

Trial Hearing
WITNESS: CAR-OTP-P-0481

(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 Wednesday, 22 May 2024
9 (The hearing starts in open session at 9.34 a.m.)
10 THE COURT USHER: [9:34:51] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:35:15] Good morning, everyone.
14 Madam Court Officer, can you mention the case, please.
15 THE COURT OFFICER: [9:35:23] 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 We are in open session.
19 And for the record, the witness is in the transmission room, but he cannot hear us at
20 the moment. Thank you.
21 PRESIDING JUDGE SAMBA: [9:35:46] Thank you very much, Madam Court
22 Officer.
23 Can I have representation, please, starting with the Prosecution.
24 MS MAKWAIA: [9:35:51] Good morning, Madam President, your Honours. For
25 the Prosecution this morning, myself, Holo Makwaia, senior trial lawyer. Also in

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1 court, Thomas Bifwoli, Marie-Jeanne Sardachti, trial lawyers; Alessia Vitiello, analysis
2 assistant; and Mamadou Fofana, our intern. Thank you.

3 PRESIDING JUDGE SAMBA: [9:36:12] Thank you very much, Ms Makwaia.
4 For the victims, please. Thank you.

5 MS PELLET: [9:36:17](Interpretation) Thank you, your Honour. The victims are
6 represented by Caroline Walter, Sarah Pellet from the Office of Public Counsel for
7 Victims, OPCV.

8 PRESIDING JUDGE SAMBA: [9:36:27] Thank you very much, Ms Pellet.
9 Now Ms Naouri for the Defence, please, your representation.

10 MS NAOURI: [9:36:34](Interpretation) Thank you, your Honour. Good morning.
11 To my right I've got Dov Jacobs; to his right it's Léa Allix; and behind me we've got
12 Enora Perrot; and I am Jennifer Naouri, lead counsel.

13 PRESIDING JUDGE SAMBA: [9:36:49] Thank you very much, Ms Naouri.
14 And for the record, I do take note that Mr Said is in court with us here.

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

16 MR SAID: [9:37:01](Interpretation) Good morning, your Honour. Yes.

17 PRESIDING JUDGE SAMBA: [9:37:07] Thank you.

18 Now, we note that the Chamber is calling P-0481 as the Prosecution's 32nd witness.

19 It is our understanding that this witness will be testifying in French via video link, so
20 I remind everyone of the importance of the need to speak slowly and to observe the
21 five-seconds rule between questions and answers.

22 Before commencing, the Chamber notes briefly that protective measures are
23 confirmed for this witness by virtue of decision numbered 481 and that the VWU
24 recommends no special measures.

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

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1 THE COURT OFFICER: [9:38:05] I will ask the court officer in the field to please put
2 the headset on on the witness. Thank you.

3 The witness can hear us in Sango at the moment.

4 PRESIDING JUDGE SAMBA: [9:38:24] Can you confirm whether he'll be testifying
5 in French?

6 THE INTERPRETER: [9:38:51] He's going to testify in Sango. The witness said that
7 he's going to testify in Sango.

8 PRESIDING JUDGE SAMBA: [9:38:57] Thank you very much for that clarification.
9 Now, Mr Witness, good morning.

10 Can you see me? Can you hear me?

11 WITNESS: CAR-OTP-P-0481

12 (The witness speaks Sango)

13 (The witness gives evidence via video link)

14 THE WITNESS: [9:39:14](Interpretation) I can hear you and I can see you very well,
15 your Honour.

16 PRESIDING JUDGE SAMBA: [9:39:18] Thank you.

17 You're going to testify before the International Criminal Court, so on behalf of the
18 Chamber, I welcome you to this courtroom, Mr Witness.

19 THE WITNESS: [9:39:35](Interpretation) Thank you.

20 PRESIDING JUDGE SAMBA: [9:39:38] You should have in front of you, Mr Witness,
21 the solemn undertaking to tell the truth that every witness who testifies before this
22 Court must agree to. Can I ask you to read that out for us, please.

23 THE WITNESS: [9:40:03](Interpretation) I solemnly declare that I shall speak the
24 truth, the whole truth and nothing but the truth.

25 PRESIDING JUDGE SAMBA: [9:40:16] Thank you very much, Mr Witness.

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1 Do you understand and agree to what you just read out?

2 THE WITNESS: [9:40:36](Interpretation) Yes, I understand and I agree.

3 PRESIDING JUDGE SAMBA: [9:40:41] Thank you very much.

4 Let me now explain to you the protective measures that the Chamber has put in place

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

6 distortion for the duration of your testimony. This means that no one outside the

7 courtroom can see your face or hear your real voice during your testimony.

8 We also have in place for you the use of pseudonym. In accordance with that, we

9 will all refer to you only as "Mr Witness" to make sure that the public does not know

10 your name.

11 When you answer questions that will not give away who you are, we will do so in

12 open session, which means that the public can hear what is being said in the

13 courtroom. When you're asked to describe anything that relates specifically to you or

14 that will reveal your identity, we will do so in private session.

15 And I have a few practical matters you should have in mind when giving your

16 testimony, Mr Witness. Everything we say here in this courtroom is written down

17 and interpreted. It is therefore important to speak slowly and clearly.

18 Please speak into the microphone and only start speaking when the person asking

19 you the question has finished.

20 To allow for the interpretation, everyone has to wait a few seconds before starting to

21 speak.

22 Furthermore, we hope that there is no -- there are no issues with the video link.

23 However, if there are any issues with the technology, be rest assured that we'll do our

24 best to have things sorted out as quickly as possible.

25 Do you understand all that I've said, Mr Witness?

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1 THE WITNESS: [9:43:12](Interpretation) Yes, I understand very well.

2 PRESIDING JUDGE SAMBA: [9:43:20] Thank you very much, Mr Witness.

3 Now we're going to start with your testimony and I'm going to invite the Prosecution
4 to lead you in-chief.

5 Madam Prosecutor, your witness, please.

6 MS MAKWAIA: [9:43:34] Thank you, Madam President, your Honours.

7 QUESTIONED BY MS MAKWAIA:

8 Q. [9:43:40] Good morning, Mr Witness.

9 A. [9:43:48] Good morning, counsel.

10 Q. [9:43:50] My name is Ms Holo Makwaia and I shall be leading the
11 examination-in-chief, your questioning today on behalf of the Prosecution. Okay?
12 Your Honours, to begin with --

13 A. [9:44:09] Right.

14 MS MAKWAIA: [9:44:12] Apologies. To begin with I would like to start, with your
15 leave, with a private session to elicit information that might lead to the identification
16 of the witness.

17 PRESIDING JUDGE SAMBA: [9:44:23] Thank you very much.

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

19 (Private session at 9.44 a.m.)

20 THE COURT OFFICER: [9:44:33] We are in private session, Madam President.

21 PRESIDING JUDGE SAMBA: [9:44:43] Ms Makwaia, your witness, please.

22 MS MAKWAIA: [9:44:45] Thank you, your Honours.

23 Q. [9:44:47] Mr Witness, can you tell the Court, for the record, your full names,
24 please.

25 A. [9:44:54] My name is (Redacted).

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- 1 Q. [9:45:13] And can you tell the Court your date of birth?
- 2 A. [9:45:19] I was born on (Redacted)
- 3 Q. [9:45:26] In which country?
- 4 A. [9:45:26] -- (Redacted).
- 5 Q. [9:45:33] And in which country is (Redacted)?
- 6 A. [9:45:39] I was born in (Redacted).
- 7 Q. [9:45:51] And did you go to school, Mr Witness?
- 8 A. [9:45:57] Yes, I've been to school, to primary school. I also went to middle
- 9 school.
- 10 Q. [9:46:12] And what are your qualifications?
- 11 A. [9:46:19] I've been to primary school. I went to middle school and high school
- 12 and I've got a vocational qualification in industrial studies.
- 13 Q. [9:46:47] And, Mr Witness, can you also tell the Court, please, where you were
- 14 working in the year 2013? Let's start with the month of January, where were you
- 15 working?
- 16 A. [9:47:12] In January 2013, I was working (Redacted)
- 17 (Redacted).
- 18 Q. [9:47:34] And as (Redacted), what did you do?
- 19 A. [9:47:51] I was in charge of (Redacted)
- 20 (Redacted).
- 21 Q. [9:48:14] And just to take you back a little bit, Mr Witness, can you tell the Court
- 22 what your ethnicity is?
- 23 A. [9:48:28] I belong to the ethnic group Gbaya.
- 24 Q. [9:48:34] And your religion?
- 25 A. [9:48:40] I'm a Celestial Christian.

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1 Q. [9:48:52] Mr Witness, how did you come to get employment at the (Redacted)?

2 How were you employed?

3 A. [9:49:52] (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 Q. [9:50:24] Okay. And for how long did you work (Redacted)? Can you

9 remember?

10 A. [9:50:39] I started working for (Redacted), so it's about 10 years, so I've been

11 working for (Redacted) for approximately 10 years.

12 Q. [9:50:58] And during the course of your duties working (Redacted), Mr Witness,

13 did you have occasion to travel with (Redacted)?

14 A. [9:51:23] Yes, I had the opportunity of travelling (Redacted). We went to

15 different African countries. I was in charge of logistics, catering, as well as

16 equipment.

17 (Redacted)

18 (Redacted)

19 A. [9:52:03] We're referring to President Yangouvonda Bozize François.

20 Q. [9:52:14] And do you know what ethnicity he was from?

21 A. [9:52:26] Just like me, he was also part of the Gbaya ethnic group.

22 Q. [9:52:34] Did you continue to work (Redacted) throughout the year 2013,

23 Mr Witness?

24 A. [9:52:47] Yes, I continued working (Redacted) until the Seleka orchestrated the

25 coup d'état.

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1 MS MAKWAIA: [9:53:04] Madam President, we can return to a public session and
2 then I'll see how it proceeds when we have to revert to a closed session with your
3 leave.

