

Trial Hearing
WITNESS: CAR-OTP-P-2573

(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 Maria del Socorro Flores Liera and Judge
- 6 Sergio Gerardo Ugalde Godínez
- 7 Trial Hearing - Courtroom 2
- 8 Tuesday, 9 July 2024
- 9 (The hearing starts in open session at 9.33 a.m.)
- 10 THE COURT USHER: [9:33:29] All rise.
- 11 The International Criminal Court is now in session.
- 12 Please be seated.
- 13 PRESIDING JUDGE SAMBA: [9:33:46] Good morning, everyone.
- 14 Madam Court Officer, can you kindly mention the case.
- 15 THE COURT OFFICER: [9:34:05] Good morning, Madam President, your Honours.
- 16 The situation in the Central African Republic II, in the case the Prosecutor versus
- 17 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
- 18 And we are in open session.
- 19 PRESIDING JUDGE SAMBA: [9:34:18] Thank you very much.
- 20 Can I ask for representation, please, starting with the Prosecution.
- 21 MS MAKWAIA: [9:34:27] Good morning, Madam President, your Honours. For
- 22 the Office of the Prosecutor this morning, myself, Holo Makwaia, senior trial lawyer;
- 23 Kamran Choudhry, Marie-Jeanne Sardacht, trial lawyers; and Hilary Dyer, analyst.
- 24 Thank you.
- 25 PRESIDING JUDGE SAMBA: [9:34:43] Thank you very much, Ms Makwaia.

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1 Ms Walter for the victims, please.

2 MS WALTER: [9:34:48] Good morning, Madam President, your Honours. This
3 morning for the victims, Mr Tars Van Litsenborgh, and I am Caroline Walter.

4 PRESIDING JUDGE SAMBA: [9:34:55] Thank you very much, Ms Walter.

5 Ms Naouri for the Defence, please.

6 MS NAOURI: [9:35:02](Interpretation) Thank you, Madam President. Good
7 morning. To my left, Maître Jacobs, to my right, Léa Allix. And, as yesterday, we
8 have Yael Vias Gvirsman. And I am Jennifer Naouri.

9 MR DESALLIERS: [9:35:27] Good morning, your Honours. Marc Desalliers
10 for -- legal adviser for the witness this morning.

11 PRESIDING JUDGE SAMBA: [9:35:30] Thank you very much, counsel.

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

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

14 MR SAID: [9:35:48](Interpretation) Yes. Good morning, Madam President.

15 PRESIDING JUDGE SAMBA: [9:35:50] Good morning, Mr Witness. I hope you
16 had a restful evening.

17 WITNESS: CAR-OTP-P-2573 (On former oath)

18 (The witness speaks Sango)

19 THE WITNESS: [9:36:02](Interpretation) Yes. Good morning, Madam President. I
20 rested a bit, but I have some headache, but -- because I have not been sleeping well
21 these past nights.

22 PRESIDING JUDGE SAMBA: [9:36:21] I'm sorry to hear that, Mr Witness. Did you
23 take some medication this morning before coming to court, or do you want some
24 medication?

25 THE WITNESS: [9:36:32](Interpretation) Yes, I had asked for some paracetamol, but

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1 I was told that that would be given to me during the break. I feel cold, even though
2 I'm here already, but if there is some paracetamol, I would be grateful if they can give
3 me some before the beginning of the hearing.

4 PRESIDING JUDGE SAMBA: [9:37:09] Can I, through the Court, ask the VWU to
5 help us before -- at least before the close of the session, to get the witness some
6 paracetamol.

7 Mr Witness, can we start while they get some medication for you?

8 THE WITNESS: [9:37:32](Interpretation) Yes, indeed. No problem, we can start.

9 PRESIDING JUDGE SAMBA: [9:37:45] Madam Court Officer, can we get the VWU
10 to get some medicine for the witness, please, as soon as possible.

11 Thank you very much, Mr Witness. I would like to remind you, though, Mr Witness,
12 that you are still on oath to tell the truth to this Court, like we said yesterday and
13 pursuant to the undertaking you took yesterday before we started your testimony.

14 So I'm also going to remind you to speak slowly and to watch your words, so that you
15 do not expose yourself. I'm going to ask the Prosecution to start -- to continue
16 putting questions to you in chief. Thank you very much.

17 Mr Choudhry, your witness, please.

18 MR CHOUDHRY: [9:38:37] Thank you very much, your Honours.

19 Your Honours, just for members of the public, if we could go into private session.

20 There will be a significant section in which, because of the profile of the witness, I will
21 have to question him in private.

22 PRESIDING JUDGE SAMBA: [9:38:47] Certainly.

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

24 (Private session at 9.39 a.m.)

25 THE COURT OFFICER: [9:39:01] We're in private session, Madam President.

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1 And for the record, the VWU is on its way to assist the witness as requested. Thank
2 you.

3 PRESIDING JUDGE SAMBA: [9:39:09] Thank you very much.

4 Mr Choudhry, please put questions to this witness while we wait for VWU to help
5 him with medication.

6 MR CHOUDHRY: [9:39:18] Thank you, your Honour.

7 QUESTIONED BY MR CHOUDHRY: (Continuing)

8 Q. [9:39:21] Mr Witness, I'm going to start by just reminding you of some of the
9 topics that we discussed yesterday and some of the things that you said, so that we
10 can move forward today. Okay?

11 Your Honours, the first --

12 A. [9:39:48] Yes.

13 Q. [9:39:49] Thank you.

14 The first portion that I will remind the witness of relates to the real-time transcript,
15 page 49, lines 15 to 18.

16 Mr Witness, yesterday you told us that when you first joined the Seleka your leader
17 was (Redacted). My first question today is what was (Redacted)'s first name?

18 A. [9:40:20] Thank you. When I joined the Seleka, I did not hear any other name being
19 used to refer to (Redacted). He was known simply as (Redacted). That is what I know.

20 Q. [9:40:57] And can I ask you to confirm, please, where was (Redacted) base and
21 your base located?

22 A. [9:41:09] Thank you. From Bimbo, in the direction of Mbaïki before crossing
23 the roadblock, the base of Colonel (Redacted) was located on the left-hand side. It
24 was fenced with some pieces of wood.

25 Q. [9:41:48] Which neighbourhood was (Redacted)'s base?

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1 A. [9:41:54] PK9, which is in the Bimbo commune. That is Bimbo, which includes
2 the riverbank area.

3 Q. [9:42:34] And yesterday, as well as today, you also mentioned a roadblock.
4 Your Honours, the transcript from yesterday is the real-time transcript, page 46,
5 lines 13 to 16.

6 I just want to read what you said yesterday, Mr Witness. You said: "Later on", and
7 you were speaking about (Redacted), you said:

8 "Later on, he instructed me to go and man a roadblock and to register all the vehicles
9 passing by. I also had to collect money from the passengers and hand that money
10 over to him."

11 My question to you is where was that roadblock that you were talking about located?

12 A. [9:43:27] Thank you. The roadblock of the PK9 is not far away from (Redacted)
13 base. The roadblock was to the left and the roadblock was manned by soldiers
14 under Bozizé's regime. That is before he was overthrown by the Seleka. They
15 controlled all the vehicles passing through that roadblock and collected money, which
16 was a set amount for the vehicles to be allowed through. So this is the same work
17 that (Redacted) assigned me to do there.

18 PRESIDING JUDGE SAMBA: [9:44:35] Mr Choudhry, I'm going to ask that we give
19 the witness a minute or two so that he takes his medication. We're informed that the
20 VWU is here to help him.

21 Madam Court Officer, can you lead the witness out, please. Thank you.

22 (The witness exits the courtroom)

23 (Pause in proceedings)

24 (The witness enters the courtroom)

25 PRESIDING JUDGE SAMBA: [9:47:38] Yes, thank you very much,

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1 Mr Witness. Welcome back.

2 We are still in private session, Mr Choudhry. You may continue putting your
3 questions in-chief. Thank you.

4 MR CHOUDHRY: [9:47:48] Thank you, your Honour.

5 Q. [9:47:52] Mr Witness, how long did you work for (Redacted)?

6 A. [9:48:00] Thank you. When I was under (Redacted) command, I spent one
7 week there. Upon my arrival, there were already many people under his command.
8 And when I was working at his base, it was not appropriate for me, it wasn't pleasant
9 for me.

