

Trial Hearing
WITNESS: CAR-OTP-P-1264

(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 Thursday, 18 July 2024
9 (The hearing starts in open session at 9.35 a.m.)
10 THE COURT USHER: [9:35:21] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:35:48] Good morning, everyone.
14 Madam Court Officer, can you kindly mention the case.
15 THE COURT OFFICER: [9:35:55] 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: [9:36:10] Thank you very much.
20 Can I ask for representation, starting with the Prosecution, please.
21 MS MAKWAIA: [9:36:16] Good morning, Madam President, your Honours.
22 For the Prosecution this morning, myself, Holo Makwaia, senior trial lawyer;
23 Sanyu Ndagire; Alessia Vitiello; and Mamadou Fofana, our legal intern. Thank you.
24 PRESIDING JUDGE SAMBA: [9:36:30] Thank you very much, Ms Makwaia.
25 Ms Pellet for the victims, please.

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- 1 MS PELLET: [9:36:34](Interpretation) Thank you, Madam President.
- 2 The victims are represented by Tars Van Litsenborgh and myself, Sarah Pellet,
- 3 counsel in the Office of Public Counsel for Victims.
- 4 PRESIDING JUDGE SAMBA: [9:36:48] Thank you very much, Ms Pellet.
- 5 Mr Jacobs, for the Defence, please.
- 6 MR JACOBS: [9:36:54](Interpretation) Good morning, Madam President.
- 7 Next to me is Capucine Banet. And myself, Dov Jacobs, co-counsel for Mr Said.
- 8 PRESIDING JUDGE SAMBA: [9:37:09] Thank you very much, Mr Jacobs.
- 9 And for the record, I do take note that Mr Said is in court here with us.
- 10 A very good morning to you, Mr Said. I hope I see you well.
- 11 MR SAID: [9:37:23](Interpretation) Yes. Thank you, Madam President.
- 12 PRESIDING JUDGE SAMBA: [9:37:32] Good.
- 13 Now the Prosecution is calling P-1264 as its 43rd witness.
- 14 It is the Chamber's understanding that this witness will be testifying in Sango. I
- 15 remind everyone of the importance of the need to speak slowly and to observe
- 16 the five-second rule between questions and answers.
- 17 Now, before commencing, the Chamber notes briefly that protective measures are
- 18 confirmed for this witness by virtue of decision numbered 481.
- 19 Moreover, the VWU recommends the following special measures: The witness shall
- 20 be observed closely and in case of signs of nervousness, distraction, withdrawal or
- 21 emotional reactions, the witness shall be given a break or asked if a break is needed.
- 22 Questions that may be embarrassing for this witness shall be avoided. And, in case
- 23 the witness is questioned about sexual violence, any such questions shall be
- 24 formulated in the least embarrassing manner possible.
- 25 Additionally, unnecessary intrusive or repetitive questions should be avoided.

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1 The Chamber also observes that VWU has noted that this witness should be provided
2 with reading assistance for text. The Chamber therefore asks the parties to be
3 mindful of this during their questioning of the witness.

4 Can we have the witness in court, please. Thank you.

5 (Pause in proceedings)

6 (The witness enters the courtroom)

7 PRESIDING JUDGE SAMBA: [9:43:19] A very good morning to you,

8 Madam Witness. I hope you rested well.

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10 (The witness speaks Sango)

11 THE WITNESS: [9:43:33](Interpretation) Good morning, Madam Presiding Judge.

12 Yes, I rested well.

13 PRESIDING JUDGE SAMBA: [9:43:40] Good.

14 Now, you're going to testify before the International Criminal Court. On behalf of
15 the Chamber, I welcome you to this courtroom.

16 Madam Witness --

17 THE WITNESS: [9:43:58](No interpretation)

18 PRESIDING JUDGE SAMBA: [9:44:03] Madam Witness, you should have in front of
19 you the solemn undertaking to tell the truth that every witness who testifies before
20 this Court must agree to.

21 So I'm going to read it out to you now and I'd want for you to listen.

22 I solemnly declare that I will speak the truth, the whole truth and nothing but
23 the truth.

24 Do you understand and agree to what I just read out, Madam Witness?

25 THE WITNESS: [9:44:53](Interpretation) I understand and I agree.

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1 PRESIDING JUDGE SAMBA: [9:44:57] Good.

2 So, Madam Witness, let me now explain to you the protective measures we have in
3 place for you for the duration of your testimony.

4 We have in place for you face and voice distortion for the duration of your testimony.

5 Now, this means that no one outside the courtroom can see your face or hear your
6 real voice during your testimony.

7 There will also be the use of pseudonym --

8 THE WITNESS: [9:45:46](No interpretation)

9 PRESIDING JUDGE SAMBA: [9:45:47] There will also be the use of pseudonym, and,
10 in accordance with that, we will all refer to you only as "Madam Witness", to make
11 sure that the public does not know your real name.

12 When you answer questions that will not give away who you are, we will do so in
13 open session, which means that the public can hear what is being said inside
14 the courtroom.

15 But when you are asked to describe anything that relates specifically to you, or if
16 you are asked to mention facts that might reveal your identity, we will do so in
17 private session.

18 And, lastly, Madam Witness, I have a few practical matters you should have in mind
19 when giving your testimony.

20 Everything we say here is written down and interpreted. It is therefore important to
21 speak slowly and clearly. Please speak into the microphone that you have before
22 you and only start speaking when the person asking you the question has finished.
23 To allow for the interpretation, everyone has to wait a few seconds before starting to
24 speak.

25 If you have any question yourself, or if you need a break, please raise your hand so

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1 we know that you want to say something to us.

2 Further, we hope that everything will go on well. But if there is any problem, we
3 will do our level best to take care of it as quickly as we possibly can.

4 Have you understood all that I have said, Madam Witness?

5 THE WITNESS: [9:48:26](Interpretation) Yes, I have understood you well. I have
6 understood you perfectly well.

7 PRESIDING JUDGE SAMBA: [9:48:33] Very good.

8 So, Madam Witness, we are going to start with your testimony and I'm going to invite
9 the Prosecution to put questions to you.

10 Madam Prosecutor, your witness, please.

11 MS MAKWAIA: [9:48:49] Thank you, your Honours.

12 QUESTIONED BY MS MAKWAIA:

13 Q. [9:48:55] Good morning, Madam Witness.

14 As I'm going to ask information that --

15 A. [9:49:03] Good morning.

16 MS MAKWAIA: -- may lead to the identification of the witness, your Honours, can I
17 please have a brief private session.

18 PRESIDING JUDGE SAMBA: [9:49:11] Yes.

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

20 (Private session at 9.49 a.m.)