4 PRESIDING JUDGE SAMBA: [9:53:18] Okay. Madam Court Officer, can we go to a
5 public session, please.

6 MS MAKWAIA: [9:53:28]

7 Q. [9:53:28] So, Mr Witness --

8 THE COURT OFFICER: [9:53:30] No, please.

9 MS MAKWAIA: [9:53:32] Sorry.

10 (Open session at 9.53 a.m.)

11 THE COURT OFFICER: [9:53:36] We are now in open session, Madam President.

12 MS MAKWAIA: [9:53:40] Sorry, Madam Court Officer.

13 Q. [9:53:43] Mr Witness, we're now in a public session and please be very careful in
14 the provision of information, as directed by the Presiding Judge, that may reveal your
15 identity, okay?

16 So you told the Court that you worked (Redacted)--

17 A. [9:54:12] (No interpretation)

18 PRESIDING JUDGE SAMBA: [9:54:13] Because you should wait for the five seconds,
19 Madam Prosecutor.

20 MS MAKWAIA: [9:54:20] Noted.

21 Q. [9:54:21] -- until the Seleka orchestrated -- orchestrated a coup, correct?

22 A. [9:54:38] That is exactly it.

23 Q. [9:54:40] Now, can you assist the Court and tell it when was this, when did this
24 coup take place?

25 A. [9:55:03] This was on 24 March 2013.

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1 Q. [9:55:11] And how do you know that it was the Seleka that orchestrated this
2 coup?

3 A. [9:55:29] I knew that because this was in the news. We were told that there was
4 a rebel group that was formed in Birao and that converged towards Bangui to oust
5 the president.

6 Q. [9:55:56] And where were they converging from; do you know, Mr Witness?

7 A. [9:56:18] They came from Ndele, Birao and Bria. It was from these regions that
8 they walked towards Bangui to orchestrate the coup and oust the president.

9 Q. [9:56:36] And do you know if the president -- first of all, what is the Seleka?
10 Can you -- can you define this for the Court, if you can? Who are they?

11 A. [9:57:00] In the beginning the Seleka comprised of Muslims. They -- the reason
12 that was stated was that the region was marginalised, so they allied, they marched
13 towards Bangui to oust the president of the republic.

14 Q. [9:57:27] Now, Mr Witness, who was in President Bozize's -- did he also
15 have -- so who were the Seleka fighting?

16 A. [9:57:58] When the Seleka started off, they fought the national forces, and if you
17 want me to give you more details, I'd request you to move to private session because
18 the person I would like to mention is still holding his position. I would like this
19 discussion to be held in private session.

20 MS MAKWAIA: [9:58:27] With your leave, your Honours, can I apply for a private
21 session so we can get the information from the witness.

22 PRESIDING JUDGE SAMBA: [9:58:35] Madam Court Officer, can we go into private
23 session briefly, please.

24 (Private session at 9.58 a.m.)

25 THE COURT OFFICER: [9:58:51] We are in private session, Madam President, your

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1 Honours.

2 PRESIDING JUDGE SAMBA: [9:58:54] Thank you.

3 Madam Prosecutor, you may continue, please.

4 MS MAKWAIA: [9:58:58]

5 Q. [9:58:59] Mr Witness, you can continue your testimony and provide the name.

6 We're now in a private session.

7 A. [9:59:14] Thank you. When I said (Redacted), the

8 current minister of state, Djono Ahaba, who is working with the President Touadéra,

9 he was actually (Redacted) and he explained how they left Ndele, Birao, Bria to oust

10 the president of the republic. They also got Djotodia to come in from Benin. They

11 transited through Niger and -- so that he becomes the head of the rebellion. He also

12 told me that he doesn't know why, for what reason, Bozize had to be ousted, and

13 I had to tell Bozize to be careful because there is a rebellion that is marching towards

14 Bangui to oust him.

15 Q. [10:00:24] Thank you, Mr Witness. The national force that you referred to

16 earlier, does it have an acronym?

17 A. [10:00:39] These are the FACA, the Central African armed forces.

18 Q. [10:00:54] And going back to the Seleka, when they mounted the coup and

19 ousted President Bozize, is it within your knowledge to the type of weapons that they

20 had?

21 A. [10:01:25] Yes. From what we were able to ascertain, they had rockets in their

22 vehicles. They had AKs and they had 14.5s. They also had mortars.

23 PRESIDING JUDGE SAMBA: [10:01:49] Madam Prosecutor, do you still want us to

24 remain in private session?

25 MS MAKWAIA: [10:01:53] The difficulty is he might give some names, but I think

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1 for now we can go back to the public session, your Honour.

2 PRESIDING JUDGE SAMBA: [10:02:07] Mr Witness, if you need to name names or
3 give information which might reveal your identity, please let us know, just like you
4 did a little while ago, so that we can go into private session.

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

6 (Open session at 10.02 a.m.)

7 THE COURT OFFICER: [10:02:34] We are back to open session, Madam President.

8 MS MAKWAIA: [10:02:39] Thank you, your Honours.

9 Q. [10:02:41] Mr Witness, you were testifying that -- on the type of weapons that
10 the Seleka had. Can you tell the Court if they wore, when you saw them, if they
11 wore a uniform?

12 A. [10:03:04] When I saw them, some of them were wearing military uniform and
13 others were in civilian attire, but I did note that they were all wearing turbans.

14 Q. [10:03:28] All right. And do you know if they had leaders?

15 A. [10:03:39] Yes, they did have leaders. And I know one -- I know some of their
16 names.

17 Q. [10:03:54] Okay, we'll -- I'll get the names when we go to a private session, okay?
18 But this -- did they have a -- did they have -- who was their general leader in
19 March 2013? This name you can say, if you know.

20 A. [10:04:23] The one who was heading up the movement was Michel Djotodia, it
21 was he who was the chief of the rebellion.

22 Q. [10:04:40] Were there any military leaders?

23 A. [10:04:50] Yes, there were military leaders.

24 Q. [10:04:54] Can you give a few names?

25 A. [10:04:58] The deputy in command was Nouradine Adam. The third in

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1 command was Abdoulaye Hissene. And there was another by the name of Dhaffane.

2 And yet another person who was of Sudanese origin and he was based at the

3 firemen's barracks and his name was Moussa. There were other people whose

4 names I have forgotten.

5 Q. [10:05:38] Thank you, Witness. And is it within your knowledge -- okay, I'll

6 take that up again. Where were they staying, do you know, the Seleka?

7 A. [10:06:05] Are you talking about when they were advancing upon Bangui or

8 when they were already in Bangui?

9 Q. [10:06:13] Okay, we can start with the advance to Bangui and then when they
10 are in Bangui. So start during the advance towards Bangui.

11 A. [10:06:32] *They had left Ndele and they went through Bamingui, after which

12 Mbré and then Bandoro, they took refuge in Sibut. Others joined them from other

13 provinces such as Ippy, Bambari. And when they arrived in Bria, they advanced

14 upon Alindao and Bria and they all went through Grimari. It was at the intersection

15 in Sibut that others came from Batangafo, Ngaoundaye and they grouped together at

16 Bossangoa. They went through Bossembele, Boali and then arrived finally in

17 Bangui.

18 Q. [10:07:29] And do you know where some of them stayed in Bangui?

19 A. [10:07:50] Yes, some of them had already accessed Bangui and they were

20 waiting for the arrival of those who were still in Sibut and the other towns, and that is

21 when they started to wreak havoc and terror throughout the town of Bangui.

22 Q. [10:08:11] Okay, Mr Witness. So when they were wreaking terror and havoc

23 throughout the town of Bangui, where were you?

24 A. [10:08:24] I was in Bangui. And when they entered the town, I was at home in

25 Bangui. I could see them entering the town. When they took over power, the

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1 president then went to the palace, gathered his belongings, took the helicopter and
2 went over into the DRC. I took my vehicle and I tried to seek refuge and that is
3 when I saw them committing these acts of violence.

4 Q. [10:09:11] So after the president left and you sought -- for how long did you
5 remain in Bangui?

6 A. [10:09:30] After the president left, I spent three days in Bangui before I then
7 moved on. The family was asking for me to leave because the situation was not
8 good and there was a lot of tension. {ICR: (Redacted)}
9 (Redacted)}

10 MS MAKWAIA: [10:09:57] Your Honours, can we go into private session. The next
11 series of questions will identify the witness.

12 PRESIDING JUDGE SAMBA: [10:10:04] Okay.

13 Madam Court Officer, can we go into private session briefly, please. Thank you.
14 (Private session at 10.10 a.m.)

15 THE COURT OFFICER: [10:10:21] We are in private session, Madam President.

16 PRESIDING JUDGE SAMBA: [10:10:23] Thank you.

17 Madam Prosecutor, carry on, please.

18 MS MAKWAIA: [10:10:26] Thank you, Madam President.

19 Q. [10:10:27] So, Mr Witness, when you fled, did you flee with anybody else?

20 A. [10:10:39] Tension was increasing to such an extent and I fled on foot.

21 Q. [10:10:53] And this tension, can you tell the Court towards whom was it
22 directed?

23 A. [10:11:15] When they entered the town, the tension was directed against any
24 individual (Redacted) with President Bozize and that is how I came to flee. I could
25 only move or travel at nighttime.

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1 Q. [10:11:37] So you said you fled towards Lobaye. What was your final
2 destination?

3 A. [10:11:59] In view of the fact that the situation was critical, I fled, I went to
4 Mbaiki and then I went to Boda. And I then arrived in a small village, and I can't
5 remember its name, I will tell you if it comes back to me. And then I got to Mbaere
6 and I thought to myself -- to myself, that since I did not have any money and since I
7 still had very young children, I wondered how things were going to unfold and what
8 would happen if I had to go to a foreign country. So I stopped in that small village
9 and then I went back to Boda. And from Boda I once again went back to Mbaiki,
10 where I rested for a week.