10 When he brought people there, he would tie him up -- he would tie them up using the
11 *arbatachar* method and, not only that, he forcefully seized vehicles belonging to others
12 and that caused me some worry. So I left that base and joined (Redacted) base.

13 Q. [9:49:24] When you say he "brought people", what kind of people? Were they,
14 for example, other military personnel or were they --

15 MS NAOURI: [9:49:43] *Objection, Madame la Présidente.*

16 PRESIDING JUDGE SAMBA: [9:49:50] Mr Choudhry, please rephrase and let's
17 avoid leading questions, please. Thank you.

18 MR CHOUDHRY: [9:49:59]

19 Q. [9:49:59] Mr Witness, what kind of people did (Redacted) bring, when you said
20 that he would bring people, "he would tie them up"?

21 A. [9:50:11] Thank you. These were citizens, and when he asked them for their
22 identity papers and they did not have them, he would arrest them. And if they had
23 a bad impression of you, they could accuse you of being a supporter of Bozizé, and
24 that could be a charge, an accusation, that might likely lead you to prison or force you
25 to pay a fine. In their patrols, they used to always come back with Central African

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1 citizens all the time.

2 Q. [9:51:38] Why would being a supporter of Bozizé lead to a charge?

3 A. [9:51:47] Thank you. Madam President, I really did not know the intentions of
4 the Seleka. Were they intending to coming -- to come and fight against Bozizé? I
5 do not know. Each person suspected of supporting Bozizé was condemned to death.
6 It was someone who would be shot dead immediately and had to bear some
7 atrocities.

8 And if ever you are found out to be -- to have been a soldier under Bozizé, you would
9 be killed. He didn't want to hear anything about the supporters of Bozizé, but this is
10 what happened regarding the supporters of Bozizé at the time. That is what I
11 observed during that period.

12 Q. [9:53:13] You've also said that when people were tied up, they were tied up
13 using the *arbatachar* method. Can you please describe what is the *arbatachar* method?

14 A. [9:53:30] Thank you very much. *Arbatachar* is derived from Arabic. This
15 means tying up the two hands and the two legs behind their back, like it is done with
16 goods, and if you are tied up in that way, you are systematically paralysed after about
17 one hour. You would not be able to pick up anything at all.

18 This is something that I would never, never want to see, because it's just a very
19 draconian practice.

20 Q. [9:54:30] Mr Witness, you've also mentioned that when you left, you joined
21 (Redacted) base. Where was (Redacted) base, please?

22 A. [9:54:42] Thank you, Madam President. Colonel (Redacted) base was on the
23 left-hand side, and on the right-hand side, opposite (Redacted) base, that is where
24 (Redacted) base was located, and it was under a tree. I no longer remember the
25 name in Sango. That is where (Redacted) command vehicle was parked. He had

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1 built a hut that served him as a shelter.

2 Q. [9:55:44] Mr Witness, I'm going to be showing you some photos and will be
3 asking you to mark them of some of the places that we've just spoken about. Okay?
4 And if I can please ask the court officer to display tab 34, that's CAR-OTP-00036712.

5 THE COURT OFFICER: [9:56:28] This item is not available in JEM. Would you
6 have eventually the numerical copy so we can display it from the registry bench?
7 Thank you.

8 MR CHOUDHRY: [9:56:38] Just to confirm, Madam Court Officer, when you say the
9 "numerical copy", I'm not sure quite what I understand in relation to --

10 THE COURT OFFICER: [9:56:46] The picture as an attachment to an email would
11 help, would be helpful, because it's currently not available in JEM.

12 MR CHOUDHRY: [9:56:56] Thank you. If we could just take a moment to arrange
13 that.

14 THE COURT OFFICER: [9:57:21] A speedier alternative would also be to give you
15 the floor directly, if you have it on your computer? We can give the floor to the
16 Prosecution and you can display it from your bench, if it helps and assists the
17 Prosecution.

18 MR CHOUDHRY: [9:57:33] Thank you. We will just search for that now on the
19 relevant drive and then pull that up.
20 If we could just have a moment, your Honours.

21 THE COURT OFFICER: [9:58:05] The Prosecution has the floor. The material will
22 be displayed on the respective screen, evidence channel 2.

23 MR CHOUDHRY: [9:58:30] Madam Court Officer, it's located on this current screen,
24 if we could just display that, please.

25 THE COURT OFFICER: [9:58:37] The Prosecution has the floor, so you may display

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1 the material from your bench directly.

2 MR CHOUDHRY: [9:59:10] Madam Court Officer, perhaps I could just confirm, is
3 the witness able to mark and annotate this particular photo?

4 THE COURT OFFICER: [9:59:19] The witness can currently see the item on his
5 screen and annotate it accordingly, indeed.

6 MR CHOUDHRY: [9:59:29] Thank you.

7 Q. [9:59:29] Mr Witness, you should have an image now in front of you, a photo in
8 front of you. Do you see that?

9 A. [9:59:35] It has not yet appeared on my screen.

10 Now it is visible.

11 Q. [9:59:52] Thank you.

12 Do you recognise anything in this photo, Mr Witness?

13 A. [10:00:00] I do remember. Towards that side is Colonel (Redacted) base, with
14 (Redacted), and if you cross the road, then it is (Redacted) base. The two bases are
15 located opposite each other.

16 Q. [10:00:40] Well, perhaps we could do this: If you could put a number 1, please,
17 where you say (Redacted) base is located?

18 PRESIDING JUDGE SAMBA: [10:00:55] Madam Court Officer, does the witness
19 have a marker with him?

20 Mr Witness, do you have a marker with you on your desk?

21 THE WITNESS: [10:01:06](Interpretation) That is what I can see here.

22 PRESIDING JUDGE SAMBA: [10:01:18] Okay, thank you.

23 MR CHOUDHRY: [10:01:32]

24 Q. [10:01:32] So, Mr Witness, if you do have that marker, if you can just mark
25 number "1" where you say (Redacted) base is, please?

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1 PRESIDING JUDGE SAMBA: [10:01:44] Thank you.

2 Sorry, Mr Choudhry. Is there any way you can enlarge the photo a little bit from
3 your end?

4 Thank you very much.

5 MR CHOUDHRY: [10:02:14] Your Honours, what doesn't seem to be working is the
6 marker, currently, on the witness's screen.

7 Q. [10:02:26] Mr Witness, can I just confirm, have you put a number "1" where you
8 say (Redacted) base is? Have you marked the screen or tried to mark the screen?

9 MS NAOURI: [10:02:39](Interpretation) I'm sorry, Madam President. We need to
10 help the witness, because apparently when he annotates, it doesn't appear. Maybe
11 we just need to switch something. We can see it on evidence 1, but the photograph
12 is on evidence 2, so I think we just need to coordinate the witness's desk so that
13 everything can appear. This is what we would like to suggest, by way of assistance.

14 PRESIDING JUDGE SAMBA: [10:03:11] Okay.

15 Madam Court Officer, is this any way you can help us with that?

16 THE COURT OFFICER: [10:03:16] Yes, indeed. I mean, the annotations are only
17 allowed when the material is displayed, apparently, from the registry bench, so I will
18 have to basically still ask the Prosecution to send us the item, so we will display it
19 from evidence channel 1 and then the annotation should be working normally, if this
20 assists.

21 MR CHOUDHRY: [10:03:36] Your Honour, obviously, the Prosecution apologises
22 for -- it did make the request that this be available. If we could just have
23 two minutes to send that email across, please.

24 PRESIDING JUDGE SAMBA: [10:03:54] That's okay. Try.

25 MR CHOUDHRY: [10:04:12] Those photos have now been emailed to the court

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1 officer.

2 THE COURT OFFICER: [10:04:59] We received multiple pictures. Could you

3 please state the exact ERN number we should display? Thank you.

