18 some documents to the witness. I think we can go to public -- to open session and
19 then I will tell the court officer that the documents should not be shown to members
20 of the public. So can we please go to open.

21 PRESIDING JUDGE SAMBA: [10:20:48] You know, we have certain technical issues,
22 which if we go into open session, we will not be able to protect the witness. That is
23 why when we started off I asked that we go into private session even before you
24 asked that we go into private session. We have issues with the printer, so redactions
25 cannot be made. So let's stay in private session for the security of the witness, please,

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1 or for the protection of this witness.

2 MS SARDACHTI: [10:21:34](Interpretation) Very well, Madam President. Duly
3 noted.

4 Q. [10:21:45] Madam Witness, yesterday you told us that you remember giving a
5 statement to the members of the Office of the Prosecutor. And you also told us that
6 you remembered having provided documents.

7 Now, do you remember the type of documents that you provided to us?

8 A. [10:22:33] The documents that you have shown to me were part of the
9 documents that I gave to you. There is a complaint that I lodged myself you have
10 not yet shown to me. (Redacted)

11 (Redacted) which I had equally given to the representatives of the
12 Prosecutor.

13 Q. [10:23:29] Madam Witness, I would like to show you a document at tab 15.
14 And it is ERN CAR-OTP-2032-0803, and this document has not yet been formally
15 submitted.

16 Can you see that document in front of you, Madam Witness?

17 A. [10:24:13] Yes, I can see it. It is the complaint that I drafted.

18 Q. [10:24:32] Thank you, Madam Witness.

19 We would like to ask for this document to be formally submitted.

20 I would like to show you another document at tab 14.

21 And it is CAR-OTP-2032-0796. This document has not yet been formally submitted.

22 Do you have that document in front of you?

23 A. [10:25:31] Yes, I can see it on the screen.

24 Q. [10:25:34] Can you tell us what it is all about?

25 A. [10:25:40] (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. [10:26:37] And regarding those responsible, which -- what is the information
5 that you received?

6 A. [10:26:50] His son was not living in the same neighbourhood as myself. They
7 killed him in a neighbourhood that I do not know alongside two other people; so in
8 total, three people were killed and they dumped the bodies under the flag-pole.
9 Two families came and identified the bodies and the bodies were in a state of
10 decomposition, and those bodies were buried (Redacted).

11 Q. [10:27:38] If you remember, do you know when this happened? Do you
12 remember when this happened -- that is, if you take as a reference point the arrival of
13 the Seleka in the Boy-Rabe neighbourhood?

14 A. [10:28:02] That complaint, which was drafted by the father of that child, when
15 his son was buried, he did not know. He was still looking for his son. It was the
16 young people of the neighbourhood who brought him the information.

17 I no longer remember when those bodies were found. The situation was difficult at
18 the time and no one could note down days and dates to be able to remember what
19 happened. It makes me very sad to be sitting here giving you an account of those
20 incidents.

21 Q. [10:28:58] I understand you, Madam Witness, and, if you need a short break to
22 compose yourself, do not hesitate to ask.

23 A. [10:29:11] I need a break, please.

24 PRESIDING JUDGE SAMBA: [10:29:21] Madam Witness, can we give you, like,
25 two minutes, maybe to have some water, then we continue? We can go for some

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1 30 minutes more and take a longer break, is that okay? Can you go -- can you take
2 two minutes and have some water?

3 THE WITNESS: [10:29:59](Interpretation) Yes, that's fine with me.

4 PRESIDING JUDGE SAMBA: [10:30:06] You can -- you can --

5 Is there a field officer to help her?

6 You can get up, Madam Witness, and stretch your legs and have some water. We
7 will wait here for you.

8 (The witness exits the video-link courtroom)

9 PRESIDING JUDGE SAMBA: [10:30:42] Madam Prosecutor, how much more time
10 do you need with this witness, please?

11 MS SARDACHTI: [10:30:50](Interpretation) I think I would need 40 minutes.

12 PRESIDING JUDGE SAMBA: [10:31:05] That's noted.

13 (Pause in proceedings)

14 (The witness enters the video-link room)

15 PRESIDING JUDGE SAMBA: [10:33:04] Welcome back, Madam Witness.

16 Madam Prosecutor, can you continue with your examination-in-chief, please.

17 MS SARDACHTI: [10:33:18](Interpretation)

18 Q. [10:33:19] We shall now proceed with your questioning.

19 Now, I have one follow-up question on this event before moving on to something
20 else.

21 You have just told us at page 16, line 18, that "they" killed -- they killed the person.

22 Who is that "they" referring to?

23 A. [10:34:05] "They" refers to Seleka, because the bodies were taken away in their
24 vehicles, and they were wearing turbans. Those young people had been killed
25 elsewhere and the three bodies were brought to the foot of the flag and left there.