11 Q. [10:12:48] And for how long did you remain at Mbaiki?

12 PRESIDING JUDGE SAMBA: [10:13:00] He just said one week. He just said he
13 rested a week.

14 MS MAKWAIA: [10:13:04] Thank you, Madam President.

15 Q. [10:13:06] Apologies, Mr Witness. You -- so after staying in Mbaiki for one
16 week, where did you go?

17 A. [10:13:31] After Mbaiki, well, when I arrived in Mbaiki, there weren't -- there
18 wasn't any public transport and a Seleka person sent somebody to Mbaiki to kill a
19 civilian. I dressed up in a mechanic's overalls and I followed the Seleka escort that
20 was on its way to Bangui. They had killed a Seleka and I got into one of their
21 vehicles in order to go to Bangui. When we arrived at PK9, I got out of the vehicle in
22 order to gain access to the neighbourhood and I went to the Fough neighbourhood,
23 close to the Amitié hospital in order to seek refuge.

24 THE INTERPRETER: [10:14:26] Correction from the Sango booth: The witness said
25 that he made the most of a marriage cortege that was going through Bangui and he

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1 remained in that cortege until he reached PK9.

2 MS MAKWAIA: [10:14:41]

3 Q. [10:14:41] So you said somebody was sent to kill a person, Mr Witness. Do you
4 know the name of this person?

5 A. [10:14:59] I'm not sure that I understood your question.

6 Q. [10:15:02] All right, let me take it up. As you were in Mbaiki, before you fled
7 back to Bangui, in your testimony you said earlier that they had sent somebody to kill
8 a person, the Seleka. Do you know the name of that person, if you remember?

9 A. [10:15:27] No. In Mbaiki, what I saw was a group of rebels. They knew that
10 I was in Mbaiki and the person who was in charge of protecting me warned me and I
11 hid.

12 Q. [10:15:54] Did you know any of the rebels?

13 A. [10:15:59] I'm not sure that I've understood your question.

14 Q. [10:16:11] Okay, Witness. So you then went back. Where did you go? Can
15 you continue your narrative. When you fled back to Bangui.

16 PRESIDING JUDGE SAMBA: [10:16:23] Sorry, Mr Witness, just a moment.

17 Ms Makwaia, can you confirm with the witness his testimony as to whether or not he
18 really said that, you know, they had sent the Seleka to Mbaiki to kill civilians and that
19 they killed a Seleka and he got into one of their vehicles in order to get -- to gain
20 access to the neighbourhood. Whether or not, in fact, they sent -- the Seleka went to
21 Mbaiki to kill civilians and that one Seleka was killed, was that his testimony?

22 MS MAKWAIA: [10:17:16]

23 Q. [10:17:17] Mr Witness, you've heard the Presiding Judge's question. Can you
24 answer it, please? Or would you like for it to be repeated?

25 A. [10:17:33] I have indeed understood, and there was a military individual who

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1 was killed in Mbaïki. The Seleka reproached him for having taken away their food
2 bonus. I was in Bangui and when he was attempting to return to Bangui he was
3 arrested and executed. His name was Mbeya (phon).

4 PRESIDING JUDGE SAMBA: [10:18:27] Carry on. It seems his testimony is to do
5 with when he was in Bangui, what he heard happened in Mbaïki instead. That's my
6 understanding of his answer. But anyway, carry on. He went to Bangui. Carry
7 on.

8 MS MAKWAIA: [10:18:42] Thank you, Madam President.

9 Q. [10:18:44] Mr Witness, where did you go when you arrived in --

10 A. [10:18:49] (No interpretation)

11 Q. [10:18:50] Yes?

12 PRESIDING JUDGE SAMBA: [10:19:07] Do you want to say something,
13 Mr Witness?

14 THE WITNESS: [10:19:10](Interpretation) No, I was just saying that I was in Bangui
15 when the steward Mbeya (phon) was killed.

16 PRESIDING JUDGE SAMBA: [10:19:22] Yes, thank you. That's my understanding
17 of what he just said.

18 Ms Makwaia, carry on, please.

19 MS MAKWAIA: [10:19:34]

20 Q. [10:19:35] So, Mr Witness, you said you then went back to Bangui; which month
21 was this?

22 A. [10:19:52] That was in the month of May. I came back to Bangui on or around
23 14 May 2013.

24 Q. [10:20:08] And when you arrived in Bangui, where did you go?

25 A. [10:20:15] When I arrived in Bangui, I went to the neighbourhood where the

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1 *Hôpital de l'Amitié* is located. One of my brothers-in-law -- I was hidden in the house
2 of one of my brothers-in-law.

3 Q. [10:20:56] Why didn't you go back home?

4 A. [10:21:00] When the Seleka were still chasing people, I was not in a position to
5 be able to go home because the Seleka had occupied my home that was in PK10 near
6 the police academy, and they were using my house as a base of theirs.

7 Q. [10:21:23] And how did you come to know the Seleka were occupying your
8 house?

9 A. [10:21:41] I have worked and a lot of people know who I am, and the younger
10 sister of my mother went to PK12 in order to go to the market and she noted that my
11 house was occupied. My son, who had remained in Bangui, also informed me that
12 my house had been occupied by the Seleka and that they were using it as a base.

13 Q. [10:22:09] Did you find out who was leading the Seleka who occupied your
14 house?

15 A. [10:22:34] The leader was Namboro.

16 Q. [10:22:40] And who was he reporting to, do you know?

17 A. [10:22:55] There were a number of leaders and they all fell under the authority
18 of Nouradine.

19 Q. [10:23:08] Okay. So you said you went and hid at your wife's younger sister's
20 house. For how long did you stay there?

21 A. [10:23:39] I spent two weeks there, and after having listened to my telephone
22 conversations, they found out that I was at my sister-in-law's house and they asked
23 the children around the neighbourhood whether I was in the neighbourhood. And
24 they managed to get information out of these children and they ascertained that I was
25 hiding near the hospital, the *Amitié* hospital, and that was at the time where I had

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1 money issues.

2 Q. [10:24:25] So who were listening to your telephone conversation, Witness?

3 A. [10:24:40] The Seleka, of course. Because at the ministry of the interior that was
4 headed up by Nouradine, there was a unit listening in to telephone conversations,
5 and they were in power at the time and they were preparing themselves for any
6 possibility of a counterattack.

7 Q. [10:25:15] So how did you know they were listening to your telephone? Who
8 told you this, Mr Witness; do you know?

9 A. [10:25:32] You know that when your telephone calls are being listened to -- in on,
10 it is possible for you to know that they are being listened to. (Redacted)
11 (Redacted) and I did come to learn that all of my telephone numbers were being
12 listened to.

13 Q. [10:26:02] Okay, Witness. So what happened to you as you stayed at this
14 location at your sister-in-law's house in Bangui during the month of May? Did
15 anything happen to you?

16 A. [10:26:23] One morning when I had gone out to walk around the compound, I
17 saw that there were footprints of soldiers. I also saw three bullet cases on the floor.
18 I went back inside and I called my sister-in-law. I told her that in the sand there are
19 the footprints of the military rangers' shoes and I said to her, "It would seem that they
20 are seeking to arrest me. I'm going to ask the person who owes me money in order
21 to give me that money so that I can go over the border into the DRC".

22 Q. [10:27:16] And who was this person who owed you money?

23 A. [10:27:22] The Seleka. My aide-de-camp was Nouradine's (Redacted) and
24 when I was back in Bangui, they said that they should seek to arrest me.

25 Q. [10:27:51] Okay, I'll come back to the person who owed you money.

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1 So the person who was your aide-de-camp, what was his name?

2 A. [10:28:08] His name was (Redacted).

3 Q. [10:28:17] And when was he your aide-de-camp? And by that, what do you
4 mean?

5 A. [10:28:34] An aide-de-camp is the person who is in charge of ensuring my
6 protection. He would accompany me everywhere and make sure that I was safe.

7 Q. [10:28:51] And was he still working for you when the Seleka mounted the coup
8 against President Bozize; was he still working for you?

9 A. [10:29:12] Yes, indeed. He was still working for me. It is true that on both
10 sides he would give me information, namely, that there was a rebellion in the making.
11 And he would receive information from people of his region. This was a long time
12 before the Seleka took power.

13 Q. [10:29:43] So after the Seleka took power, for who was he working?

14 A. [10:30:00] After the Seleka took power and when he noted that the Seleka was
15 approaching Bangui, he joined the Seleka. This was quite some time before they
16 reached Bangui. I believe that he was giving information to Nouradine Adam, to
17 whom he was close.

18 Q. [10:30:31] And after the Seleka took power, do you know what kind of work he
19 undertook for the Seleka?

20 A. [10:30:54] When he was my aide-de-camp, he would give information,
21 intelligence to the Seleka.

22 Q. [10:31:07] And where is (Redacted) today; do you know?

23 A. [10:31:21] He committed a lot of exactions when the Seleka took power in
24 Bangui. He betrayed his military colleagues at RDOT and that helped the Seleka kill
25 his colleagues. When Mrs Catherine Samba-Panza took power and she asked for the

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1 militaries to rally, (Redacted), in fact, took part in this and this is how his military
2 colleagues said that he deserved to die. At the end of Catherine Samba-Panza's
3 presidency, he was killed by the FACA. He is already dead.

4 Q. [10:32:16] Thank you, Mr Witness. What does RDOT or LDOT stand for?

5 PRESIDING JUDGE SAMBA: [10:32:30] Can you put your question again, counsel?

6 MS MAKWAIA: [10:32:32]

7 Q. [10:32:33] Mr Witness, you testified that (Redacted) committed a lot of exactions
8 when the Seleka took power in Bangui and he betrayed his military colleagues at
9 RDOT.

10 Can you tell the Court what RDOT stands for, the acronym RDOT?

11 A. [10:33:04] RDOT is a regiment. It's the operational territorial intervention
12 regiment.

13 Q. [10:33:22] Okay. So you had also testified, Mr Witness, that there was a person
14 who owed you money. Do you recall that?

15 A. [10:33:42] Yes, I do recall. It's (Redacted).

16 THE INTERPRETER: [10:33:54] Correction from the booth: It's (Redacted),
17 (Redacted).

18 MS MAKWAIA: [10:34:02]

19 Q. [10:34:03] Can you spell the name of this person, Mr Witness? It's not clear on
20 the record.

21 A. [10:34:15] (Redacted).

22 Q. [10:34:50] And how did you know this person, Mr Witness?

23 A. [10:34:55] (Redacted)

24 (Redacted)

25 (Redacted), and this is where I got acquainted with him. I

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1 worked with (Redacted) and that is how I got to know him.