4 The frame number should be enough.

5 MR CHOUDHRY: [10:05:17] The first frame number is frame 5000, please.

6 Q. [10:06:00] Mr Witness, we've had technical issues.

7 If you could please mark again where you say, with the number "1", where (Redacted)

8 base is, please.

9 Could you please mark with number "2", where you say (Redacted) base is, please.

10 And, in your evidence earlier, you informed the Court that the roadblock you were

11 speaking about was not far from (Redacted) base. Can you see the roadblock in this

12 photo?

13 A. [10:07:00] If you leave here and go to this location, number 3, that is where the

14 roadblock would be located.

15 Q. [10:07:23] And on this photo, other than (Redacted) --

16 A. [10:07:26] That is where you see this small house, the small white house.

17 Q. [10:07:35] On this photo, other than (Redacted) base and (Redacted) base, are

18 there any other Seleka bases that you can see?

19 A. [10:07:48] Thank you. Next to the roadblock, there was a Seleka base for Seleka

20 elements from Chad, and the control post was nearby. At that same location, there

21 was another Seleka base of Chadian elements. Now, if you moved back behind that

22 base, there was the gendarmerie and (Redacted) base.

23 Q. [10:08:49] Just to be clear, if you could put a number "5" where you say

24 (Redacted) base was, please. Thank you.

25 I'm finished with this photo now, Mr Witness; I'll be showing you another one.

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1 If I could please ask for tab 34, which is this photo in the list of materials, that's
2 CAR-OTP-00036712, to be formally submitted, please, your Honours.

3 THE COURT OFFICER: [10:09:43] The registry hereby confirms that tab 34, the
4 annotated material it will bear the following ERN number: CAR-REG-0002-0117.

5 MR CHOUDHRY: [10:10:00] And if I could please then ask Madam Court Officer to
6 display frame 4385.

7 And that corresponds, your Honours, to tab 32, with the ERN CAR-OTP-00036710.

8 Q. [10:10:34] Mr Witness, the same question: Do you recognise this photo?

9 A. [10:10:43] Yes, I recognise it. It is Colonel (Redacted) base.

10 Q. [10:11:04] Thank you.

11 And if I could please ask for this image, which corresponds to tab 32, to be formally
12 submitted. The ERN, again, is CAR-OTP-00036710.

13 PRESIDING JUDGE SAMBA: [10:11:31] Can we have an ERN number for that
14 document, Madam Court Officer? Oh, no, it's not annotated -- yes.

15 Mr Choudhry, can I confirm the name of the person whose base this is? Did he say
16 "(Redacted)"?

17 Mr Witness, whose base is this, please?

18 Madam Court Officer, can you put the image up again.

19 Now, Mr Witness, whose base did you say this is?

20 THE WITNESS: [10:12:15](Interpretation) Thank you, Madam President.

21 I told you that it is Colonel (Redacted) base. I told you that a short while ago.

22 (Redacted) were under his authority and were at that base, which was under the
23 command of the officer whose name I just mentioned.

24 PRESIDING JUDGE SAMBA: [10:12:44] Thank you very much, Mr Witness.

25 What's coming up on the English transcript is "(Redacted)", so I want to confirm he

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1 means "(Redacted)" and not "(Redacted)"?

2 MR CHOUDHRY: [10:12:56] Your Honours, I think that that's been confirmed twice.

3 That's my understanding. I think the transcription is in error.

4 PRESIDING JUDGE SAMBA: [10:13:06] Yes, carry on, Mr Choudhry.

5 MR CHOUDHRY: [10:13:09] With that, if I could please ask the court officer to

6 display frame 5802. And that corresponds to tab 33, with the ERN

7 CAR-OTP-000-36711.

8 Q. [10:13:32] Mr Witness, my question to you is: What do you recognise in this

9 photograph, please?

10 A. [10:13:40] Thank you. Where you see the soldier, that is the roadblock, or the

11 barrier, and on the other side is Colonel (Redacted) base.

12 Q. [10:14:12] Now, Mr Witness, you have told us that you worked at a roadblock.

13 Which roadblock did you work at, or is the roadblock that you worked at shown in

14 this photo?

15 A. [10:14:27] Thank you. That's the roadblock in question. It is being manned by

16 that combatant, and those who were in charge of what we referred to as the

17 formality - that is, who collected the money - they are under the shelter around the

18 roadblock.

19 MR CHOUDHRY: [10:15:14] If I could please ask the court officer to formally submit

20 this annotated picture.

21 MS NAOURI: [10:15:19](Interpretation) Madam President, in the French transcript,

22 we do not see what number 1 or number 2 corresponds to on this photograph. So in

23 a few months or weeks when we reread this transcript, we will not understand what

24 those figures indicate, because in the French transcript, we do not see what number 1

25 and number 2 on the screen refer to. Thank you.

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1 MR CHOUDHRY: [10:15:55] Your Honours, that's a fair comment. I can simply
2 ask the witness.

3 Q. [10:16:00] Mr Witness, you've put number 1 on this photo. What does
4 number 1 show, please?

5 A. [10:16:08] Thank you. Number 1 is the roadblock. You can see that there is a
6 combatant who is raising the roadblock, who is lifting it.

7 And then you see number 2, and a mark below it. That is Colonel (Redacted) base.
8 It is there that I have annotated the number 2.

9 MR CHOUDHRY: [10:16:50] And with that confirmation, your Honours, if I could
10 please ask the court officer to submit this annotated diagram, or photo. Thank you.

11 THE COURT OFFICER: [10:17:02] Tab 33, annotated material, will bear the
12 following number: CAR-REG-0002-0118, considered to be formally submitted.

13 MR CHOUDHRY:

14 Q. [10:17:18] And the final photo, Mr Witness.

15 If I could please ask the court officer to put up frame 4323.

16 And that is tab 35 of the Prosecution's list of materials, ERN CAR-OTP-00036713.

17 Mr Witness, my question to you is the same: What do you recognise in this photo?

18 A. [10:18:14] Thank you for giving me the floor, Madam President.

19 As I said a short while ago, this is Colonel (Redacted) base.

20 It has corrugated iron sheets on the roof. That's where (Redacted)

21 and (Redacted) were based. They were all based in that shed, so it is

22 Colonel (Redacted) base.

23 Q. [10:19:11] Thank you.

24 Madam Court Officer, this photo may now be removed.

25 And just for -- formally for the record, if I could please ask for tabs 32, 33, 34 and 35 of

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1 the Prosecution's list of materials, and I've submitted the ERNs for that, to be formally
2 submitted.

3 As well as tab 31, which is the video from which the stills were derived. And the
4 ERN for that video is CAR-OTP-2055-2610.

5 Thank you.

6 Mr Witness, I'd like to ask you now some further questions.

7 How long did you work for (Redacted)?

8 A. [10:20:24] Thank you. I worked with (Redacted) for quite some time. You see,
9 these things happened a very long time ago and I no longer remember for how long I
10 exactly worked under (Redacted) command. He stopped working for the Seleka at
11 PK9 and then went home. He said, "Today I have a vehicle, I have ammunitions, I
12 have weapons. I think this is enough." And that is what he said before leaving the
13 base. So, after saying that, he handed us over to (Redacted). Thank you.

14 Q. [10:21:47] Mr Witness, it's quite understandable that you may not remember the
15 exact time that you worked back in 2013. Are you able to estimate the amount of
16 time, for example, in the number of weeks or months?

17 A. [10:22:05] Thank you. I worked under his command for a little more than one
18 month. I didn't work with (Redacted) for long, but (Redacted), I think I spent
19 one -- one month, one or two months, or thereabouts. I worked under him for a long
20 time and then I went to work under (Redacted) at his base.

21 Q. [10:23:01] And where was (Redacted) base when you first went to work under him?

22 A. [10:23:09] Thank you. (Redacted) was the one in charge of the PK9
23 gendarmerie brigade. The entire base was under his command. Under him was
24 Captain (Redacted), who issued orders or instructions. He issued orders to that
25 captain and the captain would comply, or obey his orders. Then there was also in

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1 the base Goula, who was there but was not under his command.

2 Q. [10:24:22] I'd like you to just focus on the bases at the moment. You've told us
3 that (Redacted) base was at the gendarmerie. My question to you is did you stay at
4 that base with (Redacted)?