21 THE COURT OFFICER: [9:49:21] We're in private session, Madam President.

22 PRESIDING JUDGE SAMBA: [9:49:26] Thank you very much.

23 Madam Prosecutor, please carry on.

24 MS MAKWAIA: [9:49:32]

25 Q. [9:49:37] Madam Witness, we are now in a private session so you can answer

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- 1 my questions fully, including revealing information that can identify you, okay?
- 2 PRESIDING JUDGE SAMBA: [9:49:55] Can you put your question.
- 3 MS MAKWAIA: [9:49:57]
- 4 Q. [9:49:57] So can you tell the Court, please, Witness, what are your full names?
- 5 A. [9:50:11] My name is (Redacted).
- 6 Q. [9:50:18] Are you also known by any other name? An alias.
- 7 A. [9:50:32] Yes, (Redacted).
- 8 Q. [9:50:36] And can you tell the Court, when were you born, which year?
- 9 A. [9:50:50] I was born on (Redacted).
- 10 Q. [9:51:00] And in which country were you born?
- 11 A. [9:51:11] I was born in (Redacted).
- 12 Q. [9:51:15] Which country?
- 13 A. [9:51:28] (Redacted)
- 14 (Redacted).
- 15 Q. [9:51:47] And what is your religion?
- 16 A. [9:51:58] (Redacted)
- 17 (Redacted).
- 18 Q. [9:52:14] And what is your ethnicity, Madam Witness?
- 19 A. [9:52:26] I am of the (Redacted) ethnic group.
- 20 Q. [9:52:31] And how many children do you have, Madam Witness?
- 21 A. [9:52:48] I have three children.
- 22 Q. [9:52:51] And are you married?
- 23 A. [9:52:58] No, I am not married.
- 24 Q. [9:53:03] Were you married?
- 25 A. [9:53:13] No, I have never been married.

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1 Q. [9:53:17] Okay. And where were you living in 2013?

2 A. [9:53:34] In 2013 I was living in Boy-Rabe.

3 Q. [9:53:39] And what was your occupation?

4 A. [9:53:57] I was in charge of (Redacted)

5 (Redacted).

6 Q. [9:54:14] And do you still live in Boy-Rabe right now, Madam Witness?

7 A. [9:54:25] Yes, I live in Boy-Rabe till this day.

8 Q. [9:54:34] Do you know in which arrondissement Boy-Rabe is found?

9 A. [9:54:48] Boy-Rabe is located in the 4th arrondissement.

10 Q. [9:54:53] And we're soon going to move into the public session, but I ask -- I'm
11 asking you this question here, and then, if you refer to this particular neighbour, do
12 not mention the name, okay.

13 Can you tell the Court who were your neighbours, the people near you in Boy-Rabe
14 in 2013?

15 A. [9:55:34] The neighbours living opposite my house, amongst them there was
16 (Redacted). I had other neighbours in a compound and it was after the events that
17 the other neighbours returned and starting building their houses.

18 Q. [9:56:02] Thank you, Madam Witness.

19 Your Honours, we can revert to a public session.

20 PRESIDING JUDGE SAMBA: [9:56:09] Yes.

21 Madam Court Officer, can we go into open session, please.

22 (Open session at 9.56 a.m.)

23 THE COURT OFFICER: [9:56:23] We are back to open session, Madam President,
24 your Honours.

25 PRESIDING JUDGE SAMBA: [9:56:27] Thank you very much.

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1 Madam Prosecutor, please put your questions.

2 MS MAKWAIA: [9:56:31] Thank you, your Honours.

3 Q. [9:56:32] Madam Witness, we are now in a public session, so information that
4 may reveal your identity, please be mindful, okay?

5 I am now going to ask you questions with respect to what you know or heard
6 happened in the Boy-Rabe neighbourhood in 2013, all right?

7 A. [9:57:00] Yes.

8 Q. [9:57:06] So where were you in March 2013?

9 A. [9:57:19] In March 2013 I was in my home in Boy-Rabe in
10 the 4th arrondissement.

11 Q. [9:57:28] Okay. And were you still there in April?

12 A. [9:57:44] Yes, indeed, I was still in Boy-Rabe.

13 Q. [9:57:46] Now, Madam Witness, do you know of a group known as the Seleka?

14 A. [9:58:07] As I have already told you, I live in Boy-Rabe, and at my place of
15 residence, the events started initially in Bangui and thereafter the Seleka entered
16 the various neighbourhoods, including Boy-Rabe, to accomplish their objectives. So
17 they invaded the Boy-Rabe neighbourhood.

18 Q. [9:58:40] Okay. Do you know when they entered Bangui? If you remember.

19 A. [9:59:01] As I have told you, when the Seleka entered Bangui, well, I no longer
20 remember the precise date. But I can talk about my own neighbourhood and I can
21 provide you information about that.

22 Q. [9:59:21] Okay, Madam Witness. Apologies for that.

23 So, shall we go to your neighbourhood. Can you please tell us when is it they
24 entered Boy-Rabe?

25 A. [9:59:44] As you might know, well, I was at home. First of all, we went to

1 the church. And when the church service ended, on my way back I was seeing
2 people panicking and running in all directions. I had grandsons. I asked my
3 children to return rapidly to the house and we had to take refuge inside the house.
4 After that, we started hearing explosions, things started becoming serious, and my
5 children, my grandchildren started panicking. And since the explosions were
6 continuing, I contacted my first son and I asked him about how the situation was in
7 {PFR: (Redacted)}. So, after that, I asked the children to go to {PFR: (Redacted)} and
8 to his home and then I remained alone in my house.

9 Q. [10:00:59] Okay, Madam Witness.

10 What were people panicking from?

11 A. [10:01:15] People were panicking, because when the Seleka entered the city they
12 were firing in all directions and everyone was trying to seek some form of shelter and
13 running in all directions, fleeing.

14 Q. [10:01:33] Did you see the Seleka with your own eyes on this day?

15 A. [10:01:52] They came into the city. They had a number of vehicles. They had
16 weapons and they were firing. And this caused the population to panic. And
17 when they entered the city, we saw them entering.

18 Q. [10:02:21] So can you describe for the Court what the Seleka did when they
19 entered Boy-Rabe.

20 A. [10:02:39] When they entered Boy-Rabe, if my memory serves me correctly, they
21 were firing shots and people died as a result. They started to loot and they would
22 also ascertain whether you were at home on your own, and when you were they
23 would rape the women.

24 When they entered Boy-Rabe, they committed many exactions. And the objective,
25 really, was to -- to loot because, as they were saying, we spent the night on mattresses

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1 and they were spending the night on cotton mattresses as opposed to our foam
2 mattresses, so their aim was to leave with our belongings.

3 And when they entered the city, people would flee. And once people started to flee,
4 that's when they started their looting and that's when they started to rape those who
5 had remained behind.

6 Q. [10:04:17] Thank you, Madam Witness.

7 I shall also address the rapes that you testified about fairly soon in my questions to
8 you.

9 For now, are you in a position to tell the Court the month this occurred in Boy-Rabe?

10 A. [10:04:50] If I remember correctly, it was in April 2013.

11 Q. [10:04:59] And when the Seleka was in Boy-Rabe, do you know for how long
12 they remained in your neighbourhood or in this arrondissement?

13 A. [10:05:25] They stayed for at least two weeks in the locality.

14 Q. [10:05:34] And you testified earlier that they were carrying weapons. Do you
15 know what type of weapons? Only if you know, Madam Witness. If you do not,
16 that's fine.

17 A. [10:05:57] I'm not a soldier and I can't tell you precisely what type of weapons
18 they were carrying. It might have been Kalashnikov rifles, but I'm not familiar with
19 weapons.