2 Q. [10:35:36] And do you remember how much money he owed you?

3 A. [10:35:41] I remember that. At that point of time there were problems to get
4 cement and when he really needed money, I think I sent him between 100 to 200,000
5 to buy cement to build my house.

6 Q. [10:36:19] And did he buy this cement?

7 A. [10:36:35] No, he did not buy anything with that money. When the Seleka took
8 power, he wanted to harm me. He took the opportunity to do so.

9 Q. [10:36:55] And how did he do this?

10 A. [10:37:09] Now, when the Seleka took power, he owed me money. Now, in his
11 mind I was working (Redacted) and he wanted to take my position, he wanted to
12 work in my position, and this is how his aide-de-camp and himself allied.
13 (Redacted) called me and said, "Come, I'm going to return your money. I'm at the
14 (Redacted)". And he called me around 3 to 4. I told my sister-in-law that I'm going
15 to go and collect my money and -- the one that (Redacted) owed me. And when I
16 left my house, they actually ambushed me.

17 The vehicle was surrounded -- some of them were dressed in boubou. I was
18 ambushed and I was asked to have a drink, and I said I'm not feeling too well and it
19 would be for another time. And when I got up, the people who were dressed in
20 boubou pointed their weapon. They arrested me and they transported me in an
21 armed pickup vehicle. They led me to the Hotel Ledger and then they took me to
22 the OCRB.

23 Q. [10:39:06] All right, Witness. Let me just ask you some follow-up questions
24 and then we'll proceed to the Ledger and then the OCRB.

25 So which month was this; do you remember?

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1 A. [10:39:35] I think this was end of May, beginning of June, at 6 o'clock in the
2 evening. And this is when they arrested me to take me to the OCRB.

3 Q. [10:39:51] And where exactly were you arrested, Mr Witness?

4 A. [10:40:09] *I was arrested (Redacted)
5 (Redacted).

6 Q. [10:40:33] Who arrested you?

7 A. [10:40:37] It was the head of security of Nouradine who arrested me. His name
8 is Hissene Mahamat Sale -- Mahamat Sale, in fact. He was in charge of the Seleka
9 who come -- who came to arrest me.

10 Q. [10:41:06] Can you describe this person for the Court, please, in -- when he was
11 arresting you in 2013? Are you in a position to describe what type of person he was,
12 height-wise and other features, if you recall?

13 A. [10:41:34] I have -- I don't think I've understood your question.

14 Q. [10:41:50] Had you seen this person before this day of your arrest, Mr Witness?

15 A. [10:42:09] The person I saw first was (Redacted). We met where we decided
16 to meet. He was my aide-de-camp, (Redacted).

17 Q. [10:42:32] Okay, Mr Witness. Let me just back up a bit because you gave a
18 narrative and I was trying to do a follow-up.

19 So where did you meet (Redacted) -- where? Where is this place you decided to
20 meet?

21 A. [10:42:51] I said that the place (Redacted)
22 (Redacted). And this is where I agreed to meet
23 (Redacted) and this is also where I got arrested.

24 Q. [10:43:25] Okay. Apart from you, was there anybody else who was arrested on
25 this day?

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1 A. [10:43:37] When I was arrested, as -- (Redacted) was also arrested. It was just
2 to make me understand that he was the one -- he was not the one who organised my
3 arrest. I was actually taken to a cell in the OCRB and he was also put in another cell.
4 And when I was imprisoned, he was set free so that he could go home.

5 Q. [10:44:19] Okay, witness. So that the Court -- and I'm assisting them to
6 understand the chronology of your narrative -- I will just take you back a bit and then
7 we will go to the OCRB via the Ledger.

8 So can you explain for describe for the Court how the arrest -- how your arrest by the
9 Seleka unfolded at *le Standard*?

10 A. [10:45:09] They thought that I was armed because I was (Redacted). So when
11 they came, they took out their weapons and asked me to not move. They then
12 handcuffed me. I was transported in a pickup vehicle. They, first of all, took me to
13 Ledger and when they put me in the pickup, one of my sisters-in-law witnessed the
14 arrest. She took a taxi and she followed me to Ledger and then to the OCRB. She
15 was in a taxi. She followed me because she witnessed my arrest.

16 Q. [10:46:07] And the Seleka who arrested you, were they armed?

17 A. [10:46:19] Yes, they were armed. They had light weapons such as a PA, and in
18 the vehicle where I was driven, there was a 12.7 -- a 12.7 gun.

19 Q. [10:46:49] So you said from here you were taken to the Ledger. Did anything
20 happen at the Ledger?

21 A. [10:47:06] When we arrived, when we reached Ledger, I heard that Nouradine
22 was moving about with a walking stick and he was limping. Now, when I was
23 driven to Ledger, he was -- he was asked to come. He came and he said that -- he
24 asked me to be driven to the OCRB.

25 Q. Thank you, Mr Witness.

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1 MS MAKWAIA: [10:47:43] Your Honours, we -- I think it's quite safe to revert to a
2 public session.

3 PRESIDING JUDGE SAMBA: [10:47:49] Thank you very much.

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

5 MS MAKWAIA: [10:48:07]

6 Q. [10:48:08] So, Mr Witness, we're back in --

7 THE COURT OFFICER: [10:48:12] No, please. Thank you.

8 (Open session at 10.48 a.m.)

9 THE COURT OFFICER: [10:48:17] We are now in open session. Thank you.

10 MS MAKWAIA: [10:48:20] Apologies, Madam Court Officer.

11 Q. [10:48:22] Mr Witness, we're back in public session now, so please be mindful
12 about giving names that could lead to your identification.

13 So, now I'd like to focus your attention to your arrival at the Ledger. What is the
14 Ledger?

15 A. [10:48:52] Ledger is the name of a hotel and I believe it's -- the Seleka occupied
16 this place when they arrived.

17 Q. [10:49:08] So when you arrived at the Ledger, where were you taken? Or what
18 happened to you?

19 A. [10:49:26] When we reached Ledger, he saw me. I was still in the vehicle. He
20 called and spoke in Arabic and asked Mahamat Sale to take me to the OCRB. We
21 reached OCRB at 6 and they put me in a cell {ICR: (Redacted)}

22 Q. [10:50:05] We will get to OCRB. Sorry to slow you down a little bit.

23 This person who saw you at the Ledger, can you give us a name, please. Who saw
24 you. You described previously he was limping and he had a (Overlapping speakers)

25 A. [10:50:25] The person was Nouradine Adam. He was the one who saw me

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1 when I was in the vehicle in Ledger.

2 Q. [10:50:51] Did he speak to you?

3 A. [10:51:00] He just saw me and he asked me if {ICR: (Redacted)}

4 (Redacted)} And then he called people and he asked his security chief Mahamat Sale
5 to take me to the OCRB.

6 Q. [10:51:24] And did Mahamat Sale obey him when he asked him to take you to
7 the OCRB?

8 A. [10:51:42] Yes, he promptly took me to the OCRB.

9 Q. [10:51:51] And what is the OCRB?

10 A. [10:52:02] The OCRB is the Central African office for the repression of banditry,
11 OCRB.

12 Q. [10:52:16] And before this day, had you gone to the OCRB? And be careful not
13 to give any identifying information, please.

14 A. [10:52:37] Yes, I had already been to the OCRB. I went there to visit the people
15 who were arrested illegally, of course.

16 Q. [10:52:55] And when you were taken to the OCRB, and you told the Court
17 previously that this was early June, when you were taken there, who was occupying
18 the OCRB; do you know?

19 A. [10:53:28] When they took power, it was the Seleka who were occupying the
20 OCRB at that time. But they called upon a senior police officer and he was
21 appointed to the position of the director. He was there, but he did not have the
22 power to exercise his functions as a director.

23 We could actually move to private session so that I can give you the name of the -- of
24 this director.

25 Q. [10:54:02] When we go into a private session, Mr Witness, I shall come back to

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1 this and then you can give the name, okay?

2 A. [10:54:18] Duly noted.

3 Q. [10:54:20] So when you arrived at the OCRB, do you remember at about what
4 time this was?

5 A. [10:54:44] We reached OCRB at 6 o'clock in the evening.

6 Q. [10:54:51] Now, can you describe for the Court how it came to be that you were
7 taken {ICR: (Redacted)}. How did that occur?

8 A. [10:55:22] Now, {ICR: (Redacted)}

9 (Redacted)

10 (Redacted)} He was a former OCRB official,

11 but he -- he committed fraud and he helped people escape and this is why he was
12 detained in that cell, and I joined him subsequently.

13 Q. [10:56:13] Do you know the names or name of some of the people that he helped
14 escape?

15 A. [10:56:25] {ICR: (Redacted).}

16 Q. [10:56:43] Okay, Witness. Without saying the name of the person with whom
17 you shared the cell, can you tell the Court, please, who is it who decided that you
18 should be taken to that particular cell?

19 A. [10:57:15] When we reached the OCRB, I saw a bearded Seleka. {ICR: (Redacted)}
20 (Redacted). }

21 MS MAKWAIA: [10:57:40] Your Honours, we -- with your leave, can we go back
22 into private session so I can get these names on the record.

23 PRESIDING JUDGE SAMBA: [10:57:48] Certainly. But just for clarification, I think
24 {ICR: (Redacted)}

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

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1 (Private session at 10.58 a.m.)

2 THE COURT OFFICER: [10:58:22] We are back to private session, Madam President.

3 PRESIDING JUDGE SAMBA: [10:58:26] Madam Court Officer, two minutes.

4 Thank you.

5 MS MAKWAIA: [10:58:33]

6 Q. [10:58:36] Mr Witness, do you know the name of the bearded Seleka who
7 ordered you share cell G2 with (Redacted)? We're now in private session so you can
8 give the information.