5 A. [10:24:40] Yes, that is correct. I did not spend much time there. A little less
6 than one month, I believe.

7 Q. [10:24:58] Where did you go after spending time at the gendarmerie?

8 A. [10:25:07] Thank you. When (Redacted) handed us over to (Redacted), a few
9 weeks thereafter (Redacted) received a call from Michel Djotodia, the then president
10 of the republic, asking him to come to work at the palace. So (Redacted) took all of
11 us to the palace.

12 Q. [10:26:05] And how long did you spend at the palace?

13 A. [10:26:12] If I remember correctly, I believe that I worked there for three months,
14 or maybe a little more than that. I think I worked there for three months and a few
15 days or a few weeks. Then I went back to Camp de Roux.

16 Q. [10:26:59] You say you went back to Camp de Roux. When did you go to
17 Camp de Roux first?

18 A. [10:27:08] I no longer remember the exact month, but I think it must have been
19 in the month of -- the month of September or October. Between those two months,
20 September or October.

21 Q. [10:28:04] And just if you could --

22 A. [10:28:05] I think it was in the month of September.

23 Q. [10:28:09] And if you could just please confirm, who was your leader when you
24 were based at Camp de Roux?

25 A. [10:28:20] Thank you. When (Redacted) handed us over to (Redacted), we

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1 worked with him until things came to an end.

2 Q. [10:28:48] Now, Mr Witness, I want to move on to a different subject, and the
3 subject that I want to ask you questions about next involves questions about military
4 operations carried out by the Seleka after you joined them. And I'd like you to focus
5 your mind on the time that you spent when (Redacted) was your leader, okay?

6 So, I'll begin. My first question is, when you worked for (Redacted), did the Seleka
7 carry out missions or operations in Bangui?

8 A. [10:29:49] Thank you. Yes, indeed. They carried out missions. When they
9 received information about vehicles in individual's compounds, they would go
10 directly to those compounds and forcibly remove those vehicles. And whenever
11 they heard that there were ammunitions in Boy-Rabe, they would deploy to Boy-Rabe
12 and forcibly collect the weapons and ammunitions they would find.

13 Q. [10:30:40] Now I'd like to focus on --

14 THE INTERPRETER: [10:30:45] The witness adds: Ngaïssona's place.

15 MR CHOUDHRY: [10:30:51]

16 Q. [10:30:52] Thank you, Mr Witness.

17 I would now like to focus just on what you've told us about operations in Boy-Rabe.

18 But, first of all, could you please tell us where is Boy-Rabe?

19 A. [10:31:05] Thank you. Boy-Rabe is located in the 4th arrondissement. When
20 you come to the intersection between the 4th, towards the town centre, and towards
21 the right, there is the *lycée* Barthelemy, Boganda, after the station of the 4th, and then
22 after the *lycée* there is an avenue that goes right up to Boy-Rabe.

23 Q. [10:32:00] And approximately how far away is Boy-Rabe from PK9?

24 A. [10:32:28] I cannot tell you that I know the figure in kilometres. I cannot give
25 you an approximation, but it is very far, very far. It is longer than the distance

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1 between PK5 and the town centre. The distance between Boy-Rabe and PK9, I can
2 say it is very long -- 7 to 8 kilometres, or even more, I really do not know the precise
3 figure in kilometres.

4 Q. [10:33:09] How do you know about the operation or operations that happened
5 in Boy-Rabe?

6 A. [10:33:18] During that time, I remember that we were still at PK9. Colonel
7 (Redacted) arrived at PK9. He assembled the other colonels and gave them
8 information about the Boy-Rabe mission.

9 Q. [10:33:55] Did you ever personally participate in any operations in Boy-Rabe?

10 A. [10:34:05] Thank you. It was all the colonels at PK9 who asked all their
11 elements to go to Boy-Rabe. I was under the command of (Redacted) and, alongside
12 him and all the other elements, we went to Boy-Rabe.

13 Q. [10:34:53] On that occasion, why did the Seleka decide to carry out an operation
14 in Boy-Rabe?

15 A. [10:35:03] Thank you. As I have already tried to explain here, they received
16 information, according to which there were weapons and ammunition in Boy-Rabe in
17 Ngaïssona's house at that time. That is how come they decided to go and retrieve
18 those weapons and ammunition. During that period, they did not overlook any
19 information on arms and ammunition. If they received information, they would go
20 immediately to that location to recover the military hardware or items.

21 Q. [10:36:15] Can you please tell the Court the story of what happened in the
22 operation when the Seleka went to Boy-Rabe?

23 A. [10:36:29] I believed that they were going to Boy-Rabe to fetch the weapons and
24 ammunition. When we arrived, they asked us to search the houses and they gave us
25 instructions to pick up any weapons and ammunition that we could find. They,

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1 equally, instructed us to bring out all the supporters of Bozizé so that they could
2 attack them.

3 PRESIDING JUDGE SAMBA: [10:37:51] It's okay, Mr Witness.

4 Madam Court Officer, can you call the VWU for help, please.

5 It's okay.

6 Madam Court Officer, can you -- sorry, madam.

7 (Discussion between the Chamber and court officer)

8 PRESIDING JUDGE SAMBA: [10:38:40] Would you like a short break, Mr Witness?

9 We are sorry about that. Would you like a short break?

10 THE WITNESS: [10:39:10](Interpretation) No.

11 PRESIDING JUDGE SAMBA: [10:39:13] Yes. Thank you.

12 You could have some water. It's on your right, and we are sorry about that break.

13 Mr Choudhry, let's give the witness a little bit of time to compose himself, then we'll
14 continue.

15 MR CHOUDHRY: [10:39:34] Your Honours, perhaps -- I was going to suggest that,
16 because the remaining portions of the evidence might be more distressing. I'm in
17 your Honours' hands as to how this is managed.

18 PRESIDING JUDGE SAMBA: [10:39:51] Let's give him about two minutes to
19 recompose himself. I have asked the VWU to maybe come down and talk to him.
20 (Pause in proceedings)

21 PRESIDING JUDGE SAMBA: [10:41:15] Thank you, Mr Witness.

22 Mr Choudhry, I think the witness is ready to continue, please.

23 Maybe before you start again, Mr Witness, I would like to remind you about the
24 assurances that we have given you. You have a lawyer seated on your right for you.
25 You are assured against any self-incrimination. All we want is the truth, as you

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1 make your testimony before us. We thank you very much for your cooperation. I
2 will ask Mr Choudhry to continue putting questions to you. We know it may be
3 difficult and we are happy that you could continue answering the questions.

4 Mr Choudhry, please.

5 MR CHOUDHRY: [10:42:19] Your Honours, just having a look at my questions, just
6 for the witness's benefit as well as your Honours, what I propose to do is simply to
7 ask the witness to tell the full story and perhaps not probe unless there is anything
8 essential in relation to the Prosecution's case. That might be the safer course of
9 action and it might be less distressing for the witness.

10 PRESIDING JUDGE SAMBA: [10:42:47] Yes.

11 So, Mr Witness, we'll -- you will take your testimony slowly and as composed as you
12 possibly can. If there are follow-up questions after that, Mr Choudhry, I'm sure you
13 can pick on those and put them to the witness. So continue along those lines to
14 make it easy for the witness. Thank you.

15 MR CHOUDHRY: [10:43:15]

16 Q. [10:43:16] Mr Witness, I asked you to tell the story about the Boy-Rabe
17 operations and you left off, or you stopped where you said, "They had instructed us
18 to bring out all the supporters of Bozizé so they could attack them".

19 Could you please just tell the Court, in your own words and as slowly as you wish,
20 the story of what happened after those instructions were issued and then what
21 happened during the course of the Boy-Rabe operation, please?