20 Q. [10:06:17] And how were they dressed, the ones you saw?

21 A. [10:06:35] They were wearing military garb, camouflage military attire.

22 Q. [10:06:50] And did they have vehicles?

23 A. [10:07:02] Yes. When they moved around, they moved around in their vehicles.
24 And these were pickup-type vehicles, BJ75s. And there were many of them, many of
25 them when they moved around.

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1 Q. [10:07:34] Did you see any leaders during this period, any Seleka leaders in
2 these two weeks that you testified about?

3 A. [10:07:57] Well, I'm not in a position to know that because they did not speak
4 Sango or French like me. When there was a leader who came by, they would say
5 that he was their leader and that, even if they were in the neighbourhoods or out on
6 the tracks, they would come out and greet that individual.

7 Q. [10:08:32] Madam Witness, at this point, who was the president or the person
8 leading your country, at this point in time, April 2013?

9 A. [10:09:00] During that period specifically, I believe that it was Bozizé who was in
10 power. And just after that he was driven out by Djotodia. And after Djotodia, we
11 had the presidency of Samba-Panza. But I do not remember the president in office at
12 the time.

13 Q. [10:09:41] Thank you, Witness.

14 Now, did you see Djotodia in Boy-Rabe?

15 PRESIDING JUDGE SAMBA: [10:09:52] Yes, Mr Jacobs.

16 MR JACOBS: [10:09:53](Interpretation) Yes, Madam President.

17 We let things go, the slightly leading matter over a number of questions, but it seems
18 to me rather over-leading, asking her whom she saw in Boy-Rabe. You know, it
19 seems to be a little bit leading by mentioning names and putting words in her mouth.

20 PRESIDING JUDGE SAMBA: [10:10:24] Madam Prosecutor, can you rephrase.

21 MS MAKWAIA: [10:10:30] I can add additional foundation, your Honours.

22 PRESIDING JUDGE SAMBA: [10:10:34] Please.

23 MS MAKWAIA: [10:10:34]

24 Q. [10:10:34] So you've spoken of Djotodia. Do you know his full name?

25 A. [10:10:52] I know him by this name, that was the name that he was the most

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1 known by, Djotodia.

2 Q. [10:11:02] And who was he? To which group did he belong, do you know?

3 A. [10:11:23] When the Seleka entered the city, he claimed himself to be president
4 of the Republic. And as he was president of a transition, transitional government,
5 that's how we know that he was the president of the Republic, but for a period of
6 transition, that is.

7 Q. [10:12:05] Thank you. I had asked you if you know to which group he
8 belonged?

9 A. [10:12:29] Are you talking about Djotodia? Could you please rephrase your
10 question.

11 Q. [10:12:44] So you said he declared himself the president of the transitional.
12 Perhaps I should have asked you, how did this come about, until he became
13 the president?

14 A. [10:13:10] When they entered, we were in a state of panic. And we heard over
15 the radio that Djotodia had become the President of the Republic. I did not see him
16 from close up. I just heard his voice over the radio. Physically, I did not see him.

17 Q. [10:13:49] And when you say "they", "when they entered", who are you
18 referring to? Who's "they", Madam Witness?

19 A. [10:14:06] I am talking about the Seleka.

20 Q. [10:14:12] Do you know how he was affiliated to the Seleka?

21 A. [10:14:33] I would not be in a position to say. I do not know what the links
22 were between Djotodia and the Seleka.

23 MS MAKWAIA: [10:14:45] Madam President, I was going to ask for a private
24 session to explore.

25 PRESIDING JUDGE SAMBA: [10:14:52] Yeah, well, we can. But before we do that,

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1 let me ask the witness.

2 Madam Witness, you just said that Djotodia was the president of a transitional
3 government, correct?

4 THE WITNESS: [10:15:35](Interpretation) Yes, he was the president of a transition.

5 THE INTERPRETER: [10:15:43] From the Sango booth: Yes.

6 THE WITNESS: [10:15:49](Interpretation) Are you talking about Djotodia? Could
7 you please repeat your question.

8 PRESIDING JUDGE SAMBA: [10:15:54] Yes. I'm talking about Djotodia. You say
9 he was the president of a transitional government, correct?

10 THE WITNESS: [10:16:16](Interpretation) Yes, yes. Well, at least during these
11 events he did occupy that position, yes.

12 PRESIDING JUDGE SAMBA: [10:16:25] Yes. Which government was that?
13 Which government? Do you know?

14 THE WITNESS: [10:16:53](Interpretation) You have just put a question to me with
15 regard to President Djotodia, and I said to you that I do not know exactly what he
16 was, but that at least he did head up the country for a transitional period.

17 PRESIDING JUDGE SAMBA: [10:17:13] Okay. Thank you very much.

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

19 (Private session at 10.17 a.m.)

20 THE COURT OFFICER: [10:17:29] We are in private session, Madam President,
21 your Honours.

22 PRESIDING JUDGE SAMBA: [10:17:32] Thank you very much.

23 Madam Prosecutor, please put your questions.

24 MS MAKWAIA: [10:17:42] Thank you, Madam President.

25 Q. [10:17:44] Madam Witness, we're now in a private session, so you can give

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1 identifying information and speak fully in answering my questions, okay?

2 A. [10:18:05] Yes, I have understood.

3 Q. [10:18:06] And now I would like -- I would like to focus your attention to
4 the subject I want to address, and this is with respect to the rapes you told the Court
5 took place in the Boy-Rabe neighbourhood during this period, okay?

6 A. [10:18:33] Understood.

7 Q. [10:18:36] So, starting with yourself, Madam Witness, how did you come into
8 contact with the Seleka when they arrived in your neighbourhood or entered your
9 neighbourhood in April of 2013?

10 A. [10:19:08] In April 2013, as I already said, when they entered, the children took
11 fright and I asked my children to go to their uncle's home. Once they had left, I was
12 home alone. And as I had possessions, I wanted to stay home with a view to
13 protecting them. I could come and go and come back home in the evening in order
14 to bring my chickens in, but, you know, they would come all of a sudden. You
15 would just see people running and when you saw somebody running, you had to
16 run.

17 I had hidden in the house and I blocked the door. I was inside the house.

18 I do not know whether I should carry on with my narrative.

19 Q. [10:20:13] Please do, Madam Witness, and then I will ask follow-up questions.
20 I will stop you when appropriate. Thank you.

21 A. [10:20:31] Thank you. So, as I was saying, I was at home and, as they were in
22 the habit of coming through my compound - and when they looted, they would go
23 door to door in order to do so - when they arrived in front of my house, they started
24 by breaking down the door.