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1 Q. [10:34:48] Apart from (Redacted) and the photos, do you remember
2 submitting any other types of documents to us, Madam Witness?

3 A. [10:35:20] I provided a set of documents to you. However, it's been quite a
4 while and you have the documents. If you were to show me those documents,
5 I would be able to identify and recognise them if necessary.

6 Q. [10:35:48] I, therefore, want to show you a document at tab 16. And the ERN is
7 CAR-OTP --

8 But before doing so, I would like to ask for the formal submission of the previous
9 document, which is at tab 14. I forgot to ask for the formal submission of that
10 document and I am doing so now.

11 So I want to show you a document which is at tab 16. ERN number
12 CAR-OTP-2032-0807. It is not yet formally submitted.

13 I think there is a small mistake because what we want to see is CAR-OTP-2032-0808.
14 (Counsel confers)

15 MS SARDACHTI: [10:37:04](Interpretation) I am sorry. Please let us display again
16 the same document, CAR-OTP-2032-0807. That is the right document.

17 Please, can we go to the second page, which is page 0808.

18 Q. [10:37:44] Do you recognise this document?

19 A. [10:37:56] Yes. Those are the presidents who have ruled the Central African
20 Republic.

21 Q. [10:38:12] Do you remember handing over to us a DVD, Madam Witness?

22 PRESIDING JUDGE SAMBA: [10:38:15] Madam Witness, can you --

23 THE WITNESS: [10:38:16](Interpretation) Yes, I do recall.

24 PRESIDING JUDGE SAMBA: [10:38:25] Madam Prosecutor, you have been putting
25 the questions very well if she remembers handing over certain things or documents.

1 Now to ask her about a DVD, don't you think that's -- don't you think that's leading?

2 * MS SARDACHTI: [10:38:53](Interpretation) In fact, these are the documents that
3 she provided us during the interview, so if -- if you wish, I can show her the DVD, but
4 I do not quite see how to put a question about a document which she herself handed
5 over to us during our interview.

6 There is a link with the document, because she handed it to us. * I don't think that
7 this point is being challenged.

8 PRESIDING JUDGE SAMBA: [10:39:18] Well, yes, because, I mean, you know
9 there's a way of putting those kind of -- if you want to refresh her memory, that's
10 legally accepted. You did it before.

11 Sorry, yes, Mr Jacobs, why are you on your legs, please?

12 (Counsel confers)

13 *MR JACOBS: [10:39:48](Interpretation) Yes -- no, no. Well, Madam President, you've
14 said it all. Because this is a viva voce witness, so we use the previous statement as a
15 last resort to refresh her memory, indeed, and if the witness, for example, doesn't
16 remember having given a document, that's something to put on the record. We
17 weren't there, so we can't take certain things for granted. We've already had witnesses
18 who don't remember having given certain documents that were mentioned in the
19 prior statement, the previous witness being a case in point. So, Madam President, we
20 have to give the witness the opportunity to answer open-ended questions.

21 * MS SARDACHTI: [10:40:30](Interpretation) Do I have authorisation from you,
22 Madam President, to jog the witness's memory and quote a passage from her prior
23 statement?

24 PRESIDING JUDGE SAMBA: [10:40:40] You may do so, counsel.

25 MS SARDACHTI: [10:40:47](Interpretation) Madam President, thank you.

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1 Q. [10:40:49] Now, Madam Witness, I'm going to read an excerpt of your prior
2 statement which you gave to members of the OTP in May, June 2016.

3 For the record, it's paragraph 188, and I'm going to read the first sentence.

4 "I handed the OTP representatives during my interview a DVD entitled 'War Politics
5 in Central Africa,'" *Politique et Guerre en Centrafrique*.

6 Madam Witness, does that jog your memory?

7 A. [10:42:04] Yes. It has enabled me to remember, and I can confirm that I am the
8 one indeed who handed over this DVD to the OTP representatives.

9 Q. [10:42:29] Can you tell the Court how you, yourself, obtained this DVD?

10 A. [10:42:46] I received the DVD while I was in M'Poko. In fact, this DVD was
11 being sold at the M'Poko camp, and since this was something that concerns my
12 country, I bought the DVD and watched it, and I also had my children watch it at
13 home. So when the investigators of the OTP came to talk with me, I also handed
14 them the DVD because it dealt with something relating to my country.