9 A. [10:58:58] When I reached the OCRB, I did not know what his name was. I was
10 already in the G2 cell. And this is when I learnt his name. His name is alias
11 Djamdjia-Go Wambokana Azou (phon). This is what I heard when I was in the G2
12 cell and this is how I got to know his name.

13 Q. [10:59:32] All right. Thank you.

14 Apart from you and (Redacted), was there anybody else in the cell with you?

15 A. [10:59:50] We were just the two of us, (Redacted) and myself. When (Redacted)
16 was in the cell with me, he was in charge of questioning me.

17 Q. [11:00:09] How do you know this?

18 A. [11:00:18] I know this because (Redacted), well before the Seleka arrived, he
19 knew me, he knew where I was working. I was working (Redacted) and he was a
20 (Redacted). He knew I was someone completely in compliance with the law. And
21 you see, when you're actually sharing a cell with someone, you start forging a
22 friendly bond and you start sharing information.

23 Q. [11:00:59] And what type of questions was he asking you? You said he was in
24 charge of questioning you. Can you -- can you please tell the Court.

25 A. [11:01:13] Yes. He would ask me how things happened when I was in the

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1 (Redacted), how things unfolded. But, of course, when you (Redacted)
2 (Redacted), you can't say everything. And I tried to
3 answer some of his questions, and whenever I thought that they were a bit close to
4 the bone, I would try and muddle things because this was information that just
5 couldn't be leaked.

6 Q. [11:02:08] And how long did you stay in the cell with (Redacted)? Do you
7 remember how many -- for how long you stayed there?

8 A. [11:02:23] Yes, in the month of June I remained with him until I was presented
9 before the court on 12 June. And then I left. But a long time before I was presented
10 before the court, Nouradine Adam and the prosecutor Alain Tolmo came to meet
11 with me at the OCRB.

12 Q. [11:03:02] Thank you, Witness. It's about the time for the judicial recess.

13 MS MAKWAIA: [11:03:06] Your Honours, with your leave, I'll just get for the record
14 the name of the director of the OCRB that he could not state during the public session
15 in his testimony.

16 PRESIDING JUDGE SAMBA: [11:03:20] Quickly, please.

17 MS MAKWAIA: [11:03:22]

18 Q. [11:03:22] Mr Witness, could you tell the Court who was in charge of the OCRB,
19 that you spoke of earlier but you did not provide a name, when you were there?
20 Who was the director that you said had no (Overlapping speakers)

21 A. [11:03:41] The director at the time was Mazangue. He was an officer and part
22 of the police, but he was just a figurehead.

23 PRESIDING JUDGE SAMBA: [11:04:00] Thank you very much.

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

25 (Open session at 11.04 am)

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- 1 THE COURT OFFICER: [11:04:19] We're back to open session, Madam President,
2 your Honours.
- 3 PRESIDING JUDGE SAMBA: [11:04:22] Okay.
- 4 Mr Witness, we're going to stop here for now and take a short break. We'll be back
5 for 11:30.
- 6 I rise the Court, please, for 11:30.
- 7 THE COURT USHER: [11:04:38] All rise.
- 8 (Recess taken at 11.04 a.m.)
- 9 (Upon resuming in open session at 11.36 a.m.)
- 10 THE COURT USHER: [11:36:53] All rise.
- 11 Please be seated.
- 12 PRESIDING JUDGE SAMBA: [11:37:16] Good morning, again, everyone.
- 13 Mr Witness, we are going to continue with your examination-in-chief.
- 14 Madam Prosecutor, your witness, please.
- 15 MS MAKWAIA: [11:37:38] Thank you, your Honours.
- 16 Q. [11:37:40] Mr Witness, we are going to remain in the public session with the
17 leave of the Court, so please don't mention names that can lead to your identification.
18 Having said that, you gave the name before the break of the director of the OCRB at
19 that time, and you told the Court that he was just a figurehead; do you remember
20 that?
- 21 A. [11:38:09] Yes, I remember that.
- 22 Q. [11:38:24] Now, can you tell the Court why is it you said he was just a
23 figurehead?
- 24 A. [11:38:33] This is what I noted when I was detained there. He approached me
25 and said that {ICR: (Redacted)} is just a figurehead." I was already -- I didn't really

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1 understand. When I was at home, he would go about his legal activities. I wasn't
2 really in a position to take any decisions. I was just there as a figurehead in my
3 position.

4 Q. [11:39:23] All right, witness.

5 Now, I would like to focus your attention to the conditions of life when you were
6 detained at the OCRB. I may have asked you this question, but I'm not clear I heard
7 the answer.

8 Can you tell the Court how long you were detained at the OCRB?

9 A. [11:40:00] I was in detention for {PFR: (Redacted)} -- {PFR: (Redacted)} month,
10 that is. My detention lasted between {PFR: (Redacted)}.

11 Q. [11:40:29] And when you were detained, Mr Witness, what did you do for food?

12 A. [11:40:38] It really was a difficult position to be in. I would receive food from
13 {ICR: (Redacted)} and for 10 days my relatives didn't know where I was. It was
14 difficult for me. As to when I needed to relieve myself, {ICR: (Redacted)} would help
15 me to leave the cell in order to relieve myself.

16 Q. [11:41:17] And why did he need to do so? Why did he need to help you to
17 leave the cell?

18 A. [11:41:26] Well, every now and then he would get out -- he would go out to get a
19 breath of fresh air and he would come back and start talking to me. When his
20 relatives were bringing him something to eat, he would give me something to eat, but
21 I didn't want to eat the food that he gave me so that I would not be poisoned. But
22 then later I started to trust him and I started to eat the food that he gave me.

23 Q. [11:42:13] So apart from the food that this individual shared with you, did the
24 persons who detained you, the Seleka, did they provide you with any food?

25 A. [11:42:28] No, not at all. There was just some humanitarian personnel staff

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1 member who was with me in the cell. He offered me a cigarette and I said that I
2 didn't smoke. He brought me some biscuits. But apart from this humanitarian
3 worker, whose name I'm not going to give here, he just gave me a cigarette or two
4 and some biscuits, but not on a regular basis.

5 Q. [11:43:19] Thank you, Mr Witness. We'll come to that name in the private
6 session.

7 You have testified a few minutes ago that the person you shared the cell with assisted
8 you when you needed to relieve yourself. Can you tell us why? Why did he have
9 to assist you?

10 A. [11:43:43] I was inside a cell and I had my hands tied. He would partially
11 undress me. I would sit on the bucket and relieve myself. He knew me beforehand
12 when I was still working and in my position then I never did him any harm, and that
13 is why he came to provide me with assistance during this period of distress.

14 Q. [11:44:31] And can you describe for the Court the condition of the cell where
15 you were held for about {PFR: (Redacted)}, you stated? Can you describe it?

16 A. [11:44:52] The conditions were very difficult, but I was able to put up with them
17 and it is because -- I have to explain this to the Court, you know, it was very difficult
18 for me. I suffered to a great extent.

19 Q. [11:45:35] Okay. Thank you for making the effort to explain to the Court,
20 Mr Witness.

21 Can you also tell the Court if you were given any medical attention during this period
22 you were in detention?

23 A. [11:45:55] I did not receive any medical assistance. I talked to you about a
24 humanitarian worker. He was the one who gave me biscuits and some cigarettes.
25 That was the only person who provided me with any assistance

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1 Q. [11:46:20] Were your hands untied when you had to sleep, Mr Witness?

2 A. [11:46:26] For a duration of 10 days, I slept with my hands tied. My feet were
3 untied. Now, after the 10 days, the humanitarian worker came on a regular basis
4 and that is when they untied my hands.

5 Q. [11:47:04] Mr Witness, what did you do -- what did you drink during your
6 detention?

7 A. [11:47:28] During the first days, I would drink with the help of a spoon. That's
8 what they gave me during those first days.

9 Q. [11:47:51] And you testified that you relieved yourself a bucket. Where was
10 this bucket found?

11 A. [11:48:05] The bucket was in the cell, in a corner, and that is where we would
12 relieve ourselves. It was inside the cell. It did not have a cover or a lid and there
13 was a very bad smell inside the cell.

14 Q. [11:48:37] All right, Mr Witness. Can you also tell the Court, if you were told,
15 why it was that you were detained? Why were you detained, Mr Witness?

16 A. [11:49:02] When the Seleka arrived, they would take it out on those who were
17 {PFR: (Redacted)}, and because they were in the know that I was
18 {PFR: (Redacted)}, they were seeking to arrest me. They said that I had a great deal
19 of information about him and they wanted to know how {PFR: (Redacted)}
20 (Redacted)} and why it was that some personalities on their side had been killed.
21 That is why the Seleka arrested me in order to do me harm.

22 Q. [11:49:57] When you were detained by the Seleka at the OCRB, did any of the
23 Seleka leaders there speak to you?

24 A. [11:50:12] When I was at the OCRB, on a Sunday Nouradine Adam asked for me
25 to be taken out of the cell. I was surrounded by the Seleka and he put questions to

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1 me. I provided him with answers and I told him that these were truths that I was
2 telling him. He said to me that if I did tell him the truth, they would release me
3 immediately. I told him that I had told the entire truth and that I was not hiding any
4 information at all.

5 When he withdrew, because his office was 100 metres afar from the OCRB, I was
6 tortured by his elements in order for me to own up. I told them that I did not have
7 any further pieces of information to provide them with and that I had told everything
8 to their leader.

9 Q. [11:51:29] So do you recall what kind of utterances, or what kind of words did
10 Nouradine tell you as he spoke to you -- as he questioned you, rather? Sorry.

11 A. [11:51:57] When he arrived on that Sunday, he asked me -- or, rather, he told me
12 that I was an individual who had {PFR: (Redacted)} in order to

13 harm him. He said to me, "Do you believe {PFR: (Redacted)}
14 (Redacted)}"

15 I answered him saying, "Well, you, {PFR: (Redacted)}."

16 You went through training in order to become {PFR: (Redacted)}
17 (Redacted)}." Now, to say that I am the person who made the most {PFR: (Redacted)},
18 I believe that is not true.