25 I told them -- I was inside and I opened the door. The first thing they did was ask

1 me where my husband was and I said that my husband had died a long time ago.
2 The second question was that I should hand over any weapon that I had. I said I did
3 not have any weapon. They asked me for money, I said I had no money. And then
4 they said, "What do you have to give us then?" I said, "I have no money, I have no
5 husband, I have no weapon. I have nothing to give you." And when I was saying
6 this, you know, it meant that I had absolutely nothing to give them.
7 One of them, on purpose, saw that even if I did not have any material possessions to
8 hand over to them, he said that I could offer them my body. There were three of
9 them. They were armed. And all that I could do was undress, entirely.
10 There were three of them. And they raped me. They remained in my house for
11 three days and I had to cook for them and I had to do everything for them. They
12 would go out of my house, quite simply, when they left because they were told that
13 one of their leaders was going by.
14 And throughout all of these events they did only speak Arabic, they did not speak
15 Sango. In their group there was one person who understood what they were saying
16 and who translated into Sango for me. And he said that there was a leader who was
17 supposed to be coming and that I would have to go with them and that, if they left me
18 on my own, I would flee.
19 So I went outside to see their leader, with them. I don't know what their leader said
20 to them. But they came back inside the house and they took all of their possessions
21 and left.
22 Once they had left, I thought to myself that there was no point closing the door and
23 that even if they wanted to return, I would no longer leave my house. I would stay
24 at home.
25 So when they left my house, a few days later, the children returned. And when they

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1 returned, the neighbours explained to them that I had been raped and that those
2 bandits had spent a number of days in my house.

3 From a personal standpoint, in my mindset, I thought to myself, "well, I don't know
4 these people. It might be that I have been infected." I was really affected by this
5 and I started to have pain in my lower abdomen and in my back.

6 There were members of the church who went seeking out those who were unwell and
7 they took me to the hospital, subsequent to which I started to receive medication and
8 treatment.

9 And that is why I am here, standing before you, and I really thank god that these
10 people took me to the hospital and I received treatment. That's what I can say about
11 the events that happened to me.

12 Q. [10:25:01] Thank you, Madam Witness.

13 And apologies - apologies already for my subsequent - my follow-up questions to
14 what you've just told the Court.

15 Now, you've testified that these three men raped you during the period they stayed at
16 your house.

17 Did you find out to which group they belonged?

18 A. [10:25:52] Well, I wasn't in a position to know that, because they did not speak
19 Sango, first and foremost. Everybody knew that they were Seleka who had entered
20 the city and entered the neighbourhood. So I concluded that they were Seleka.

21 Now, as to which group they belonged to specifically, I wouldn't be in a position to
22 say so.

23 Q. [10:26:21] And when they were at your house, were they armed?

24 A. [10:26:33] Yes, absolutely, they were armed. All three of them were armed.

25 Q. [10:26:50] Madam Witness, why didn't you flee to your neighbours? Why

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1 didn't you escape?

2 A. [10:27:11] Well, as I already said, during these events I was breeding cattle and
3 every day I had to take them in and out. I had to take them out in the morning.
4 And that's what obliged me to stay at home. It wasn't for any other reason that I
5 stayed home. It was because I had to take care of my small herd.

6 Q. [10:27:54] Now, you said they raped women. Do you know of other women
7 who were raped by the Seleka during this period?

8 A. [10:28:24] I think I told you that members of the church came to see us. And
9 when people came to see us, they never said that they had been raped, as such. But
10 when they saw that I had been accompanied to the hospital by members of the church
11 and that I had received or -- care from those members of the church, there were 25 of
12 us. And every time that they would buy medicine, they would give us a little bit of
13 money for food. And that is how I was able to regain my health. And that's why
14 I'm here testifying before you today.

15 Q. [10:29:30] Thank you, Madam Witness.

16 Now, when the Seleka were in Boy-Rabe, were the civilians in Boy-Rabe free to move
17 around, like yourself?

18 A. [10:30:01] No, no. One needed to hide. And if you were unlucky enough to
19 be discovered, then things were serious. Civilians were not free to move around.
20 You had to stay at home. If you saw somebody running, you had to follow suit,
21 because that person was trying to seek refuge. And in such a case when you saw
22 somebody running, then you also had to seek shelter in order not to suffer those
23 exactions. If they said they were arriving at 8, they would arrive at 8. If it was 10, it
24 was 10. They were very punctual.

25 Q. [10:31:02] When the three Seleka were occupying your house, Madam Witness,

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1 did you ever go out with them?

2 A. [10:31:28] When they spent the days in my house, if it came to buying food I
3 would go out together with them, because each time that I cooked I had to taste
4 the food before they would eat it. They were in my house for those three days and
5 we were all together. And they would take me everywhere that they went.

6 Q. [10:32:04] Why did you have to taste the food?

7 A. [10:32:18] I had to taste the food because they were afraid of being poisoned.
8 And if I did not taste the food, they would be suspicious that I might have poisoned
9 the food. So I had to taste it before they ate the food.

10 Q. [10:32:48] You also testified earlier that one day one of their leader was going by
11 in Boy-Rabe; do you remember this?

12 A. [10:33:13] Yes, it was because one of their leaders had to come, and it was for
13 that reason that they had to go out. Apparently that leader had given instructions
14 and they went out of the neighbourhood and, from there, they left my home.

15 Q. [10:34:00] Did you see this leader, Madam Witness?

16 A. [10:34:15] He had stayed inside the vehicle. He did not come out of the vehicle.
17 Some of the vehicles had tinted glasses, so it was not possible to see the people inside
18 it. I did not see that person. Even when they asked me to go out, they did not
19 mention the name for me to be able to know who this person was.

20 Q. [10:34:53] Now, Madam Witness, did any national leaders of the Seleka come to
21 Boy-Rabe during this period?

22 A. [10:35:22] I heard it being said that they were coming from a location because
23 they had the habit of circulating inside the neighbourhoods. I heard that Seleka
24 leaders had gone to the Boy-Rabe market. I heard about it, but I did not see them
25 with my own eyes.

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1 Q. [10:35:53] Do you recall -- or, do you remember their names?

2 A. [10:36:16] No, I do not know their names. I have told you that I heard that
3 people were talking about Djotodia and Nouradine. I heard about those names, but
4 I did not see them, so I did not even go to that location to see precisely who was
5 present there.

6 Q. [10:36:47] And the persons you heard this from, were they residents of
7 Boy-Rabe?

8 I'll rephrase that, your Honours.

9 Who were these persons you heard this from?

10 A. [10:37:13] During those events, when they were in PK12 or PK5, and a time had
11 been given, at that particular time, for example, when it was said that the Seleka
12 would be in Boy-Rabe at 10 o'clock, everyone should -- would try to shelter
13 themselves, because when the -- they arrived, they did not joke. So the population
14 was aware and I heard it from the inhabitants of Boy-Rabe. As I told you before, I
15 heard about it, but I did not see them with my own eyes.

16 PRESIDING JUDGE SAMBA: [10:38:05] Do you -- do you still want us to be in
17 private session, Madam Prosecutor?

18 MS MAKWAIA: [10:38:11] No, Madam President. We can go to the public session.

19 PRESIDING JUDGE SAMBA: [10:38:16] Thank you.

20 Madam Court Officer, can we go into open session, please.

21 (Open session at 10.38 a.m.)

22 THE COURT OFFICER: [10:38:31] We are back to open session, Madam President,
23 your Honours.

24 PRESIDING JUDGE SAMBA: [10:38:34] Thank you very much.

25 Madam Prosecutor, please carry on.

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1 MS MAKWAIA: [10:38:39] Your Honours, with your permission, I would like to
2 refresh the witness's memory from her statement that she gave to investigators of
3 the Office of the Prosecutor in 2016.