22 A. [10:44:12] Thank you. We thought, or I thought that the operation was to go
23 and recover those weapons and ammunition. Unfortunately, when we arrived at the
24 site of the operation, there were other two instructions. The first was to search for
25 and arrest the supporters of the former head of state so that they could maltreat them

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1 or do what they wanted to do. My intention, and that of the other Christians who
2 were with us, was to not contribute in shedding the blood of human beings. I knew
3 that there would be a last judgment by god on the last day and didn't want to have to
4 account for my actions. If I found Bozizé supporters, I could never denounce them.
5 That is the oath that I had taken before god.
6 And during the patrol, when we were going from house to house, sometimes we
7 would find people in some of those houses, but we did not report them or denounce
8 them, because we knew that if we reported them, those people would harm them.
9 Since they did not believe what was going on, they wanted themselves -- to go into
10 those houses themselves, but we managed to dissuade them.
11 During the operations -- in fact, I wanted to tell you this: Initially, they didn't want
12 to touch people's property, but afterwards everything changed. They were able to
13 pick up all valuable objects in any houses. (Redacted) at one point started shooting
14 in the air, towards the direction of the hill, because, according to him, Bozizé
15 supporters were supposed to have been hiding in the forest or on that hill. And
16 when the order was given to stop shooting, he and his elements continued firing.
17 There were many Seleka vehicles which converged in Boy-Rabe. In my mind, I
18 thought that it was only the detachment from PK9 that had to go to Boy-Rabe.
19 Unfortunately, upon arrival there we found the elements of General (Redacted) who
20 were based at the *sapeurs-pompiers*. Even Colonel (Redacted), who was in Camp de
21 Roux was there. General (Redacted), behind the Ledger Hotel, himself was present.
22 Those of us Central African citizens who were amongst us, we started wondering
23 about that massive deployment and we started wondering how many weapons are in
24 this area for such a deployment to be made. This is what those of us Christians were
25 thinking and talking about.

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1 Towards the afternoon period, we returned to our base, but some of the detachments
2 remained on site to continue with the operation.

3 Q. [10:49:29] Mr Witness, you've told us that there were different Seleka elements.
4 Can you estimate the size of the Seleka that went to this Boy-Rabe operation?

5 A. [10:49:41] Thank you. As I have just told you, there were very, very many of
6 them. I cannot estimate the number. During that time, I could not have the time to
7 count them. I didn't have any intention of doing that. I am just sure that there were
8 many vehicles that converged there at Boy-Rabe.

9 Q. [10:50:34] You've mentioned that some of the Seleka were shooting in the air.
10 What were they -- what were the Seleka using to shoot?

11 A. [10:50:47] It was their own weapons that they had carried with them in the
12 vehicles. Each base had its own arsenal. They were firing towards the hill to try to
13 kill Bozizé's supporters who might have been hiding there.

14 Q. [10:51:32] And what weapons did you see that day? What types of weapons
15 did you see that day?

16 A. [10:51:42] Thank you. (Redacted) was carrying a rocket - that is
17 (Redacted) - and he fired towards the hill. Colonel (Redacted) had come with a
18 heavy weapon, whose name I do not know. It was mounted on the vehicle. And
19 he was a member of the presidential security.
20 Amongst the elements of General (Redacted) from the *sapeurs-pompiers*, some of them
21 had come along with vehicles mounted with heavy weapons.

22 Q. [10:53:01] And the group that you were with, how much time did that group
23 spend in Boy-Rabe that day?

24 A. [10:53:23] Thank you. I think that we left at around 8 o'clock. We stayed
25 there up to 2 p.m. It was at that time that Colonel (Redacted) asked us to return to

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1 the base, because we had been unable to recover the weapons in question. The
2 operation had been transformed into the pillaging of property belonging to the
3 inhabitants of the neighbourhood. That is how come we had to return to base.

4 Q. [10:54:30] Just so that we could clarify, when you say 8 o'clock, do you mean in
5 the morning, a.m., or in the evening, p.m.?

6 A. [10:54:45] I meant 8 p.m. Or, rather, actually, I meant 8 o'clock to 2 p.m. It
7 was at around 3 p.m. that we withdrew, but left other elements there.

8 Q. [10:55:14] Again, Mr Witness, just so that it's clear on my screen, when you say
9 8 a.m., do you mean the morning or do you mean the evening?

10 PRESIDING JUDGE SAMBA: [10:55:32] Mr Choudhry, we understand 8 a.m. to
11 mean in the morning.

12 MR CHOUDHRY: [10:55:37] Your Honours, that -- I didn't see that come up.
13 Thank you. I've just seen that come up.

14 Q. [10:55:42] Thank you, Mr Witness.

15 Mr Witness, were any of the houses in the Boy-Rabe damaged in the operation?

16 A. [10:55:49] Thank you. The heavy weapons that (Redacted) was using destroyed
17 houses. Of course, there were houses that were damaged during that operation.

18 Q. [10:56:29] My final question on this subject, Mr Witness, is: Can you remember
19 the month in which this operation took place?

20 A. [10:56:43] I no longer remember the month. As you are aware, the events took
21 place 11 years ago, so I can no longer remember those details.

22 MR CHOUDHRY: [10:57:12] Your Honours, I notice that the time is 10.57. I am
23 slightly early, but the next portion again is another large chunk that may involve
24 distressing evidence.

25 PRESIDING JUDGE SAMBA: [10:57:24] Yes, it's a good time to stop.

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1 But since we have two minutes, maybe I want the witness to tell us. He spoke about
2 receiving instructions in respect of the Boy-Rabe operations. I'd like to know who
3 gave those instructions, because he mentioned certain names.

4 MR CHOUDHRY: [10:57:47]

5 Q. [10:57:47] Mr Witness, you've heard Madam President and the Judges ask a
6 question.

7 The instructions for the Boy-Rabe operation, who gave those, please, or which -- yes,
8 who gave those, please?

9 A. [10:58:05] Thank you, Madam President.

10 The person who asked us to go to Boy-Rabe was Colonel (Redacted). He first of all
11 gave instructions to his colleagues, colonels based at PK9. And then, thereafter, each
12 colonel transmitted the instructions to his elements in order for us to go to Boy-Rabe.

13 MR CHOUDHRY: [10:59:03] Your Honours, I hope that that's answered the
14 question.

15 PRESIDING JUDGE SAMBA: [10:59:05] Thank you very much.

16 Thank you very much, Mr Witness. We're going to break off with your testimony
17 now, but we'll come back in 30 minutes.

18 So I rise the Court for 11.30, please.

19 THE COURT USHER: [10:59:17] All rise.

20 (Recess taken at 10.59 a.m.)

21 (Upon resuming in open session at 11.34 a.m.)

22 THE COURT USHER: [11:34:50] All rise.

23 Please be seated.

24 PRESIDING JUDGE SAMBA: [11:35:18] Good morning again, everyone.

25 Mr Witness, we are going to continue with your testimony in-chief, so I'm going to

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1 ask Mr Choudhry to continue putting questions to you.

2 But, Mr Choudhry, maybe before -- before we do that, I'm still going to ask the
3 witness, because he did say that -- we're in open session.

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

5 (Private session at 11.36 a.m.)

6 THE COURT OFFICER: [11:36:00] We're in private session, Madam President.

7 PRESIDING JUDGE SAMBA: [11:36:04] Thank you very much.

8 Before we left off, Mr Witness, you did say that a Colonel (Redacted) was the one who
9 gave instructions to his colleagues, colonels based at the PK9, and then thereafter each
10 colonel transmitted the instructions to his elements in order for you to go to
11 Boy-Rabe.

12 Now, my question to you is, who gave you then your own instructions?

13 THE WITNESS: [11:36:55](Interpretation) Thank you, Madam President. At the
14 time, when I had left (Redacted) command to join (Redacted) at his base, (Redacted)
15 who asked all his elements to get into the vehicle and go to Boy-Rabe.

16 PRESIDING JUDGE SAMBA: [11:37:21] Thank you very much.

17 Mr Choudhry, please continue.

18 MR CHOUDHRY: [11:37:26] Thank you very much, Madam President.

19 Q. [11:37:29] Mr Witness, I would like to now ask you questions about (Redacted),
20 and in particular the period of when you were working for (Redacted) and based at
21 Camp de Roux, okay?