19 Q. [11:53:01] So you stated that at one point he retreated, Mr Witness, and that his
20 elements then continued to question you. So I would now like to focus your
21 attention to what his elements did, okay?

22 A. [11:53:33] Yes, I'm following what you're saying.

23 Q. [11:53:41] So, can you describe to the Court what they did to you after Nouradine left?

24 A. [11:53:53] After having answered Nouradine's questions, he told me that he
25 would be going to his office. Nouradine's elements were burning plastic material on

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1 my hands, and I believe that the photograph of this is annexed to my statement. It
2 was atrocious, what I lived through, and I don't want to come back to this because it
3 really does bring back very painful memories.

4 Q. [11:54:43] And this photograph that you say is annexed to your statement,
5 Mr Witness, were you the one who gave it to the investigators of the Office of the
6 Prosecutor?

7 A. [11:55:04] Yes. When we met for the first time -- can I give the name of the
8 country where we met?

9 Q. [11:55:27] No, no, no, don't do that. There's no need for that, Witness. Thank
10 you.

11 And --

12 A. (No interpretation)

13 Q. [11:55:42] Now, before I get to the photograph, can you just - and I know this is
14 very painful and I'm very sorry I have to put these questions to you, Mr Witness - but
15 can you describe to the Court what the Seleka did to you, if you remember, step by
16 step, until they used the nylon, the burnt nylon that you referenced?

17 A. [11:56:14] When I was arrested by the Seleka, they beat me up, after which,
18 Nouradine came and interrogated me. And when he went back to his office, his
19 elements burnt me with nylon. They wanted to watch me dying, but luckily god
20 was protecting me. I was tortured. And let me say this to you openly, I am saying
21 this before the Judges, let me repeat, I suffered a great deal.

22 Q. [11:57:10] Thank you, Mr Witness.

23 Your Honours, with your leave, can I have displayed annex D at tab 5 of the list of
24 material, CAR-OTP-2018-0639.

25 Now, Mr Witness, do you have displayed before you a photograph?

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- 1 A. [11:58:03] Yes, I can see the image
- 2 Q. [11:58:15] And do you recognise what this photograph depicts?
- 3 A. [11:58:24] Yes, these are my hands and these are the traces on my hands. I
- 4 recognise them only too well.
- 5 Q. [11:58:44] And these are the traces of what, Mr Witness?
- 6 A. [11:58:49] I was burnt with nylon and I still bear these marks on my hands.
- 7 Q. [11:59:09] And do you remember when these -- when this photograph was taken,
- 8 the year?
- 9 A. [11:59:24] Yes, I do remember. It was when I left the OCRB. That is when this
- 10 photograph was taken.
- 11 Q. [11:59:40] Okay. Thank you, Mr Witness.
- 12 Can I now have displayed annex E to the witness's statement, at tab 6, please,
- 13 CAR-OTP-2018-0640.
- 14 Mr Witness, what does this photograph depict?
- 15 A. [12:00:15] These are my hands when I was untied at the OCRB.
- 16 THE INTERPRETER: [12:00:42] Sorry, these are my hands when I was tied at the
- 17 OCRB: correction from the English booth.
- 18 MS MAKWAIA: [12:00:46] Thank you, Witness.
- 19 With your leave, your Honours, can I also have displayed annex F, at tab 7,
- 20 CAR-OTP-2018-0641.
- 21 Q. [12:01:15] Mr Witness, what can you see on this photograph?
- 22 A. [12:01:19] These are burn marks on my hand. {ICR: (Redacted)}
- 23 Q. [12:01:50] And when did this occur?
- 24 A. [12:02:02] This happened on 1 June -- between 5 and 10 June when I was
- 25 tortured.

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1 Q. [12:02:24] Thank you, your Honours.

2 Mr Witness, we'll come back to other documentation later. I'll proceed with
3 questions with respect to your narrative.

4 So when the elements of Nouradine continued to question you and torture you,
5 Mr Witness, what was going through your mind?

6 A. [12:02:56] A man is born to die. I suffered because my father told me a man
7 must suffer and I thought I basically could bear what I could. I turned to god for
8 everything that would happen subsequently.

9 Q. [12:03:42] And as this took -- do you remember how long this lasted for,
10 Mr Witness, the questioning by the elements of Nouradine? For how long did this
11 questioning and torture last, do you recall?

12 A. [12:04:03] This lasted for two or three hours. I was tortured for two or three
13 hours.

14 Q. [12:04:28] So, apart from burning you with the nylon and tying your hands, did
15 anything else -- what else did they use, are you in a position to tell the Court?

16 A. [12:04:46] I saw that they had actually burnt me with plastic bags. They hit me.
17 I'm telling this to the judges so that they know. I suffered a lot. I was tortured.

18 Q. [12:05:21] And can you describe to the Court in what position you were in -- as
19 in, were you standing, or what position were you in? I hope my question is clear.

20 A. [12:05:55] Yes. I was on the floor and they burnt me and they started beating
21 me up. I was rolling on the ground because my hands were tied. I was in great
22 pain. I was turning on the ground. I could not defend myself. I couldn't, you
23 know, retaliate. I was on the floor.

24 Q. [12:06:24] And as they beat you, Mr Witness, did they say anything?

25 A. [12:06:32] You see, when the Muslims were beating me up, they said, "(Speaks

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1 Arabic)", this was something in their language, they said "(Speaks Arabic)" -- they
2 were swearing at me in their language. They said this is a {PFR: (Redacted)} who is
3 beaten up. They did not -- they misspoke. I was hurt. I did not speak. I did not
4 utter a word. I was just enduring a great deal of suffering inside.

5 Q. [12:07:24] And during the course of the beating, did they give you anything to
6 drink?

7 A. [12:07:36] They wanted me to die. Who would give me water? It was at noon
8 that they would give me a spoon of water. No one took pity on me.

9 Q. [12:07:57] Thank you, witness.

10 Did Nouradine return from his office?

11 A. [12:08:07] Yes. After he returned from his office the beating stopped and then
12 they called the prosecutor - you know his name - he, along with a police officer, came
13 around 10 or 3. They came on a Sunday, after he returned from his office, and
14 he -- they started interrogating me in an office.

15 Q. [12:08:53] All right. We'll get to the prosecutor and I'll ask you for his name in
16 the private session.

17 So, when Nouradine -- when Nouradine returned, did he see what condition you
18 were in

19 A. [12:09:12] Yes, he saw me. He came, he gave instructions and he came to see
20 me. Subsequently, there was the person who came to interrogate me. They untied
21 me for some time and after that, the prosecutor came. I was taken to an office and
22 the prosecutor heard me. He was there along with another police officer.

23 Q. [12:09:58] Okay. So when the prosecutor came, did he tell you why you were
24 arrested and detained?

25 A. [12:10:06] He said nothing at all. He only said that he has come to do his job.

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1 He came to do his job. This is what he told me.

2 Q. [12:10:31] Did the prosecutor see the extent of your injuries when he
3 was -- when he came to see you?

4 A. [12:10:42] At that point of time, he had no power. He saw me, he said nothing,
5 and if he would utter a word, he wouldn't remain in his position. Everyone was
6 actually watching out for their position. At that time, it was really hard. These
7 were hard times. Even if people were absolutely repulsed, they would say nothing
8 at all.

9 Q. [12:11:20] Did he offer you the possibility of being seen by the doctors, or any
10 medical treatment?

11 A. [12:11:37] Nothing at all. I did not receive any medical visit.

12 Q. [12:11:57] And, similarly, did Nouradine make such an offer when he returned
13 and saw -- and he saw you after you'd been questioned and beaten by his elements?

14 A. [12:12:12] No. I did not go to the hospital.

15 Q. [12:12:33] Thank you, witness.

16 Your Honours, I think I now have to go into private session to get some more
17 information.

18 PRESIDING JUDGE SAMBA: [12:12:40] Madam Court Officer, can we go into
19 private session, please.

20 (Private session at 12.12 p.m.)

21 THE COURT OFFICER: [12:12:52] We are in private session, Madam President.

22 PRESIDING JUDGE SAMBA: [12:13:05] Thank you very much.

23 Madam Prosecutor, carry on, please.

24 MS MAKWAIA: [12:13:08] Thank you, your Honours.

25 Q. [12:13:11] So, Mr Witness, we are now in private session and you can give

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1 names and other identifying information. So we can start with the name of the
2 humanitarian worker who came and gave you biscuits and cigarettes at the OCRB.

3 Do you remember his name?

4 A. [12:13:36] Yes. His first name is Christian.

5 Q. [12:13:49] And do you know which -- who did he work for?

6 A. [12:13:57] He was working for the CICR, the CICR. That was near the CEMAC
7 headquarters.

8 Q. [12:14:26] And apart from Christian, did any other person visit you during your
9 detention at the OCRB?

10 A. [12:14:35] *Yes. After around 14 days, (Redacted)
11 visited me. Her mother is Muslim, and they spoke in Arabic. I was given coffee
12 and I was asked -- and I was told that they shouldn't bring me food, and only coffee,
13 because the food could poison me. I was given only coffee.

14 Q. [12:15:30] Do you know how it is (Redacted) came to know you were being
15 detained at the OCRB?

16 A. [12:15:40] You see, women are not scared. When something happens, they
17 would go barefoot to the presidency to see (Redacted) and they would say, "If
18 (Redacted) executed, please give me his body", and this is how she got to know that I
19 was at the OCRB. She came to the OCRB and someone confirmed that I was actually
20 detained at the OCRB. But before that, she came to Camp de Roux and that's
21 where someone told her that I was at the OCRB.

22 Q. [12:16:45] Okay. And now you can tell the Court the name of the prosecutor
23 who questioned you, after you were tortured by the Seleka?

24 A. [12:17:18] It was Mr Alain Tolmo. He was accompanied by a police officer
25 called Mbindo, Mbindo. He was a police officer called Bindo. They were in charge

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1 of hearing me out.

2 Q. [12:17:44] And do you remember, Mr Witness, if he came after the humanitarian,
3 Christian, had seen you or before, the prosecutor?

4 A. [12:18:11] The prosecutor came after Christian visited me, and it's after this visit
5 that I was brought to the court.