4 PRESIDING JUDGE SAMBA: [10:38:52] To which effect? Which paragraph or
5 question do you want?

6 MS MAKWAIA: [10:39:02] With respect to paragraph 29 to 32, but I will read 32.

7 PRESIDING JUDGE SAMBA: [10:39:17] Yes, Mr Jacobs.

8 MR JACOBS: [10:39:19](Interpretation) We are not necessarily opposed to
9 the reading of that excerpt, but we have to be specific. It is not in order to refresh
10 the witness's memory. She was very clear, she said that she heard, but she did not
11 see with her own eyes. So this is a confrontation, not a refreshment of her memory.

12 PRESIDING JUDGE SAMBA: [10:40:01] Yes, Madam Prosecutor, any response to
13 that?

14 MS MAKWAIA: [10:40:09] Madam Witness, the Chamber will then have the benefit
15 of whatever explanation the witness will offer with respect to this issue.

16 PRESIDING JUDGE SAMBA: [10:40:18] Yes, but -- you know, you could ask
17 the witness, because she has said in testimony that whenever these three persons
18 went out, or wherever she had to go, they would go with her. Maybe you could ask
19 her, you know, why they had to go with her.

20 You have your paragraph 32. I mean, you can carry on with that and see what
21 you are able to get from her in respect to that particular paragraph. Because her
22 testimony so far in respect of Djotodia and Nouradine is clear. You can probe a bit
23 further in respect of paragraph 32.

24 MS MAKWAIA: [10:41:08]

25 Q. [10:41:08] Madam Witness, you've testified earlier that {ICR: (Redacted)}

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)}

13 Q. [10:42:54] And who manned these checkpoints?

14 A. [10:43:15] They themselves were manning those checkpoints. I do not know
15 how they were structured, how they functioned, their hierarchy. Some of them were
16 referred to as colonels, lieutenants and so on. So they used their ranks. At the
17 checkpoint they would call someone "commandant" or "lieutenant". They did not
18 specify their names. They referred to themselves as commandant, colonel, lieutenant
19 and so on. They did not say their names.

20 PRESIDING JUDGE SAMBA: [10:43:53] Madam Prosecutor, back to paragraph 32 of
21 the witness's statement, if you have any other further use of it, you may use it to
22 refresh her memory.

23 MS MAKWAIA: [10:44:12] Thank you, your Honours.

24 Q. [10:44:17] So, do you recall on such -- on such occasion, Madam Witness, {ICR:

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted))

6 Q. [10:45:29] Were these three Seleka also required -- I'll take that up again.

7 {ICR: (Redacted)}

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted))

16 Q. [10:47:09] Thank you, Witness.

17 Madam President, can we go back into private session again.

18 PRESIDING JUDGE SAMBA: [10:47:18] Madam Court Officer, can we go into

19 private session, please.

20 MS MAKWAIA: [10:47:30]

21 Q. [10:47:31] Madam Witness --

22 PRESIDING JUDGE SAMBA: [10:47:31] No, we are not in private session yet.

23 MS MAKWAIA: [10:47:35] Sorry.

24 (Private session at 10.47 a.m.)

25 THE COURT OFFICER: [10:47:44] We are now in private session. Thank you.

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1 PRESIDING JUDGE SAMBA: [10:47:48] Madam Prosecutor, carry on.

2 MS MAKWAIA: [10:47:50] Thank you, Madam President.

3 PRESIDING JUDGE SAMBA: [10:47:51] I want you to keep an eye on the clock.

4 You know we have just today, my understanding, for this witness. Carry on, please.

5 MS MAKWAIA: [10:48:01] Okay.

6 Q. [10:48:03] Witness, did you file any complaint as a result of the violence and
7 abuse you suffered in Boy-Rabe during the month of April 2013?

8 PRESIDING JUDGE SAMBA: [10:48:23] Yes, Mr Jacobs.

9 THE WITNESS: [10:48:41](No interpretation)

10 MR JACOBS: [10:48:42](Interpretation) Yes, the question is quite leading.

11 The witness can be asked what measures she took, but to actually say something like
12 what the Prosecutor said is leading.

13 PRESIDING JUDGE SAMBA: [10:48:59] Madam Prosecutor, kindly just rephrase,
14 yeah.

15 MS MAKWAIA: [10:49:04]

16 Q. [10:49:05] Madam Witness, did you undertake any measures after the violence
17 and abuse you suffered at the hands of the Seleka during the month of April 2013?

18 A. [10:49:33] Regarding what I suffered, well, I did not take any initiative at all.

19 As I have told you, I was inside my house and, given that they had already raped me,
20 I was afraid that I might have been infected or contracted an incurable disease.

21 *Fortunately, the church, Portes Ouvertes, which was later renamed Africa Service.

22 THE WITNESS: [10:50:19](Interpretation) Well, those members of the church gave
23 us a lot of advice. They told us to forget the painful events that had happened to us.
24 Even before I was preparing to come and testify, I was wondering whether I would be
25 able to remember everything that I suffered, because we were advised and

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1 encouraged to turn over a new page and move on to something else. But since my
2 statement had already been taken, that statement was read out to me and that made it
3 possible for me to remember.

4 If you put questions to me, it is possible that I might not remember all the events, but
5 I will tell you what I remember. But I thank the church members who supported us,
6 who took care of our expenses and gave us little amounts of money to do some little
7 trading. Thank you.

8 MS MAKWAIA: [10:51:33]

9 Q. [10:51:34] Perhaps my question was not clear.

10 It wasn't during the events, it was after the events. So I'll take it up again.

11 So after the events, did you speak to people or did you make any statement, apart
12 from that with the investigators of the Office of the Prosecutor here, in your country,
13 did you make any statement or speak to any people about what you had lived
14 through?

15 A. [10:52:22] No, I did not take any initiative. I believe that after the events, when
16 the investigators contacted me, as I told the assistant yesterday, it was thanks to
17 Africa Service and other people who sent me reports. I left everything in the hands
18 of god. I believe that I received a lot of support. And maybe it was those people
19 who submitted my case to the Court and talked about what had happened to me in
20 the Court. But, personally, I did not take any action at the judicial level.

21 Q. [10:53:27] Did you speak to any NGO?

22 PRESIDING JUDGE SAMBA: [10:53:32] Ms Makwaia.

23 MS MAKWAIA: [10:53:33] All right, Madam President. I'll -- I'll wind up.

24 Q. [10:53:38] Madam Witness -- and I can do this in public, your Honours.

25 PRESIDING JUDGE SAMBA: [10:53:43] Can we go into public session, please,

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1 Madam Court Officer.

2 (Open session at 10.53 a.m.)

3 THE COURT OFFICER: [10:53:59] We are back to open session, Madam President.

4 PRESIDING JUDGE SAMBA: [10:54:02] Thank you very much.

5 Ms Makwaia, please, your witness.

6 MS MAKWAIA: [10:54:06]

7 Q. [10:54:06] So, Madam Witness -- and these are my final questions to you: How
8 were you, personally, affected by the Seleka abuse and violence against yourself?

9 A. [10:54:45] In light of what I suffered, I lost all my dignity. I am under stigma.
10 I am being referred to as {ICR: (Redacted)} In the neighbourhood in which I live
11 I am considered as someone who does not deserve to be a mother to children or to
12 even be a woman.

13 I can tell you that what happened to me was very difficult to bear. After that, I
14 started suffering from high blood pressure, so -- because of too much thinking, all
15 those events caused me to suffer from high blood pressure.