15 Q. [10:43:33] Thank you, Madam Witness.

16 I would like to ask for formal submission of this document.

17 Yesterday -- and I'm now moving on to another topic.

18 Yesterday you told us that you sought refuge in M'Poko in 2013.

19 Now, if we take the arrival of the Seleka in Bangui as a reference point, how much
20 time later did you do that?

21 A. [10:44:34] I told you that I had not intended to seek refuge in M'Poko. (Redacted)
22 (Redacted), but because of the threats of the Seleka, I was not
23 able to resist. You see, I didn't flee at the beginning, and you have seen all the
24 documents that I have provided to you. You see, if I had fled when they arrived,
25 I would not have been able to provide you with all the documents. It is when the

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1 situation became unbearable that I left. But I am not in a position to give you a
2 specific date because the situation was serious and I don't remember exactly at what
3 time I left.

4 Q. [10:45:39] Can you describe to us the conditions in M'Poko while were you
5 there?

6 A. [10:46:00] While we were at the M'Poko base many things -- things were very
7 difficult because there were many refugees there. It was very sad, very sad to see
8 those children, to see those adults. You see, those of us who had some utensils in
9 our homes, well, when we got to the base we had to use plastic containers. It was
10 difficult. We had thought that things would be easier in M'Poko, but that was not
11 the case because the Chadian contingent did not give us any peace. You see,
12 vehicles were hijacked and taken to the M'Poko park. It is only much later that the
13 contingents from Congo and Chad became aware of this that things became better.
14 You see, the Chadians did not give us any peace because they were complicit with the
15 Seleka who came to the base and would shoot freely -- freely and indiscriminately.

16 Q. [10:47:47] How many people were there on average, or more or less?

17 A. [10:48:01] When I was at the base, I was a refugee. I was afraid of death.
18 Those who were in charge of counting the refugees were Cameroonians and
19 Congolese. What I know is that I met a number of persons there whom I knew.
20 There was a significant number of persons there. The president of the national
21 assembly, ministers, government officials had sought refuge there. But I did not
22 have neither the possibility nor the ability to count the number of persons who were
23 there.

24 Q. [10:48:54] I understand, Madam Witness.

25 Did you have opportunity to speak with other refugees?

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1 A. [10:49:16] The person with whom we had some discussions was the
2 former -- was a former member of parliament who had also previously been a
3 minister. His name is Serge Wafio. He no longer lives in Bangui today. But, you
4 see, there were several inhabitants of Boy-Rabe who had sought refuge at M'Poko.
5 We drank water from plastic containers, as I have already explained to you.
6 I also had discussions with someone whose name is Aba. He was a customs official
7 and he used to live in Boy-Rabe. Another person with whom I talked was the junior
8 brother of Ngaikosset. He was being sought after by the Seleka and, so, he sought
9 refuge in M'Poko.
10 There was also Colonel Guy Massa and many people who may not be alive today.
11 I can also mention General Wandé, the late General Wandé -- and General Metekouen,
12 former general director of the gendarmerie, also sought refuge in M'Poko. He is still
13 alive.

14 Q. [10:51:19] You said that several inhabitants of Boy-Rabe had sought refuge there.
15 Yes, several inhabitants. Page 14, line 21.
16 Did they tell you why they had sought refuge there?

17 A. [10:51:44] I can mention the example of Mr Serge Wafio. The Seleka went to his
18 home, abducted him and they intended to kill him. He was a refugee in M'Poko.
19 The younger brother of Mr Ngaikosset was hunted down by the Seleka, he fell into a
20 canal and even today he still has problems, but he got some help from a number of
21 individuals and he ended up seeking refuge at M'Poko.
22 So all these people sought refuge in M'Poko for a perfectly valid reason and that
23 reason is the Seleka.

24 Q. [10:52:32] Madam Witness, I would like to show you an excerpt from the DVD
25 that you provided.

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1 For the ERN number, and I'm referring here to tab 17, ERN numbers here are

2 CAR-OTP-2032-0809.

3 I would like to play first excerpt on line 3 at 03:09:15 up to --

4 THE INTERPRETER: [10:53:15] Sorry, the interpreters did not get all the references
5 to the video excerpt. Up to 01:09:30.

6 So from 01:09:15 to 01:09:50 -- 09:30, rather.

7 MS SARDACHTI: [10:53:43](Interpretation) Could the court officer please play that
8 excerpt.

9 (Viewing of the video excerpt)

10 MS SARDACHTI: [10:54:46](Interpretation)

11 Q. [10:54:48] Madam Witness, did you see that excerpt?

12 Do you recognise that location?

13 A. [10:55:27] That is the site for the displaced persons, and I can see that those are
14 some inhabitants from the neighbouring -- or surrounding neighbourhoods located
15 around the M'Poko airport.

16 Q. [10:55:52] Very well, Madam Witness.

17 Now, I also want to show you another excerpt of this DVD.

18 Yesterday, after I jogged your memory, you told us -- and I'm referring to the
19 transcript page 23, 24, lines 27.

20 You said that they had strong ropes which are usually used for tying cattle -- "that's
21 what they used to tie up their victims and they used the system which I already
22 mentioned, that is how they tied up the victims."