22 A. [11:38:06] Thank you. You have asked me the question about (Redacted) and,
23 as you know, I was under his command. I was (Redacted). And we used to cook
24 for the troops, we would work in the kitchen. Sometimes we would take turns on
25 guard on the road towards Camp de Roux, Ouango -- rather, towards Ouango, and

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1 civilians used to travel along that road (Redacted). And
2 sometimes, when the general would go to see his girlfriends or for a drink, (Redacted)
3 (Redacted). Sometimes he would
4 receive orders from the head of state and he would order us (Redacted)
5 (Redacted).

6 MR CHOUDHRY: [11:39:35] Could I kindly ask the court officer, it's an additional
7 tab, it's on the list of materials, it's tab 18, with ERN CAR-OTP-2069-3098.

8 Q. [11:39:56] Mr Witness, you should have a photo in front of you. Do you see a
9 photo in front of you, please?

10 A. [11:40:15] Yes, I can see two men on a photo in front of me.

11 Q. [11:40:22] Do you recognise any of the men?

12 A. [11:40:35] Thank you. Going by what I see on the photograph before me, the
13 person to the left is (Redacted) indeed. He is wearing green military attire.

14 MR CHOUDHRY: [11:41:02] That image may now be taken down.

15 If I could please ask for tab 18, CAR-OTP-2069-3098, to be formally submitted.

16 Q. [11:41:20] Mr Witness, when you were working for (Redacted) at Camp de Roux,
17 did you ever return to the PK9 roadblock?

18 A. [11:41:47] Thank you. I would answer your question by saying that, after
19 leaving PK9 for the palace, from time to time we would go back to the roadblock in
20 order to racketeer passersby and at some point we were prohibited from going there.
21 And so when we took control of certain areas, that is how we then put an end to our
22 presence at the PK9 roadblock.

23 Q. [11:42:36] Who do you mean when you say "passersby" at the roadblock?

24 A. [11:42:44] Thank you. In answer to your question, the passersby who went
25 through that roadblock were civilians going about their normal businesses. Some of

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1 them were hawkers, some were crossing to the other side of the river, others went
2 farming and others were doing small businesses. And some lived on the other side
3 of the PK9 roadblock and so they would go about their daily business around the city.
4 And those would be the various categories of people who would pass through that
5 roadblock.

6 Q. [11:43:56] What sort of things would happen to the civilians that passed through
7 that roadblock?

8 A. [11:44:09] Thank you. What I could observe at the time was that the civilians
9 who passed through the roadblock, some of them had charcoal bags which they
10 intended to sell in order to meet their daily needs. So we asked them to pay some
11 token amount before going through the roadblock with their charcoal bags. We did
12 the same for those who carried pieces of wood, firewood for sale in the city and they
13 would take these from their farms for sale in the city or even for their own private use
14 at home. We would ask them to pay some money before going through the
15 roadblock with those articles.

16 Sometimes it would happen, unfortunately, that someone's face was not liked, or was
17 not pleasant to those at the roadblock, and then they would mistreat that person.

18 Q. [11:45:48] Now, again, I'd like you to just, in terms of time, focus your mind of
19 when you were working for (Redacted) at Camp de Roux.

20 Did you ever see civilians mistreated at the roadblock?

21 A. [11:46:10] While we were at the PK9 roadblock, I once saw a Dyna vehicle which
22 was heading towards Mongoumba. The elements arrested two men. One of them
23 was wearing a T-shirt bearing Bozize's effigy. After arrested -- arresting them, they
24 decided to fire a shot towards the person wearing the T-shirt and they panicked, but
25 they also shot the person who was wearing the T-shirt with the effigy of Bozize and

1 the person died. This is what happened at the time at the roadblock.

2 Q. [11:47:46] Are you aware of any instance in which civilians were stopped or
3 detained at the roadblock?

4 A. [11:48:11] Thank you. After we arrived at Camp de Roux, shortly thereafter,
5 I don't remember exactly anymore, one evening we were cooking and then we saw
6 Colonel (Redacted). Yes, Colonel (Redacted). They brought four men to our
7 base - that is, to (Redacted) base - and they took them to the room where (Redacted)
8 used to sleep. So one -- once they got into the base, I got up and followed them in
9 the corridor and I asked one of those who had been arrested why they had been
10 arrested at night and the person told me that they were hawkers, petty traders, and
11 that some fabrics bearing Bozize's effigy had been found in their bags and so they
12 thought that they were Bozize supporters and that is why they were brought to
13 Camp de Roux to be presented to (Redacted). So I said, "Is that the reason for which
14 you were arrested?" He said, "Yes". And, so, if they had been asked to spend the
15 night with us, it would have been good because sometimes we get an opportunity to
16 release people who are allowed to spend the night with us and when asked, we
17 would say that they don't know what may have happened to them. But,
18 unfortunately for them, they did not spend the night at our base.

19 So after all this, I went back through the corridor to meet up with the other Central
20 African citizens with whom I was in the courtyard to talk about these things.

21 And then, shortly thereafter, (Redacted) gave instructions for us to go and stand
22 guard at the road and we left to mount guard at the location we were asked to go to.

23 So when we got there, shortly thereafter, a few minutes after we got there, maybe
24 about 30 minutes or so thereafter, I saw some men walking on the road. They were
25 walking towards -- towards ...

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1 PRESIDING JUDGE SAMBA: [11:52:07] Madam Court Officer, did you say the
2 VWU was on site?

3 THE COURT OFFICER: [11:52:17] Indeed, Madam President. VWU is on standby.
4 We're going to escort the witness to the waiting room. Thank you.

5 PRESIDING JUDGE SAMBA: [11:52:32] Thank you. Can you help us get the
6 witness to the waiting room for just a minute or two. Thank you.

7 (The witness exits the courtroom)

8 (Pause in proceedings)

9 (The witness enters the courtroom)

10 PRESIDING JUDGE SAMBA: [11:58:56] Thank you very much, Mr Witness. And
11 we do understand your outburst. Should you need any break as we go on with
12 these proceedings, please let us know.

13 Mr Choudhry, please continue with your questions. Thank you.

14 MR CHOUDHRY: [11:59:26]

15 Q. [11:59:28] Mr Witness, you were telling us the story about what happened to
16 four men when they arrived at Camp de Roux, and I just want to read to you the last
17 portion of what you said.

18 You said: "[...] shortly thereafter, (Redacted) gave instructions for us to go and stand
19 guard at the road and we left to mount guard at the location we were asked to go to.
20 So when we got there, shortly thereafter, a few minutes after we got there, maybe
21 about 30 minutes or so thereafter, I saw some men walking on the road."

22 Can you please tell us the story of what happened to the men that you saw walking
23 on the road?

24 A. [12:00:55] Thank you. As I was saying a short while ago, I thought that our job
25 was meant to be one that would be a good job that would help us to meet the needs of

1 our family, but we were in error. We misled ourselves. You see, we ended up
2 doing work which entailed observing or watching or witnessing the evil that had
3 befallen the people of the Central African Republic. You see, Seleka had come and
4 we thought they had come to help us, but they turned against the people of the
5 Central African Republic to attack, to aggress and to torture them. I do remember
6 that when they came, (Redacted) had asked who are they, or who is there, and
7 (Redacted) said, "It's us" and he gave a number of names. So we stood at attention as
8 soldiers would usually do. So they went by, they passed by. There was (Redacted)
9 and three of their elements who were armed and who followed them. Then you had
10 the four people who had been arrested at PK9 - that is, arrested by (Redacted) - and
11 who brought them to (Redacted). So they went by and at that time there were four
12 of us on guard, (Redacted)
13 Four of us were on guard that night.
14 After the group went by, (Redacted) asked me, "Those people who are going with the
15 colonel, where are they going?" And, so, I told him, "But we're here on guard.
16 How can you ask me? I don't know what's going on right now." So we just
17 watched to see what was going to unfold.
18 And we had only two weapons between four of us; two of us did not have weapons
19 and two had. We had been provided those weapons to enable us to react should we
20 come under any kind of attack.
21 So, at that time, it crossed my mind to stop it. It was a risk that I took to try to stop it,
22 which could have led to my death. Maybe I should have been dead or those people
23 were going to die. So I had two options. I knew what to do to stop those people
24 from dying -- I did not know, actually, I did not know what to do. I was aware that
25 these people were fathers, they were husbands, fathers of children, they were parents,

1 they had children, they had families. I, myself, I had no family. But those people,
2 they were husbands to wives. Those people were responsible people. So they were
3 people who took care of their families. They were in charge of their families. But,
4 unfortunately, things went the way they did.