16 Q. [10:56:11] Thank you, Witness, for answering my questions.

17 That concludes the examination-in-chief, your Honour.

18 PRESIDING JUDGE SAMBA: [10:56:22] Thank you very much, Ms Makwaia.

19 Now, Madam Witness, I'm going to invite counsel for the Defence to put questions to
20 you in cross-examination.

21 I just want you to calm down a little bit. We have about five minutes more to go.

22 You may have a -- a drink of water. You have water on your -- on your right. So
23 please have some water and I will ask Mr Jacobs to put questions to you in cross.

24 Mr Jacobs, your witness.

25 THE WITNESS: [10:57:07](Interpretation) Well, I prefer not to drink any water, so as

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1 to avoid going to the bathroom. So I will take some water during the short break.

2 PRESIDING JUDGE SAMBA: [10:57:23] Okay, certainly.

3 Mr Jacobs, do you want to start now, please, a question or two.

4 MR JACOBS: [10:58:01](Interpretation) Thank you, Madam President.

5 QUESTIONED BY MR JACOBS: (Interpretation)

6 Q. [10:58:06] Good morning, Madam Witness.

7 A. [10:58:10] Good morning, counsel.

8 Q. [10:58:17] My name is Dov Jacobs and today I'm going to put some questions to
9 you on behalf of the Defence team of Mr Said.

10 As the Presiding Judge and my learned friend of the Prosecution have already said,
11 everything that is said here is written down and interpreted into French, English and
12 Sango, so that the Judges can understand.

13 I know that you can understand me, but I will speak slowly and I hope you do
14 the same because everything that is said here must or should be on the record.

15 Are you agreed?

16 A. [10:59:03] Yes.

17 Q. [10:59:07] Very well.

18 In the few minutes that remain before the break, I do not know whether I should
19 really start my questions, Madam President. We have only two minutes left.

20 PRESIDING JUDGE SAMBA: [10:59:27] Okay.

21 We'll break off for now, Madam Witness, so that I really do want you to feel relaxed
22 when you give the rest of your testimony. So we're going to break off for now and
23 come back in 30 minutes.

24 So I rise the Court for 11.30. Thank you.

25 THE COURT USHER: [10:59:49] All rise.

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1 (Recess taken at 10.59 a.m.)

2 (Upon resuming in open session at 11.35 a.m.)

3 THE COURT USHER: [11:35:45] All rise.

4 Please be seated.

5 PRESIDING JUDGE SAMBA: [11:36:32] Good morning again, Madam Witness.

6 We're going to continue with your testimony and I'm going to ask Mr Jacobs to
7 continue putting questions to you.

8 Mr Jacobs, your witness, please.

9 MR JACOBS: [11:36:56](Interpretation) Thank you, Madam President.

10 Q. [11:37:01] Good morning again, Madam Witness.

11 A. [11:37:05] Good morning.

12 MR JACOBS: [11:37:13](Interpretation) Now, Madam President, for my first
13 questions, could we please move into private session.

14 PRESIDING JUDGE SAMBA: [11:37:19] Certainly.

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

16 (Private session at 11.37 a.m.)

17 THE COURT OFFICER: [11:37:32] We are in private session, Madam President.

18 PRESIDING JUDGE SAMBA: [11:37:35] Thank you very much.

19 Mr Jacobs, please continue.

20 MR JACOBS: [11:37:49](Interpretation)

21 Q. [11:37:53] Madam Witness, when you met the investigators from the OTP in
22 2016, you presented an ID, did you not?

23 A. [11:38:18] Yes, I did indeed.

24 Q. [11:38:30] Very well.

25 Madam Courtroom Officer, could we please briefly bring up the former statement of

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1 the witness, the prior statement of the witness.

2 That is tab 1 for the English version. And I would request that we bring up the 1.3

3 version, which is the French version. CAR-OTP-2127-7529. Could we please go to

4 the second page, so that's page 7530.

5 Can you see the document, Madam Witness, on the screen before you?

6 A. [11:39:27] Yes, I can see it.

7 Q. [11:39:32] Now, in the right-hand column we see passport number or ID number,

8 (Redacted). Can you see that number, Madam Witness?

9 I've read it out for you.

10 And my question to you is: The ID document that you showed at the time, what

11 was it? Was it an identity card or was it a passport?

12 A. [11:40:16] I presented an identity card. No, I presented them an identity card,

13 not a passport.

14 Q. [11:40:35] Very well. Now, to our knowledge, the investigators did not make

15 a copy of that document when you met with them, so we do not have a copy of it.

16 Do you still have this document, Madam Witness?

17 A. [11:40:58] This identity card has expired and I had myself a new one issued.

18 Maybe, had I known, I would have brought it with me. I did not bring it with me

19 here.

20 Q. [11:41:26] No problem, Madam Witness. So you had a new ID card issued, did

21 you not, and you had a passport issued; is that correct?

22 A. [11:41:50] Yes, that is correct.

23 Q. [11:41:53] Madam Courtroom Officer, could we please bring up tab 2, that is

24 CAR-OTP-00036786.

25 Can you see the document, Madam Witness?

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1 A. [11:42:22] Yes, I can.

2 Q. [11:42:35] Can you confirm that this is indeed your passport?

3 A. [11:42:43] Yes, this is indeed my passport.

4 Q. [11:42:49] So I have two rapid questions to put to you.

5 We can see under the passport, we see -- under your name and first names, we see

6 (Redacted). I had understood at an earlier stage that you were born on (Redacted)

7 (Redacted)

8 So could you explain to us why there is this discrepancy in years?

9 A. [11:43:25] Well, the passport where you see the image here was -- well, as I said

10 to you, I was part of an (Redacted). So, in

11 order to keep me in that organisation as long as possible, in order not to put me into

12 retirement, they modified my age.

13 My true age is the one that I told you at the outset of the hearing. And here, the date

14 of birth that appears on this passport was with a view to enabling me to contribute to

15 the pension scheme so that I did not have to go into retirement.

16 I hope that that explanation is clear.

17 Q. [11:44:24] Yes, it is very clear, Madam Witness, and thank you for that

18 clarification. I do understand the situation.

19 Now, the second question that I have for you is that this passport was issued on

20 (Redacted), a few months ago. So I'd like to know who paid for this, who paid for

21 the passport to be issued, et cetera?

22 A. [11:44:57] All of the documents that enabled me to come here were paid for by

23 the Court. I did not have to spend any money with regard to the issuing of these

24 documents. And it was when I got to the airport to go through all the formalities

25 that I received these documents.

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1 So, as I said, I did not have to spend any money at all to receive them.

2 Q. [11:45:33] Thank you very much, Madam Witness.

3 And whilst we are on this subject, while you were interacting with the Office of the
4 Prosecutor of the ICC and when you provided your prior statement in 2016, between
5 2016 and today, did people from the OTP cover any expenses for you, that is for travel
6 or for medical treatment?

7 A. [11:46:15] At the time, they did not provide me with any medication as such.

8 But every time I went to meet with them, they would give me some money so that I
9 could pay for my transportation. They didn't give me any pocket money. They just
10 paid for my transport.