6 Q. [12:18:39] When you went to the court, were you told why you were detained
7 and arrested?

8 A. [12:18:49] You see, the file was empty at that point of time. There was nothing
9 in my file of arrest. They asked me questions that were rather general. The
10 grounds of arrest were not stated. They were ashamed because they didn't know
11 what to do and they couldn't actually give me the grounds of my arrest.

12 Q. [12:19:30] And do you remember the date when you went to the court, or the
13 month?

14 A. [12:19:43] It was 27 June.

15 Q. [12:20:03] So, then what happened after your court visit? What happened to
16 you?

17 A. [12:20:16] Right. Once I was at the court, something happened in the Boy Rabe
18 neighbourhood, or district. The Seleka went to reinforce Boy Rabe and left behind
19 two elements with me, and once I was in the office I asked the prosecutor if I could
20 use the toilet. So the person in the office was someone from Bouca who knew me
21 well. I asked him to call my in-laws and ordered a taxi behind the building near the
22 court. So I requested permission to use the toilet. I then got into the taxi and they
23 actually took me to Mpoko.

24 Q. [12:21:34] And where is Mpoko?

25 A. [12:21:42] Mpoko is near the airport. It's near the Bangui airport. There was a

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1 CEMAC contingent there. It was within their base where I sought refuge.

2 Q. [12:22:20] Thank you, Witness.

3 Now, I'm afraid I still have to bring you back to the OCRB, before you went to Mpoko,
4 because I still have a few questions I need to ask you about, as you were detained
5 there. Okay?

6 A. [12:22:57] I've understood you well.

7 Q. [12:23:01] So, Mr Witness, you've told the Court about the cell where you were
8 held. Were there other cells at the OCRB?

9 A. [12:23:18] Yes. G1 was the cell for people who were arrested. I was in G2.
10 And G3 was for people who committed armed robbery. G4 was for people who
11 swindled others. Moreover, there was another cell which was in the basement and
12 that cell was for miscellaneous purposes. But the Seleka would use it to detain some
13 prisoners, and there were some detainees who were underground and they were in
14 danger.

15 Q. [12:24:38] Why were these detainees who were in this underground cell in
16 danger, Mr Witness? Why?

17 A. [12:24:50] I did not say that lightly. When these detainees were taken, they
18 were wearing a hood and you couldn't identify them. Opposite my cell, they were
19 led to the basement, directly, and it was the basement, we couldn't see them. They
20 were facing really difficult situations.

21 PRESIDING JUDGE SAMBA: [12:25:37] Madam Prosecutor, do you still want us to
22 be in private session?

23 MS MAKWAIA: [12:25:43] We can go into public session, Madam President. I'll
24 take the name in private session later.

25 PRESIDING JUDGE SAMBA: [12:25:51] Okay.

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

2 (Open session at 12.25 p.m.)

3 THE COURT OFFICER: [12:25:59] We are in open session, Madam President.

4 MS MAKWAIA: [12:26:15]

5 Q. [12:26:23] So, Mr Witness, if you couldn't see them in the basement, how did
6 you know there were detainees there?

7 A. [12:26:35] You see, my cell -- from my cell I could see the stairway that led to the
8 OCRB office. There were bullet marks on my door, and from these holes I could
9 actually see what was going on in the stairs until the basement, until the cell in the
10 basement.

11 Q. [12:27:24] And only if you know, Mr Witness, do you know how many people
12 were held in the basement when you were being detained there, do you know that?

13 A. [12:27:45] No, they would bring the people who were arrested, they would put
14 them in the underground cell. Sometimes at night they would recover a few of them
15 and I don't know where they would take them. No, I -- I can say that there were
16 more than 20 people who were in the underground cell and they did get some people
17 out to take them to unknown destinations.

18 Q. [12:28:33] Now, did you observe some of these people being taken out from the
19 underground cell?

20 A. [12:28:43] Yes. But, you see, I said that people who were in the underground
21 cell were wearing a hood. It was not possible to identify them. So they were all
22 wearing a hood and you couldn't identify them.

23 Q. [12:29:16] Okay. During the course of your detention, did you at any particular
24 time get close to any of individuals who had been held in the underground cell?

25 THE INTERPRETER: [12:29:36] I'm sorry, your Honour, I'm not getting any

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1 interpretation from the Sango booth.

2 THE COURT OFFICER: [12:30:21] We didn't get the interpretation from Sango
3 booth to the English interpretation.

4 THE INTERPRETER: [12:30:39] The Sango booth apologies.

5 THE WITNESS: [12:30:49](Interpretation) I was not near the two of them. I was
6 about 10 metres away and I really could not observe what was happening in a precise
7 way.

8 MS MAKWAIA: [12:31:03]

9 Q. [12:31:03] Okay, Witness, during your detention did you see or hear of any
10 killings at the OCRB?

11 A. [12:31:17] Indeed. During my detention at the OCRB, at 1 a.m. in the morning
12 they were taking the prisoners out who were detained in the cellar and they would tie
13 them up according to the *arbatachar* method. They would take a metal object and
14 they would push it into their neck and that's how they killed those people. I believe
15 that they killed seven of them. They took some bags and they put the corpses of
16 those dead people into those bags in order to make sure that we couldn't identify
17 them.

18 After that, they called us and another detainee and myself were requested to put the
19 bodies into the bags. And as the OCRB was not far from the Oubangui river, we
20 went to the river, to the Oubangui river in a vehicle and we drove past the embassy
21 and then past a hotel.

22 The vehicle drove us to a location where we threw these corpses into the Oubangui
23 River. It was difficult for me. I saw seven people being put into these bags and
24 then thrown into the Oubangui River

25 MS MAKWAIA: [12:33:35] Your Honours, perhaps for further clarity, if I can go into

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1 private session, and I apologise for this.

2 PRESIDING JUDGE SAMBA: [12:33:42] Thank you very much. Madam Court

3 Officer, can we go into private session, please.

4 (Private session at 12.33 p.m.)

5 THE COURT OFFICER: [12:33:57] We are in private session, Madam President.

6 PRESIDING JUDGE SAMBA: [12:34:01] Thank you. Ms Makwaia, your witness,

7 please.

8 MS MAKWAIA: [12:34:11] Thank you, your Honour.

9 Q. [12:34:12] So, Mr Witness, I will ask a few follow-up questions.

10 Who took these prisoners out of the underground cell? Who? Do you know?

11 A. [12:34:33] It was the person who was killing the detainees. It was alias

12 Djamdjia-Go. He was the one who gave orders for the prisoners to be killed. That's

13 what I saw.

14 I transported those corpses in order to go and throw them in the Oubangui River. I

15 am telling you what I personally saw with my very own eyes.

16 Q. [12:35:11] And how did you transport these bodies to the Oubangui River?

17 A. [12:35:32] I told you that the bodies were transported in a pickup. We were

18 accompanied by four Seleka. There was myself and the prisoner, and we were

19 accompanied by four Selekas, and we went to throw the bodies in the Oubangui

20 River.

21 Q. [12:35:59] Can you have please assist us with the names of the four Seleka who

22 were with you?

23 A. [12:36:07] I was not able to identify them because they were wearing balaclavas.

24 They would address each other by Arabic names. They did not introduce themselves

25 and they did not mention any names for me to be able to identify them by name.

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1 Q. [12:36:53] And you gave the name Djamdjia-Go. Do you think you could spell
2 it for the record, for us? I don't know if I said it correctly -- Djamdjia-Go?

3 A. [12:37:12] I said alias Djamdjia-Go. (Redacted), he was my co- detainee in the same
4 cell.

5 Q. [12:37:30] (Redacted)? I don't know where (Redacted) came from, but thank you for
6 that spelling. And if this is an alias, what's his name, what's his real name,
7 Djamdjia-Go?

8 A. [12:37:45] After the acts of violence that he committed, I believe that his name is
9 Said Aroun. It was his nickname, which is --

10 THE INTERPRETER: [12:38:12] The interpreter did not catch the whole name.
11 Could it please be repeated slowly.

12 PRESIDING JUDGE SAMBA: [12:38:23] Mr Witness, can you repeat the name again
13 for the interpreters, please.

14 THE WITNESS: [12:38:40] Said Aroun, alias Djamdjia-Go; Zotte Mongo Kwa-Azu.

15 MS MAKWAIA: [12:38:56](Interpretation)

16 Q. [12:38:56] And who was Said Aroun? Did he have any rank or position in the
17 Seleka?

18 A. [12:39:15] He was a leader in the Seleka who would conduct acts of violence.
19 He didn't -- he spoke Arabic. He didn't understand Sango very well. He was
20 also -- when he spoke of "*afushu*" (phon), it means that that person has already been
21 killed.

22 Q. [12:39:48] Okay. And you told the court that the prisoners who were brought
23 out and then killed were tied in the *arbatachar* method. Can you explain for us what
24 this means? Can you describe the manner in which they were tied, that you called
25 *arbatachar*?

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1 A. [12:40:24] The *arbatachar* method consisted in tying the detainee's hands in their
2 back, and with the same piece of cord, they would also tie the hands of the
3 prisoners -- the feet of the prisoners.

4 THE INTERPRETER: [12:40:46] Correction.

5 THE WITNESS: [12:40:48](Interpretation) We could only see their chest when they
6 were tied up, according to the *arbatachar* method.

7 MS MAKWAIA: [12:41:06]

8 Q. [12:41:06] Okay, Mr Witness.

9 And the vehicle that you used to transport the bodies to the Oubangui, to whom did
10 it belong; do you know?

11 A. [12:41:16] The vehicles belonged to the Seleka. These were Seleka vehicles and
12 the Seleka were committing acts of violence, and it was in these vehicles that the
13 prisoners who had been killed were driven in order to be taken and thrown into the
14 Oubangui River.

15 Q. [12:41:52] So, can you describe for the Court, please, when you arrived at the
16 Oubangui River, how did you throw the bodies into the river?

17 A. [12:42:04] As I said to you, it was approximately midnight, approaching 1 in the
18 morning. The vehicle transported the corpses and we drove towards the river. The
19 location was -- where the bodies were thrown in the river was not far afield from a
20 hotel. And it was at said location that we threw the bodies into the river.