23 So now I would like to play tab 17, CAR-OTP-2032-0809, second
24 segment -- 33:58:00 up to 34:11:00 for the time stamp.

25 (Viewing of the video excerpt)

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1 MS SARDACHTI: [10:57:38](Interpretation)

2 Q. [10:57:40] Witness, can you tell us what these images depict?

3 A. [10:57:55] Those are the ropes that the Seleka used to tie up the people of the

4 Central African Republic. The Seleka tied up (Redacted)

5 (Redacted). He was tied up according to this method and then he became

6 paralysed. His mother-in-law who was a midwife provided some treatment to him,

7 but, unfortunately, he did not regain his health. He is still in Bangui, and today he

8 lives in Brazzaville. He's no longer in Bangui, (Redacted).

9 Another person is (Redacted). The Seleka tried him up and beat him up

10 thoroughly and he was left to take care of himself. He struggled and, finally, was

11 able to reach some members of his family. (Redacted).

12 Q. [10:59:26] Before I give you any follow-up questions on the two persons you

13 have just mentioned, do you know the name of the method which you have just

14 mentioned?

15 A. [10:59:42] The method was called by the Seleka as *arbatachar*.

16 MS SARDACHTI: [10:59:59](Interpretation) Madam President, I see it's 10:59.

17 I will soon be done with examination-in-chief. I have a number of follow-up

18 questions relating to the two cases the witness has just mentioned. I could take

19 10 minutes and complete my examination now, or we can proceed after the break.

20 I am in your hands, Madam President.

21 PRESIDING JUDGE SAMBA: [11:00:26] Let me ask the views of the Defence.

22 Ms Naouri, can you spare 10 minutes?

23 * MS NAOURI: [11:00:41](Interpretation) Thank you, Madam President. I don't think it makes

24 any difference if we take a break and resume in 10 minutes. So, I think the best thing is to

25 simply stick to the schedule, take the break now and then come back as scheduled, in the

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- 1 normal way, so that Mr. Said can rest a little during the break. There you have it.
- 2 PRESIDING JUDGE SAMBA: [11:01:04] Well, yes. Just that we also note that we started,
- 3 like, 10 minutes late. But if that's your position, I'll rise the Court and ask that we come at
- 4 11:30 and you'll have the continuous of your examination-in-chief. Thank you.
- 5 THE COURT USHER: [11:01:23] All rise.
- 6 (Recess taken at 11.01 a.m.)
- 7 (Upon resuming in open session at 11.33 a.m.)
- 8 THE COURT USHER: [11:33:01] All rise.
- 9 Please be seated.
- 10 PRESIDING JUDGE SAMBA: [11:33:25] Good morning again, everyone.
- 11 Madam Witness, we are going to continue with obtaining your testimony-in-chief.
- 12 Can I confirm whether or not we're in open or private session? We're in open
- 13 session.
- 14 I'm informed that -- Madam Prosecutor, I'm informed that you could try putting
- 15 questions to this witness while we're in open session, but please be mindful because
- 16 we still have the issue as to printing or redacting information for her protection.
- 17 So, Madam Prosecutor, you can continue putting questions to this witness, please.
- 18 Thank you.
- 19 We are in open session.
- 20 MS SARDACHTI: [11:34:24](Interpretation) That is noted, Madam President.
- 21 Q. [11:34:29] So, Madam Witness, I'm going to do my very best to be very careful
- 22 with a view to staying in open session.
- 23 Now, at an earlier stage you gave us two names of victims. I'm not going to repeat
- 24 them, in order for us to stay in open session. I'm going to refer to the first person as
- 25 "Mr S" and second person as "Mr X". Do you agree with that?

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1 A. [11:35:03] Yes, I have understood.

2 Q. [11:35:07] Now, at page 25, line 14 of the transcript, you spoke to us about Mr S.
3 Had you seen that scene with your very own eyes?

4 A. [11:35:44] Please shed light on the matter a little bit for me.

5 PRESIDING JUDGE SAMBA: [11:35:47] Okay, you know, to make it easier, so that
6 you can mention the name and help the witness, let's go back to private session,
7 please. Let's go back, shortly, to private session. It will be easier.

8 (Private session at 11.36 a.m.)

9 THE COURT OFFICER: [11:36:11] We're in private session, Madam President.

10 PRESIDING JUDGE SAMBA: [11:36:13] Thank you very much, Mr Court Officer.
11 Counsel, please put the question.

12 MS SARDACHTI: [11:36:22](Interpretation)

13 Q. [11:36:24] So, Madam Witness, you gave us the names of two victims before we
14 took the break. At page 25, line 15 -- line 14, real-time French transcript, I noted
15 (Redacted), and the second victim, (Redacted), at page 25, line 19.