11 Q. [11:46:46] Very well. And so we understand clearly, in French it is written, "At
12 the time, they did not provide me with any medication." So I'd like to know whether
13 at any moment in time they did provide you or start providing you with medication
14 or not?

15 A. [11:47:15] When they came to take my statement -- well, it's not very clear this
16 question, to me. When they came to meet with me, for me to tell them everything
17 that had happened, every time I met them they would pay for my transport. But
18 they didn't give me any money to buy anything else, such as medicine or other things.

19 Q. [11:47:48] Very well. That's very clear. So in 2016, when your prior statement
20 was taken, they paid for your transport. Now, since that, in 2017, 2018, were there
21 any other moments in time when they reimbursed your expenses such as expenses
22 associated with medication?

23 A. [11:48:15] No. They did not give me any money. It was when I was getting
24 ready to come here that they gave me some money in order to enable me to buy some
25 personal belongings such as a suitcase to enable my travel here. I think it was

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1 Thursday, Friday that they gave me some money.

2 PRESIDING JUDGE SAMBA: [11:48:44] Mr Jacobs, do you want us to still remain in
3 private session?

4 MR JACOBS: [11:48:56](Interpretation) I think for a few minutes further. And I'm
5 going to start -- try later with other questions to move into open session. I'm going
6 to be still putting questions to her about her medical situation, that's why I think that
7 we should err on the side of caution and remain in private session.

8 Now, before forgetting, because the other day I did forget to formally submit with
9 the previous witness, so I would now request that we formally submit tab 2,
10 CAR-OTP-00036786, please.

11 Q. [11:49:44] So, Madam Witness, you explained at an earlier stage today that after
12 the events you went to the hospital.

13 And I noted this down. At page 18, line 5, or page 19, line 14.

14 I wanted to know, after you went to the hospital, were you issued with any
15 certificates by -- any medical documents by doctors, for example?

16 A. [11:50:23] No. You know, at the church, they were asking us to forget about
17 everything that had happened. So, with regard to all -- everything that was
18 undertaken at the hospital, et cetera, well, I wasn't involved with that, and
19 the documents were not handed over to us. Nor did we receive any money from
20 the people working or the members of the church either, those people who, you know,
21 cared for us and took care of all of this.

22 Q. [11:51:14] Very well. Now, two questions, two follow-up questions for you: So
23 I understand from what you've told us that you do not have any medical documents
24 covering your stay in the hospital. You do not have any prescriptions, you do not
25 have any documents related to your high blood pressure; is that correct?

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1 A. [11:51:46] With regard to medical prescriptions and the pharmaceutical
2 products that were handed over to me by the members of the church, they did not
3 give me any document as such. But with regard to the high blood pressure that I
4 suffer from, whenever I go to the hospital, they do notify me of that. Had I thought
5 that I needed these documents, I would have had them drawn up. But, as to say that
6 there is a medical certificate as such, I do not have one. But as far as the booklets on
7 medical consultations is concerned, I do have them and I do have that trace.

8 Q. [11:52:37] Thank you, Madam Witness.

9 Now, a second question with regard to what you've just said. I might have
10 misunderstood what you said earlier. But you've just said to us on page 37, line 3,
11 you said: "We didn't even receive any money from those churches that had taken care
12 of us."

13 Now, I remember this morning when you spoke about being taken care of, you did
14 say that you had received some money in order to buy food and such things. I'm
15 looking for that reference now but that's what I do retain from earlier.

16 Could you please explain to us, did you receive any money, yes or no, from
17 the church?

18 A. [11:53:23] Right at the beginning, when they wanted to meet with us after
19 the events, first of all, it was the Portes Ouvertes, Open Doors organisation who has
20 become called Africa Service. Now, the members of the church pay money in order to
21 help victims. *So, when they took us to the hospital, they paid the consultation fees.
22 After the medical examinations, they bought medications and they gave them to us.
23 When they gave us these medicines they also gave us some money in order for us to
24 be able to buy some food. And then they took us back to the hospital for medical
25 checks and they gave us some more money, after which they regrouped us into

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1 subgroups to serve as an example and to go and provide advice to other victims to
2 similar situations in order to get them out of their difficult situations.

3 So, let me repeat, they gave us money in order for us to be able to buy some food
4 because we were taking medicines. There you are.

5 Q. [11:54:57] Thank you, Madam Witness.

6 So, based on experience -- but I'm, you know, under the impression that you're
7 speaking a little bit fast. So could you take a little bit of a pause and speak a little bit
8 more slowly so things can be interpreted from Sango into French and French into
9 English. I am under the impression that you're going a bit fast, so please slow down
10 somewhat, please, Madam Witness.

11 So I have understood you very clearly, this Africa Service group, could you tell us
12 a little bit more about it.

13 A. [11:55:52] After the events that occurred in our neighbourhoods, the priests who
14 work in that organisation would -- would move around the neighbourhoods in order
15 to meet the victims. After having identified these victims, they started to provide us
16 with advice and, to a certain extent, they were detraumatizing us. They were
17 providing us with advice with a view to ridding us of the suffering that we bore in
18 our hearts. So they gave us psychological report -- support, they gave victims advice.
19 That was their role. And the aim of their advice was to fortify or strengthen
20 the members of the church so that they would become stronger and remain faithful to
21 the church.

22 And when I started to interact with them, they put into play their strategy of
23 detraumatization and fortification and they realised that I was somebody who was
24 able to work like them, as a person of -- or as a resource person for other victims in
25 the provinces. And that is how I came to travel to another prefecture as a victim and

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1 talk about -- to them about similar events.

2 So victims of cases of rape, like myself, who believed that they had experienced
3 events that they could never forget and they realised that life goes on. After
4 the advice that I gave them, these victims started to change the way in which they
5 lived their lives. They started to reintegrate. And at the beginning, I was not in
6 good form, I was slim, and it was thanks to their advice and to their consolation, to
7 their activities, that I have become what I am today.

8 So I went to provincial towns to talk to other victims of rape. You know, when one
9 wants to convince another victim, one has to introduce oneself as a victim oneself so
10 that they are convinced. That is the strategy applied in order to give force to those
11 victims who experience those events.

12 As I said, I was travelling around various villages in order to testify and to help those
13 victims to come out or emerge from their difficult situations. Africa Service and I
14 would take these victims to medical clinics and we would give them advice and some
15 others we would give money to in order for them to continue trading or conducting
16 their business so that they did not remain suffering and thinking about what had
17 happened all the time. Thank you.

18 Q. [11:59:36] Thank you, Madam Witness.

19 Now, this morning, with regard to Africa Service, I just wanted to seek clarification.
20 Page 28 - I'm just giving this for the record - page 28, line 17, you say with regard to
21 Africa Service: "It might have been those people who referred my case to the Court
22 and talked about what happened to me to the Court."

23 Now, do you have any information in this regard, or is it a hypothesis on your part?
24 Do you know who gave your name to the investigators of the International Criminal
25 Court?

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1 A. [12:00:21] As you have just said, I do not know specifically who brought me
2 right up to the point that I find myself now here at the Court. But the partners of
3 Africa Service, I should have brought some partners of the Africa Service here, but it
4 was not possible because my travel is confidential. There are international people
5 such as French people, Belgians and others amongst those partners. All those
6 partners could advise me in order to come out of the situation. But I am wondering
7 maybe it was those people who presented the case to the -- to the Court after hearing
8 what had happened to me. I do not know, but one day I had a phone call and
9 the person introduced themselves saying that I should come to such-and-such an
10 organisation and then I went and met him.