21 Q. [12:42:55] And after you threw them into the river, what happened to you?
22 What did you do next?

23 A. [12:43:08] After having thrown the bodies in the river, we drove to the OCRB.
24 But on the way they said that our turn was approaching -- that is to say, the turn of
25 my co-detainee and myself. That's what the Seleka said to us.

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1 Q. [12:43:50] Your turn for what, Mr Witness?

2 A. [12:43:55] We threw the bodies into the river and the Seleka then told us that my
3 co-detainee and myself would also be killed. That's what they said to us.

4 Q. [12:44:25] And did you find out where they were getting these orders to kill
5 prisoners and threaten prisoners like yourselves -- detainees?

6 MR JACOBS: [12:44:32] Madam President.

7 PRESIDING JUDGE SAMBA: [12:44:35] Mr Jacobs.

8 MR JACOBS: [12:44:49](Interpretation) Yes, it would seem to me that the witness
9 did not indicate that these persons received orders. I think that words have been put
10 in his mouth, words that he did not utter.

11 PRESIDING JUDGE SAMBA: [12:45:08] Madam Prosecutor.

12 MS MAKWAIA: [12:45:10] I think during the course of his narrative, he's given
13 testimony -- I don't know the particular area, but in the interests of time I can ask him
14 the question.

15 PRESIDING JUDGE SAMBA: [12:45:23] Because I think his testimony named
16 somebody, the name that you were trying to pronounce, which I think he spelt,
17 Said Aroun, alias Djamdjia-Go, he said gave instructions for the killings. He didn't
18 say that that person received instructions from any other person.

19 MS MAKWAIA: [12:45:54] I'll clarify that for the record.

20 Q. [12:46:00] Mr Witness, while you were detained at the OCRB, were there other
21 leaders of the Seleka?

22 A. [12:46:43] At the OCRB there was General Kader who would come and drop off
23 his prisoners. He would drop them off at the OCRB -- Abdel Kader.

24 Q. [12:46:58] And he was a general of which group?

25 PRESIDING JUDGE SAMBA: [12:47:08] I think your question was whether or not

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1 there were other leaders of the Seleka, so he must be a general of the Seleka.

2 MS MAKWAIA: [12:47:14] All right?

3 PRESIDING JUDGE SAMBA: [12:47:15] No?

4 MS MAKWAIA: [12:47:17] If that's implied in the answer --

5 PRESIDING JUDGE SAMBA: [12:47:22] I think so, yes.

6 MS MAKWAIA: [12:47:25] -- I'll ask the next question, your Honours.

7 Q. [12:47:25] Apart from General Kader, was there anybody else who was part of
8 the leadership at the OCRB when you were being detained there, witness?

9 A. [12:47:41] There was Nouradine who would come; there was General Abdel
10 Kader. There was another deputy director general of the police, I do not know his
11 name, but he would come with balaclavas on their heads so that they could not be
12 identified. And these Seleka leaders would come by on a regular basis to the OCRB.

13 Q. [12:48:29] Thank you, Witness. And when you were detained at the OCRB,
14 were you in a position to know if other prisoners were also being beaten at the OCRB?
15 Did you know this?

16 A. [12:48:52] Yes. When they arrested people and took them to the OCRB, there
17 was a cell next to a large tree, not far afield from the Moov company. They would
18 throw water on people and we would often hear them crying. They would beat
19 people there. They would torture them.

20 Q. [12:49:43] And do you know what does Moov stand for?

21 A. [12:49:50] It is a telecommunications company located not far afield from the
22 OCRB compound.

23 Q. [12:50:11] Thank you, Mr Witness.

24 Now, did it ever come to your knowledge or information whether or not the bodies
25 that you threw into the Oubangui were discovered?

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1 A. [12:50:33] Yes. After that, when I was in Mpoko a week after, I had sought
2 refuge on the other side of the river, that is to say, in the Republic of Congo, the
3 Democratic Republic of Congo. You can see the Central African Republic from the
4 other side of the river and people said that there were bodies floating in the river and
5 that the families of those individuals who had disappeared had come in a bid to
6 identify these corpses. And I could see there were groups of people and those
7 coming across the river told me this information.

8 Q. [12:51:33] Mr Witness, before you left the OCRB and went to Mpoko, do you
9 know if the Seleka who had killed the prisoners you threw at the Oubangui river, do
10 you know if they were punished?

11 A. [12:51:57] No. As I said, I had fled from the Court and I had gone to seek
12 refuge at Mpoko camp. But when the Seleka did what they did, nobody would
13 imprison them, they would move around freely as they wanted to because they were
14 in power. They weren't going to end up in prison; they had full powers, they were
15 untouchable and they were at liberty and could move around freely.

16 Q. [12:52:48] And is it within your knowledge, Mr Witness -- no, I'll take that up
17 again.

18 Was the OCRB guarded when you were detained there, do you know?

19 A. [12:53:09] Yes. The entire compound was surrounded. There were two
20 entrances, and they were posted at the two gates. Inside the compound there were
21 elements who on occasion would go out and conduct activities out in the field.

22 MS MAKWAIA: [12:53:45] Madam President, I'm mindful of the time and I think it's
23 an opportune moment to stop here today.

24 PRESIDING JUDGE SAMBA: [12:53:50] We still have, like, seven minutes. We still
25 have, like, seven and I'd want to maybe draw your attention to the photos that you

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1 showed this witness. I don't know what you want to do -- intend to do with them.

2 MS MAKWAIA: [12:54:11] I intended to formally submit them and other
3 documentation at the end of my examination-in-chief, but with your leave I can
4 already submit them.

5 PRESIDING JUDGE SAMBA: [12:54:27] Madam Court Officer.

6 THE COURT OFFICER: [12:54:29] Thank you, Madam President.

7 Can the Prosecution simply confirm that is tabs 5, 6, 7, just to make sure the record is
8 complete, and I will accurately --

9 MS MAKWAIA: [12:54:43] That is correct.

10 THE COURT OFFICER: [12:54:44] Thank you.

11 MS MAKWAIA: [12:54:53]

12 Q. [12:54:53] So, Mr Witness, can you tell the Court the type of weapons that were
13 being used to guard the OCRB compound?

14 PRESIDING JUDGE SAMBA: [12:55:24] Yes, Mr Jacobs -- but I'm wondering, if this
15 witness was detained, he was within, are you asking him to tell us about weapons
16 used to guard the compound while he was in detention? Would he know, really?

17 MS MAKWAIA: [12:55:40] I withdraw that question, your Honours.

18 Q. [12:55:44] So, Mr Witness, from Mpoko, where did you go?

19 * A. [12:55:54] I spent a week in Mpoko and I told my mother-in-law that she
20 should find a dugout for me and that she should give some money to the dugout
21 person, because there was a smuggler there. I got out of Camp M'Poko and took a cab.
22 She was with me, and we went to (Redacted) is located -- I don't know whether you
23 know the place, there was a pastor. We got the dugout canoe ready by the river and
24 myself and my mother-in-law and the pastor, well, we would walk around as if we
25 were on an evangelical mission. I took the dugout with my mother-in-law and the

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1 pastor and we went across the river. We went to the DRC.

2 Q. [12:57:16] Mr Witness, as you were living through all the events you narrated to
3 the Court today, where - and please don't give the -- just to -- I don't recall -- we are in
4 private session, okay - where were your parents?

5 A. [12:57:41] My family was there, but because this was a very difficult period, it
6 was difficult for them to join me. They only prayed for me. Had they attempted to
7 follow me, they would have been in danger. But my mother-in-law, who was a
8 Muslim like them, was the one who could accompany me and bring me coffee. I'd
9 asked my parents not to come and see me because it was a very difficult time. I
10 asked them not to come.

11 I also asked my children not to come. I handed myself over to god.

12 Q. [12:58:29](Microphone not activated) Sorry, I didn't have the microphone on.
13 How long did you remain at the DRC, Mr Witness?

14 A. [12:58:45] I spent a week in Mpoko, not the DRC. Mpoko. In -- sorry, I'm
15 sorry. In the DRC, I spent two months. I went to Gemena, where I spent two
16 weeks, and then I went to Kinshasa, where I spent nearly a year.

17 Q. [12:59:28] And did you ultimately come back to your country?

18 A. [12:59:37] Yes. Finally, after a year, I came back to the CAR. It was in
19 May 2014, around Mother's Day.

20 Q. [13:00:01] Okay, Witness. And when you came back, did you take any steps to
21 report what had happened to you at the OCRB?

22 A. [13:00:20] No. But after my return, I was waiting for peace to be restored. I
23 didn't go to the OCRB, I just addressed an appeal to the *Tribunal de Grande Instance*.
24 Nothing was very clear at the time. I had appealed via the *Tribunal de Grande*
25 *Instance* in Bangui.

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- 1 PRESIDING JUDGE SAMBA: [13:01:08] Madam Prosecutor, I think it's a good time
- 2 to stop for today.
- 3 MS MAKWAIA: [13:01:12] Thank you.
- 4 PRESIDING JUDGE SAMBA: [13:01:13] Mr Witness, we are going to stop with your
- 5 testimony here for today and we will come back again tomorrow at 9.30 to continue
- 6 with your testimony in chief.
- 7 So I'm going to ask that you do not discuss your testimony here today with any other
- 8 person when you leave your location, until we meet again tomorrow here at 9.30 in
- 9 the morning.
- 10 Madam Court Officer, can you put us into open session, please.
- 11 (Open session at 1.02 p.m.)
- 12 THE COURT OFFICER: [13:02:00] We are back to open session, Madam President.
- 13 PRESIDING JUDGE SAMBA: [13:02:02] Thank you very much.
- 14 So, Mr Witness, you are going to remain under oath until we meet again tomorrow.
- 15 I rise the Court for 9.30 tomorrow morning, please. Thank you.
- 16 THE COURT USHER: [13:02:12] All rise.
- 17 (The hearing ends in open session at 1.02 p.m.)