16 I suggest to you, for us to be able to remain in open session, that we refer to the first
17 as "Mr S" and the second as "Mr X". Is that clear for you?

18 A. [11:37:15] Yes, I have understood that very well now. However, I would like to
19 tell you that "S", it's not (Redacted).

20 PRESIDING JUDGE SAMBA: [11:37:38] Okay. So let's remain in private session,
21 counsel. Let's remain in private session.

22 Put the questions, yes.

23 MS SARDACHTI: [11:37:54](Interpretation)

24 Q. [11:37:55] So we are in private session, Madam Witness, and you can freely say
25 the names of the individuals.

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- 1 So you asked for me to shed light on the matter. I'm coming back to the transcript.
- 2 When talking about (Redacted) - that's for the
- 3 transcript - you said: A young man who was (Redacted) and who was
- 4 tied up according to that method.
- 5 That is line 14 to 15 of page 25.
- 6 Do -- or did you yourself see that he was tied up according to that method?
- 7 A. [11:38:53] When he was arrested, no one was in the know. They put him in
- 8 their vehicle and they drove him to PK9, where they tied him up. When he fled,
- 9 attempting to flee, he broke free of his bonds and, until he got to the asphalt, he talked
- 10 to people (Redacted)
- 11 (Redacted) I called his parents who came to pick him
- 12 up. They then had him treated, but the other person who was kidnapped said that
- 13 there were a number of people who were detained there and they were tied up.
- 14 They were detained at the presidency and they would -- they were being executed
- 15 one after the other. And amongst the detainees who were tied up at the presidency
- 16 was a person who knew the victim and who released them and enabled him to flee.
- 17 (Redacted)
- 18 (Redacted) would have lost his life at the
- 19 presidency. He really had to go through intense treatment and he no longer resides
- 20 in Bangui, (Redacted).
- 21 PRESIDING JUDGE SAMBA: [11:40:41] Madam Prosecutor, the item
- 22 number -- tab 17.
- 23 MS SARDACHTI: [11:40:50](Overlapping speakers)
- 24 PRESIDING JUDGE SAMBA: [11:40:52] Submission, please, if you may.
- 25 MS SARDACHTI: [11:40:56](Interpretation) Yes, yes, I had noted it down and thank

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1 you to -- for reminding me. I request that tab number 7 be officially submitted into
2 evidence, please.

3 Q. [11:41:15] Now, I would like to come back to (Redacted), whom you
4 talked about at page 25, line 19. Who was that person? Can you tell us about his
5 ethnic origin, his religion, et cetera, as to who he was.

6 A. [11:41:46] He is of Mandja ethnic origin and lives (Redacted)
7 (Redacted)

8 Q. [11:42:09] Very well, Madam Witness.

9 I have a last question for you and we'll be able to go into open session, it would seem
10 to me.

11 We are going to go into open session, I'm going to be putting a very general question
12 to you, so please provide us with a general answer. (Redacted)

13 (Redacted). This is my last question to you so be careful
14 to not say anything that might be identifying, please.

15 PRESIDING JUDGE SAMBA: [11:42:40] Mr Court Officer, can we go into open
16 session, please.

17 (Open session at 11.42 a.m.)

18 THE COURT OFFICER: [11:42:56] We're back in open session, Madam President.

19 PRESIDING JUDGE SAMBA: [11:42:59] Thank you very much.

20 Madam Prosecutor, please put your question.

21 MS SARDACHTI: [11:43:04](Interpretation)

22 Q. [11:43:12] Madam Witness, what was the impact and the consequences of all
23 the events that you recounted to us in the context of your testimony on
24 the inhabitants of Boy-Rabe?

25 A. [11:43:48] Thank you for that question.

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1 Today I suffer from high blood pressure. I no longer have the health that I had

2 before and this is because of the events. {ICR: (Redacted)}

3 (Redacted)}

4 Q. [11:44:18] Madam, I'm going to stop you right away, please.

5 PRESIDING JUDGE SAMBA: [11:44:37] Yes, Madam Prosecutor, why?

6 MS SARDACHTI: [11:44:40](Interpretation) I think we should go back into private

7 session, please.

8 PRESIDING JUDGE SAMBA: [11:44:49] Madam -- Mr Court Officer, can we go back

9 into private session, please.

10 (Private session at 11.45 a.m.)

11 THE COURT OFFICER: [11:45:05] We are in private session, Madam President.

12 PRESIDING JUDGE SAMBA: [11:45:07] Thank you very much.

13 Counsel, please continue.

14 MS SARDACHTI: [11:45:12](Interpretation)

15 Q. [11:45:15] So, Madam Witness, I had to stop you for reasons of confidentiality,

16 but you can continue now. You were saying that because of these events... You can

17 continue your narrative, we are now in private session.