11 But, as I have told you, I do not know precisely who presented my case to the staff of
12 the International Criminal Court.

13 Q. [12:01:59] Thank you, Madam Witness. I will move on to another question.
14 I'm just looking for the reference to deal with something that I mentioned a short
15 while ago.

16 Just a point of clarification, because the people who came to live -- to stay in your
17 home, it appears you never got to know their names; is that correct?

18 A. [12:02:41] Their names were colonel, lieutenant, commandant. But they did not
19 introduce themselves, they never stated their names. I never heard their names.
20 There was just the use of commandant, colonel, lieutenant, but their names, no.

21 Q. [12:03:12] Thank you, Madam Witness.

22 I am trying to look for one last reference so as to ask you to clarify something. And
23 I'm getting there.

24 This morning you stated, page 10, line 21: "The objective was to pillage, because, as
25 they said, we were spending nights in -- on foam mattresses while they spent their

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1 nights on cotton mattresses and the objective was to go back with property."

2 Madam Witness, the first question: I heard something, but maybe I didn't hear well.

3 You said it was the Chadians who were saying that, that they wanted to pillage you

4 because you had foam mattresses and they had cotton mattresses; did I understand

5 you correctly?

6 A. [12:05:05] What I said was that, when they arrived, they went from house to

7 house and everything they found, when they found beds, they would take them.

8 Any valuable objects, beds, televisions, freezers, and so on. And during

9 the conversations they would say they were sleeping on cotton beds and we were

10 living or sleeping on foam beds. That was the way that beds were made. It was

11 a phrase to indicate that everybody sleeping on foam mattresses were well-to-do

12 people.

13 Q. [12:05:57] Thank you, Madam Witness. Thank you for that clarification. It is

14 very clear.

15 I think this was my last question, Madam Witness.

16 Madam President, I have no further questions for this witness.

17 PRESIDING JUDGE SAMBA: [12:06:21] Thank you very much, Mr Jacobs.

18 Madam Prosecutor, do you have any question in re-examination?

19 MS MAKWAIA: [12:06:33] None, Madam President. Thank you.

20 No re-examination, Madam President.

21 PRESIDING JUDGE SAMBA: [12:06:42] Thank you very much.

22 Madam Court Officer, can we move into open session, please.

23 (Open session at 12.06 p.m.)

24 THE COURT OFFICER: [12:06:58] We are back to open session, Madam President.

25 PRESIDING JUDGE SAMBA: [12:07:04] Thank you very much.

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1 Madam Witness, we've come to the end of your testimony.

2 On behalf of the Chamber I wish to thank you very much for your cooperation with

3 us in our -- in helping us solicit what happened in the CAR during the period

4 concerned. We really do wish you well in your future endeavours. We take note of

5 all that you've said to us and we hope that helps us in making a determination when

6 that time comes. We wish you safe travelling mercies back home.

7 I'm going to ask the court clerk to help you exit the courtroom while we take care of

8 other in-house business.

9 Have a very good day, Madam Witness.

10 THE WITNESS: [12:08:17](Interpretation) Thank you.

11 (The witness is excused)

12 (The witness exits the courtroom)

13 PRESIDING JUDGE SAMBA: [12:08:50] Madam Court Officer, can we go into

14 private session, please.

15 (Private session at 12.09 p.m.)

16 THE COURT OFFICER: [12:09:06] We are in private session.

17 PRESIDING JUDGE SAMBA: [12:09:09] Thank you very much.

18 Madam Prosecutor, we care for you to address us in respect of the upcoming

19 witnesses, P-491 and P-0664. They were initially scheduled to appear next week.

20 But I think my understanding was that we'll have them on tomorrow.

21 We want you to address us in respect of -- I mean their status whether or not P-491 in

22 particular will appear tomorrow and by what means. Will they be testifying via

23 video link, as we understand it? It's for your confirmation, please.

24 MS MAKWAIA: [12:10:09] Thank you, your Honours. P-0491 is very likely to be

25 testifying via AVL instead of physically appearing before you now, because yesterday

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1 we were informed by the VWU people that his medical condition, his blood pressure
2 was extremely high, so he was being monitored. And only today they were going to
3 find out whether or not he could actually travel to come and testify in The Hague.
4 As a result of that, the Prosecution's recommendation was it's best he testifies AVL.
5 I am not sure if it's going to be tomorrow, but, for certain Monday, Madam President,
6 for this witness. Because I haven't spoken to VWU to ascertain his health condition.
7 Similarly for 0644, who is the alternate witness, his passport and visa have been
8 issued, but our colleagues were not able to collect them. So that would impact
9 the schedule if we were to wait for this to be collected, so he is also going to be AVL.
10 And I hope, immediately after the testimony of 0491, he will then appear before you
11 next week as well.

12 PRESIDING JUDGE SAMBA: [12:11:33] That is well noted. Because we do realise
13 that the notice would have been too short for the Registry to deal with AVL sessions
14 in the field office for tomorrow.

15 So, it is our understanding that we'll hear, at least 0491, on Monday?

16 MS MAKWAIA: [12:11:55] I will call them the moment I step out of the courtroom
17 to confirm this. But I -- I think so.

18 PRESIDING JUDGE SAMBA: [12:12:01] Otherwise what are you thinking of? They
19 come -- they come tomorrow? Tomorrow is not possible.

20 MS MAKWAIA: [12:12:08] No. No, no, for Monday, because it was subject to his
21 medical clearance, which was more likely that he was given different medication, it
22 would have been stabilised, so Monday, absolutely, I think Monday he will appear
23 before your Honours, 491.

24 PRESIDING JUDGE SAMBA: [12:12:26] And where from, location?

25 MS MAKWAIA: [12:12:30] I think Bangui, because if he was to travel, his initial

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1 flight plan was to travel from the 19th, but because of his medical condition, that was
2 cancelled, which meant he would travel on the 23rd. So it's preferable, I think, for
3 him to testify through AVL from Bangui. He's already in Bangui.

4 PRESIDING JUDGE SAMBA: [12:12:54] Okay, when you follow up on that, if you
5 can send an email around to all of us so that -- as a form of confirmation so that we'll
6 know that we have to hear him on Monday.

7 Does Mr Jacobs -- thank you very much, counsel.

8 Does Mr Jacobs have anything to say as a result of the short discussion we just had?

9 MR JACOBS: [12:13:19](Interpretation) No, no observation, Madam President. We
10 have taken note of the schedule and we shall be ready.

11 PRESIDING JUDGE SAMBA: [12:13:28] Yes. Thank you very much.

12 So I am going to rise the Court and ask that we come here on Monday at 9.30 to hear
13 the testimony of P-0491.

14 Please confirm. This is the position for now, but please confirm. We'll appreciate
15 that.

16 MS MAKWAIA: [12:13:45] I shall do so, your Honours.

17 PRESIDING JUDGE SAMBA: [12:13:47] Thank you very much.

18 THE COURT USHER: [12:13:48] All rise.

19 (The hearing ends in private session at 12.13 p.m.)