5 While we thought that we were joining Seleka as soldiers to provide some kind of
6 help, things turned around and we ended up watching as Central African children
7 were killed and murdered. I wanted to work. I wanted to be able to take care of
8 my mother. I sacrificed myself. I endured so much, so much suffering, all manner
9 of suffering to be able to live. I wanted to work and I was willing to endure many
10 things in order to be able to work, because, you see, in the Central African Republic, it
11 is very, very difficult to find work. If no one can help you who is in a high position,
12 regardless of your qualifications, you cannot get a job, nobody is going to take care of
13 you. So that is how come I was able to endure, to be patient, to look for work in
14 order to be able to bring honour to my mother.

15 And, shortly thereafter, they went by and then towards the river. From where we
16 were, one can see from about 50 to 70 metres, one can see the river, but there are
17 Chinese bamboo on the riverside when you go there. So when you had -- where we
18 were, you could see some parts of the people because it was dark, but there was a
19 lamppost where we were and that lamppost lit up the vehicles and people passing by
20 there. A short while ago, they passed through there and they spent quite some time
21 there.

22 The four of us were wondering, but they have taken these people to the riverbank,
23 what are they going to do there? Were they trying to cross to the other side of the
24 river in Zongo? And one of them said no, on the other side they are severe and cruel,
25 they could not stay on the other side like that. We had to keep our calm. And then

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1 we were there and they would speak. When they spoke, they would say -- shout out.
2 One of the elements brought out a cassava bag, and in the Republic of Central Africa
3 these bags are used to put cassava, but they put the bag on the head of that person
4 and pushed him into the river. But what was happening there? What was
5 happening there? At that time I was angry, I was very sad, I wanted to revolt, but
6 the others who were there, they held me back. They told me, "If you do that, you
7 will be dead. They will be killed. You know (Redacted), they have their character.
8 They kill without fear of anything. And if you misbehave, those of us here also will
9 die."
10 So I calmed myself down and we observed what was happening. So they put the
11 bags over the heads of those people and pushed them one by one into the river.
12 After doing that, they came back through the path and came to our level, and they
13 told us, "Amongst the four of you, behave as if you have seen nothing at all. If
14 anyone of you opens your mouth to say what happened that night, that person will
15 know what will happen. Have you understood well what we have told you? Have
16 you understood it well?" And we said yes.
17 After they had said that, they went back to the Camp de Roux behind the residence of
18 the president, behind (Redacted) base.
19 Shortly afterwards, when our shift was an end, there was a replacement and then we
20 also went back to the Camp de Roux. After the cockerel crowed in the morning, we
21 could hear the fishermen using the canoes or boats. They were the ones who found
22 the bodies. And I could remember what these people had been wearing, so I started
23 thinking, these people who were arrested yesterday and pushed into the river so that
24 they could drown because their hands were tied behind their backs.
25 So these people retrieved the bodies and put them on the riverbank. Then

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1 Dieudonne Nzapalainga, the cardinal, was called and he came to observe what had
2 happened. And that happened the following morning when we went there. But in
3 order to save our own lives, we said nothing at all. I never spoke about that to
4 anyone. I kept that to myself for such a long time.

5 After that, the ICC came and I refused to divulge that information because I was
6 afraid, because even if things had changed, there was no work and I was afraid and
7 worried.

8 (Redacted) is one of the ladies there in Bangui and they advised me to trust them and
9 to tell them the truth about what had happened. That is how I started talking about
10 the events. And I thought that that was going to help us, but we were there, the
11 witnesses to those matters. That totally disrupted our lives, disrupted my life.

12 Everything went upside down. I don't sleep at night. I have nightmares. I know
13 that I'm going to bear that suffering until I die. I had suicidal thoughts and in order
14 for me to have some rest so that I should be able to find some peace, I was offered that
15 opportunity to testify so that the souls of the people who died may rest in peace, so
16 that they may rest in peace and that would follow the justice that would be
17 administered.

18 It is because of that that I started telling the truth on what I had seen. Thank you.

19 Q. [12:14:28] Thank you very much, Mr Witness.

20 I have some further questions on this topic for you and so I would like to take certain
21 parts of it slowly.

22 With that, Madam Court Officer, if I could please ask for tab 2, that's
23 CAR-OTP-2119-0559 to be placed in front of the witness.

24 Now, Mr Witness, you should have a photo in front of you. Can you please let me
25 know when you can see that?

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1 A. [12:15:26] Yes, I can see it.

2 Q. [12:15:29] What does this photo show?

3 A. [12:15:41] This is a photograph of the entire Camp de Roux.

4 Q. [12:15:59] Now you've told us that these four men were brought to
5 Camp de Roux. Can you please, using your marker, the marker in front of you,
6 mark where these men were brought to.

7 A. [12:16:37] These four men were taken to that base where the letter E is marked.
8 That is where (Redacted) spent his nights.

9 At location F, it was (Redacted) family living there.

10 And to my left, G and D, that is where the Seleka Christians were based because we
11 did not stay together. So G and D, that is where the Christians were located.

12 Q. [12:17:25] You've told us that you spoke to a man or one of the men who were
13 brought to Camp de Roux. Can you confirm the location where you spoke to that
14 person, please, or that man.

15 A. [12:18:12] It was in the first room where there is the letter E. That is the first
16 entrance. They were in (Redacted) room. And when they were coming in, I
17 conversed very briefly with them before they entered that room. So we had a little
18 conversation with those people at that point.

19 Q. [12:18:47] And when the men were at location E, how were they treated?

20 A. [12:19:18] These people had been brought from PK9. They had their hands tied
21 behind their backs and that is how they were when they came and they were seated
22 down on the floor, without any shoes. They had brought the Bozize T-shirts from
23 the vehicle. It was (Redacted) who was having -- who was holding those T-shirts.
24 He was on the ground and he was not speaking. I came in and I sat discreetly next
25 to one of them and I asked him what had happened.

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1 Q. [12:20:17] Now, you've told us that the men were taken to a river. Is the river
2 shown in this photo?

3 A. [12:20:42] On that photograph, I cannot see the river from here, but I can say
4 that where you see the letter H, it is the path that leads to the river as I mentioned in
5 my statement.

6 Q. [12:21:12] And the place that you were sent to guard, is that shown in this
7 photo?

8 A. [12:21:40] On that photograph? No.

9 Q. [12:21:45] Thank you.

10 If I could please ask for tab 2, CAR-OTP-2119-0559 to be formally submitted. And if
11 I could ask the court officers to please place in front of the witness tab 3,
12 CAR-OTP-2119-0560.

13 PRESIDING JUDGE SAMBA: [12:22:10] Are we going to have an ERN number for
14 this annotated document?

15 THE COURT OFFICER: [12:22:16] The annotated item, tab number 2, will bear the
16 following Registry number CAR-REG-0002-0119 and be considered formally
17 submitted as well. Thank you.

18 MR CHOUDHRY: [12:22:46]

19 Q. [12:22:47] Mr Witness, you should have another photo in front of you. Is
20 Camp de Roux shown on this photo?

21 A. [12:23:19] In annex B here, yes, it is, indeed, the Camp de Roux. If you go
22 towards the letter E, that is where we stood guard, I think, where it is indicated letter

23 B. And here is the Camp de Roux and at B, that is where we stood guard. Towards
24 D and C is the location where the four men were pushed into the river.

25 Q. [12:24:15] Thank you. Mr Witness, there is two letter Bs on the top of this

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1 photo: one towards the left of the page and one towards the centre of the page.

2 Which letter B are you talking about as to whether -- as to where you were at?

3 A. [12:24:46] The letter B which is marked after the letter E.

4 Q. [12:24:59] And that's the letter B in the centre of the page, correct?

5 A. [12:25:16] Yes, that is correct.

6 Q. [12:25:20] You've also told the Court that there was a lamppost that lit up the
7 area. Can you please mark where the lamppost was.