18 A. [11:45:47] Thank you. As I had just said to you, because of everything that

19 happened and what I saw, I am a woman, I buried people, and all of that really

20 traumatised me and I now suffer from high blood pressure.

21 (Redacted)

22 (Redacted). And then,

23 when she got there, she suffered from a heart attack and she died.

24 My son, to date, is a delinquent. He is in (Redacted). He saw all those events.

25 He fled and he sought refuge there. I went to get him in order for him to continue

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1 studying, but he refused. He said all these bodies that he saw, everything that he
2 saw, he has become a delinquent in (Redacted). When you go to (Redacted)
3 you'll see many young men and women who have all become, I don't know what to
4 call it, delinquents.

5 Most of them were inhabitants of Boy-Rabe who were frightened and went there and
6 no longer want to come back to Bangui. They paint nails, they do lowly paid jobs
7 and this is everything that the Seleka brought to us.

8 Q. [11:47:20] Thank you, Madam Witness, for your patience. That was my last
9 question to you.

10 Madam President, your Honours, that concludes our examination-in-chief.

11 PRESIDING JUDGE SAMBA: [11:47:33] Thank you very much, Madam Prosecutor.

12 Mr Court Officer, can we go back into open session, please.

13 (Open session at 11.47 a.m.)

14 THE COURT OFFICER: [11:47:50] We're back in open session, Madam President.

15 PRESIDING JUDGE SAMBA: [11:47:52] Thank you very much.

16 So, Madam Witness, I'm now going to ask the Defence for Mr Said to put some
17 questions to you in cross-examination. Thank you very much for your patience.

18 Ms Naouri, questions to this witness, please.

19 MS NAOURI: [11:48:14](Interpretation) Thank you, Madam President. Once again,
20 the cross-examination will be conducted by Mr Dov Jacobs.

21 PRESIDING JUDGE SAMBA: [11:48:27] Noted.

22 Mr Jacobs, then your witness, please.

23 MR JACOBS: [11:49:05](Interpretation) Thank you, Madam President.

24 QUESTIONED BY MR JACOBS: (Interpretation)

25 Q. [11:49:11] Good morning, Madam Witness.

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1 A. [11:49:19] Good morning.

2 Q. [11:49:21] Now, my name is Dov Jacobs and I'm going to be putting questions to
3 you today on behalf of the Defence for Mr Said.

4 As Madam President explained to you, and I'm going to remind you at the beginning
5 of our discussions, everything that we are saying to each other is being translated into
6 French and English for the judges and I'm going to be making sure that I wait after
7 your response before I put my next question and I'm going to ask you to do the same.
8 So when I put a question to you, please wait a few seconds before you answer so that
9 everything is correctly transcribed for the record. Is that all right, Madam Witness?

10 Have you understood or heard what I just said to you, Madam Witness?

11 A. [11:50:30] Yes, I have understood only too well.

12 Q. [11:50:36] Perfect. Thank you.

13 Now, Madam President, for my first questions we'll need to go into private session,
14 with your leave.

15 PRESIDING JUDGE SAMBA: [11:50:47] Mr Court Officer, can we go into private
16 session, briefly, please.

17 (Private session at 11.51 a.m.)

18 THE COURT OFFICER: [11:51:02] We're in private session, Madam President.

19 PRESIDING JUDGE SAMBA: [11:51:05] Thank you very much.

20 Mr Jacobs, your witness, please.

21 MR JACOBS: [11:51:23](Interpretation) Thank you.

22 Q. [11:51:29] Now, Madam Witness, you told us yesterday that you (Redacted)
23 (Redacted)?

24 A. [11:51:56] (Redacted).

25 Q. [11:52:10] Very well. (Redacted)

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1 (Redacted); is that correct, Madam Witness?

2 A. [11:52:27] That is correct.

3 Q. [11:52:33] Very well. Who was the president of the Republic at that moment in
4 time, Madam Witness?

5 A. [11:52:53] (Redacted), it was André Kolingba who was
6 president of the Republic.

7 Q. [11:53:17] Very well. Could you tell us a little bit more about how (Redacted)
8 (Redacted)

9 A. [11:53:38] (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 PRESIDING JUDGE SAMBA: [12:28:51] Yes, Madam Witness, can we hear you?
- 13 THE WITNESS: [12:29:04](Interpretation) I would like to take a break to ease myself.
- 14 I would like to take a break to ease myself. Do you hear me?
- 15 PRESIDING JUDGE SAMBA: [12:29:27] Yes, I can hear you. That's okay. Go and
- 16 come back. We'll wait for you.
- 17 (The witness exits the video-link room)
- 18 (Pause in proceedings)
- 19 (The witness enters the video-link room)
- 20 PRESIDING JUDGE SAMBA: [12:32:17] Welcome back, Madam Witness.
- 21 Mr Jacobs, please continue your questions to this witness.
- 22 MR JACOBS: [12:32:28](Interpretation) Thank you, Madam President.
- 23 Q. [12:32:50] Now, my last question (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

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

13 Now, Mr Courtroom Officer, could we please bring up document

14 CAR-OTP-2123-0285, which is tab 33 on our list of notifications. And I should have

15 told you that this document can be shown to the witness, Mr Courtroom Officer.

16 So we can see the first page of this document and, for the record, I'm going to read it

17 out. It is written -- I'm going to say it in English.

18 (Speaks English) (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted), Madam Witness?

22 A. [12:37:14] I do not remember.

23 Q. [12:37:18] Very well.

24 Mr Courtroom Officer, could we please bring up 0341, page 0341 of this very

25 document.

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1 Perfect.

2 So -- sorry, I can hear Sango in my EarPod.

3 So, we can see written "Annex II - List of People and Organisations Consulted" at the
4 bottom of the page.

5 Now, could we please bring up 0347, that page, please, courtroom officer. And can
6 we please zoom in to the bottom of the page.

7 Could we go down a little bit further. Thank you, Mr Courtroom Officer.

8 So here we can see (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Madam Witness?

13 A. [12:39:17] Yes, I can see it.

14 Q. [12:39:27] So, according to this document, you allegedly (Redacted)

15 (Redacted) in the context of their mission. Does this assist in refreshing your
16 memory, Madam Witness?

17 A. [12:39:42] I do recall.

18 Q. [12:39:54] Very well. Now, here is written (Redacted) so,

19 (Redacted)

20 So, if I understand correctly, in the year 2014 when this report was drafted, you were
21 part of an -- (Redacted); is that correct, Madam Witness?

22 A. [12:40:24] This was a (Redacted) that had

23 been set up. But it wasn't in Bangui. It was not in Bangui. And I was (Redacted)

24 (Redacted)

25 Q. [12:40:52] Very well. Thank you for asking one of my questions that was to

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1 the effect what does (Redacted) mean.

2 Now, you say that that (Redacted) was not in Bangui. Where was it,

3 Madam Witness?

4 A. [12:41:12] (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. [12:42:59] So I'm just trying to place this in time, Madam Witness. I'm just

15 reminding you for us to be clear, the document that is up before us on the screen is

16 (Redacted)

17 (Redacted)

18 A. [12:43:36] It is not that document. I said to you that when we went (Redacted) and

19 we set up (Redacted), subsequently we went to (Redacted). But when those people

20 called us in order to attend this meeting, (Redacted)

21 (Redacted), and

22 that's why we did what is here before you.

23 Q. [12:44:29] So just to help you - and for it to be clear for the record and to situate

24 things in time, Madam Witness - in your prior statement, which is tab 1 for

25 the English version and 1.2 for the French version, CAR-OTP-2107-1295, at page 1321,

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1 at paragraph 163, you told the OTP investigators that you had (Redacted)

2 (Redacted)

3 (Redacted)

4 So I understand from what you said to the investigators that that (Redacted)

5 (Redacted); do you remember, Madam Witness?

6 A. [12:45:50] I do remember.

7 Q. [12:46:03] So, from what I understand from your testimony, to locate us

8 temporally speaking, so at that moment (Redacted)

9 (Redacted); is that correct, Madam Witness?

10 A. [12:46:34] That is correct.

11 Q. [12:46:40] And just to continue sequentially in time, I understand that in the year

12 (Redacted); is

13 that correct, Madam Witness?

14 A. [12:47:03] That is correct. (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. [12:47:28] Very well. So now that we have placed things in time, a few

18 moments ago you said that the association is no longer in existence. Now, when did

19 it cease to exist, Madam Witness?

20 A. [12:47:49] (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted). That's why it did not exist.

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1 Q. [12:48:46] Thank you very much, Madam Witness.

2 I have finished with that document and I request that it be formally submitted.

3 So, for the record, it's tab 33, CAR-OTP-2123-0285.

4 So, Madam Witness, you started explaining to us at an earlier stage that there were

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted). Is that okay, Madam Witness? So you do not expose yourself.

14 THE WITNESS: [12:51:00](Interpretation) I have understood very well.

15 PRESIDING JUDGE SAMBA: [12:51:03] Okay. So I'm going to ask the court officer

16 to get us into open session.

17 Mr Court Officer, can we go into open session, please.

18 (Open session at 12.51 p.m.)

19 THE COURT OFFICER: [12:51:23] We're back in open session, Madam President.

20 PRESIDING JUDGE SAMBA: [12:51:27] Mr Jacobs, your witness, please.

21 MR JACOBS: [12:51:37](Interpretation)

22 Q. [12:51:37] So, Madam Witness, what are the administrative subdivisions of
23 the town of Bangui?

24 A. [12:51:58] The town of Bangui comprises arrondissements, and in each
25 arrondissement there are neighbourhoods.

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1 Q. [12:52:15] Very well. And who or what is the name of the person in charge of
2 an arrondissement? You know, I'm not talking about their family name, but what is
3 that person called, the person in charge of an arrondissement?

4 A. [12:52:38] They are called the mayor of the arrondissement.

5 Q. [12:52:53] I thought I understood at an earlier stage that above
6 the neighbourhood there are groups that comprise a number of neighbourhoods.
7 Did I understand you correctly, Madam Witness?

8 A. [12:53:18] Within the arrondissement there are *chefs de groupe*, group leaders,
9 who supervise the neighbourhood leaders, the *chefs de quartier*.

10 Q. [12:53:35] And the group leader, how many neighbourhoods does he or she
11 supervise, Madam Witness?

12 A. [12:54:04] It varies, the number of neighbourhood. Sometimes the group leader
13 can supervise 29 or 30 neighbourhoods. So -- so, if there are 29 neighbourhoods,
14 there will be 29 leaders. If there are 30 neighbourhoods, there will be 30 leaders.

15 Q. [12:54:48] Very well. And with regard to the 4th arrondissement specifically,
16 how many *quartiers* or neighbourhoods does the 4th arrondissement comprise?

17 A. [12:55:35] ...

18 THE INTERPRETER: [12:55:37] The witness is inaudible, says the Sango booth.

19 MR JACOBS: [12:55:42](Interpretation)

20 Q. I don't know whether I need to put the question to you again, Madam Witness.
21 The 4th arrondissement comprises how many neighbourhoods?

22 A. [12:56:13] The 4th arrondissement comprises -- in the past it comprised 29
23 neighbourhoods, but today it comprises 30 neighbourhoods.

24 Q. [12:56:47] For us to be clear, for the record, is the 4th arrondissement and
25 Boy-Rabe one and the same thing? Does it cover the same area?

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1 A. [12:57:12] The 4th arrondissement comprises the neighbourhoods of Boy-Rabe,
2 Gobongo and the Cité XXIII neighbourhood. All of these comprise
3 the 4th arrondissement, including the Fough neighbourhood. So it's Boy-Rabe,
4 Gobongo and Cité Jean XXIII and part of the Fough neighbourhood.

5 Q. [12:57:55] Very well. So Boy-Rabe is a sub-neighbourhood within
6 the 4th arrondissement; is that correct, Madam Witness?

7 A. [12:58:09] Yes, that's correct, Boy-Rabe is part of the 4th arrondissement.

8 Q. [12:58:27] Very well. Now, if we home in on Boy-Rabe now. How many
9 sub-neighbourhoods are there in Boy-Rabe?

10 A. [12:59:00] Could you please shed light a little bit on this question.

11 THE INTERPRETER: [12:59:07] Says the witness.

12 MR JACOBS: [12:59:10](Interpretation)

13 Q. [12:59:10] Very well. So we have the 4th arrondissement, all right, and within
14 the 4th arrondissement there is Boy-Rabe and Boy-Rabe is divided up into
15 sub-neighbourhoods, there are divisions within Boy-Rabe. Now my question to you
16 is: How many subdivisions are there within Boy-Rabe?

17 A. [12:59:38] There are 10 smaller neighbourhoods that make up Boy-Rabe.

18 Q. [12:59:52] Very well. Could you help us a little bit by providing us with
19 the names of these sub-neighbourhoods, Madam Witness?

20 A. [13:00:11] Dedengue 1. Dedengue 2. Votongbo 1. Votongbo 2.

21 Ouham-Pendé 1. Kaimba. Kaimba. Ngoumboutou 1. Monastère.

22 Q. [13:01:46] Thank you, Madam Witness.

23 I do have some follow up questions upon this, but I see the hour, I see the time,
24 Madam President.

25 PRESIDING JUDGE SAMBA: [13:01:58] Yes, indeed.

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- 1 Madam Witness, we are going to end with your testimony here today for now, until
- 2 we come again next week and continue with taking your testimony. That's
- 3 supposed to be on Tuesday. So I'm going to ask that you do not discuss your
- 4 testimony here when you leave your location with anybody. And I will remind you
- 5 that you'll still be under oath. Do you understand that, Madam Witness?
- 6 THE WITNESS: [13:02:48](Interpretation) I thank you and I have understood you
- 7 well, Madam President.
- 8 PRESIDING JUDGE SAMBA: [13:02:52] Thank you very much. See you then.
- 9 I rise the Court for Tuesday at 9.30, please.
- 10 THE COURT USHER: [13:02:58] All rise.
- 11 (The hearing ends in open session at 1.03 p.m.)