8 A. [12:25:50] Thank you. The electrical lamppost is right there where you have
9 the letter B, where we were standing on guard. So that post was there.

10 MR CHOUDHRY: [12:26:14] And with that, your Honours, if I could please ask for
11 this annotated photo to be entered and formally submitted, as well as tab 3 with the
12 ERN CAR-OTP-2119-0560.

13 THE COURT OFFICER: [12:26:33] Annotated tab 3 will bear CAR-REG-0002-0120
14 and be considered as formally submitted as well.

15 MR CHOUDHRY: [12:27:01]

16 Q. [12:27:02] Now, Mr Witness, as I understand it, when you were at the bottom of
17 the path guarding it, these four men walked past you; is that correct?

18 A. [12:27:27] Yes, that is correct. That is true.

19 Q. [12:27:39] You've also said they took you -- "they took them to the river". Who
20 was with these four men and accompanied them to the river?

21 A. [12:28:06] Regarding those who were accompanying those people, there was
22 (Redacted) and they were also accompanied by the three --
23 their three bodyguards.

24 Q. [12:28:33] Could you see the hands of the four men when they walked past you?

25 THE INTERPRETER: [12:28:47] Interpreter correction: And the witness added that

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1 those men were armed.

2 THE WITNESS: [12:28:55](Interpretation) Thank you. As you know, when
3 someone passes by you zero metres away, you can see that person. They had their
4 hands tied behind them, all the four men had their hands tied behind their backs.

5 MR CHOUDHRY: [12:29:27]

6 Q. [12:29:28] And how were these four men behaving as they walked past you?

7 A. [12:30:03] As I said a short while ago, it was really a time of sadness. These
8 men -- these men were sobbing, crying. I could see those men who were older than
9 me crying, complaining. They were asking for their lives to be saved. They were
10 asking for forgiveness and they were imploring their killers or perpetrators of the
11 crimes. Unfortunately, the perpetrators did not pay any heed to them. They had
12 already decided what they were going to do. They had the intention to do that and
13 they were determined to carry it out. That is how they took the men, the four men to
14 the river, the water in the river, and that is what happened at that time.

15 And up to this day, I have never been able to forgive that picture, that image. And
16 that image haunts me at all times. During my walks, if I pass near that path, that
17 image is of immense sadness to me. I still remember their pleas, their fear. When
18 they were asking for assistance, we did not have the possibility to do that at the time.
19 We could not do anything. We had to -- we did not -- we were not able to do
20 anything at that time because we had limited capacity compared to that of their
21 killers.

22 Q. [12:32:39] Mr Witness, just so that you know, I only have a few more questions
23 on this topic. It's an important subject, and I know that it's difficult for you to go
24 through it, but my questions, if you could just think about them because we weren't
25 there. As I say, I only have a few more on this topic, if that's helpful to you. So

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1 please let me know when you're ready.

2 Mr Witness, are you --

3 A. [12:34:04] Yes, I am ready. I can bear this. And let us proceed.

4 Q. [12:34:13] You've told us that these men were asking for their lives to be saved.

5 Who were these men asking when they asked for their lives to be saved? And if you
6 can be specific in terms of names, that would be helpful, please.

7 A. [12:34:51] I have just told you that they were referring to those three wicked
8 people, (Redacted). Those four people were crying out to those three for their
9 freedom. In spite of all their pleas, the four people did not get any mercy. Those
10 three people asked their victims to keep quiet, and so they took their victims to the
11 river and threw them into the river.

12 Q. [12:35:51] Now, Mr Witness, I'm going to ask for some further photos to be
13 placed in front of you. The photos may be distressing, so I just provide you with
14 some advance notice of that.

15 Your Honours, if I could ask the court officer to please display tab 27, that's
16 CAR-OTP-2017-0919.

17 Mr Witness, my question to you is do you recognise anything in this photo?

18 A. [12:37:03] The brother whose body is in the water is one of the four men who
19 was thrown into the river. So the photograph was taken the next day. And the
20 person standing with a red cap is Cardinal Nzapalainga. He is the one who was
21 called up by the fishermen who had brought the dead bodies back to the banks of the
22 river. They had called him to come and establish as an eyewitness that those things
23 had happened. So this is what happened there.

24 MR CHOUDHRY: [12:38:06] And with that, your Honours, if I could please ask for
25 tab 27, CAR-OTP-2017-0919, to be formally submitted.

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1 And the court officer to kindly place in front of the witness tab 28,

2 CAR-OTP-2017-0921.

3 THE COURT OFFICER: [12:38:32] For the record, the previous item is already

4 considered as formally submitted, through another witness.

5 MR CHOUDHRY: [12:38:40]

6 Q. [12:38:41] Mr Witness, do you recognise anything in this photo, please?

7 A. [12:39:10] Thank you. Well, you see, those brothers, their hands are tied

8 behind their backs as they lie in the water. When I saw the pictures for the first time,

9 I knew that it was those four men. The one who is closer to the bank is indeed the

10 person with whom I had the conversation when they were arrested. I can see he had

11 a pair of trousers and a blue shirt. It is after the bodies were brought to land that the

12 boatmen went back to look for other bodies.

13 Q. [12:40:05] Thank you.

14 And if the court officer could now remove that. I believe this photo was also

15 submitted through a previous witness.

16 Mr Witness, I'd now like to move on to a different subject, and that's just in relation to

17 members of the Seleka.

18 And with that, if I could ask the court officer to please place tab 8,

19 CAR-OTP-2069-2180, in front of the witness, please.

20 Mr Witness, do you recognise anyone in the photo in front of you?

21 A. [12:41:20] Thank you. The gentleman who is receiving the medal is General

22 (Redacted). He was in charge of logistics for the Seleka. He was in charge of the

23 distribution of food items and materiel to the Seleka units. And whoever needed

24 food and ammunitions made the request to him.

25 Now, facing him is someone who is Michel Djotodia, the head of state. He is the one

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1 wearing a suit. He was the head of state of the Seleka regime. He is decorating
2 General (Redacted).

3 The one behind General (Redacted) is also a general, but I have forgotten his name
4 because it's been a while. He is the one assisting the president or helping the
5 president to decorate General (Redacted).

6 MR CHOUDHRY: [12:42:56] Your Honours, if I could ask for tab 8,
7 CAR-OTP-2069-2180, to be formally submitted.

8 And for the court officer to kindly display tab 9, CAR-OTP-2069-2166.

9 Q. [12:43:22] Mr Witness, do you recognise anyone in that photo, please?

10 A. [12:43:43] Thank you. Well, at number 3, where you find somebody -- well, it's
11 General (Redacted), the third person. And after General (Redacted), there's General
12 (Redacted). Then next to General (Redacted)--

13 Q. [12:44:27] Mr Witness, if I could just ask you to pause there. You have a
14 marker in front of you.

15 PRESIDING JUDGE SAMBA: [12:44:33] Yes.

16 MR CHOUDHRY: [12:44:34]

17 Q. [12:44:34] If you can please mark with numbers 1, 2, 3, 4 as you go along and
18 identify the individuals, that would be helpful. So could you start with identifying,
19 please, and marking (Redacted), please.

20 A. [12:45:02] This is (Redacted).

21 Q. [12:45:08] And General (Redacted), please.

22 A. [12:45:25] This is he.

23 Q. [12:45:31] And who else do you recognise in this photo?

24 A. [12:45:47] Colonel (Redacted). And then we have (Redacted). And their
25 elements can be seen positioned behind them.

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1 Q. [12:46:15] And just to confirm for the record, (Redacted) is number 3, correct?

2 A. [12:46:32] Yes, that is (Redacted) where you can see number 3, where I have
3 written down "3". That's (Redacted).

4 Q. [12:46:44] And, again, just so that we know and it can be confirmed for the court
5 record, (Redacted) is number 4, correct?

6 A. [12:46:57] Number 4 is General (Redacted). Where I have written 4, that's
7 General (Redacted).

8 PRESIDING JUDGE SAMBA: [12:47:18] And who is number 2, Mr Witness, number
9 2?

10 THE WITNESS: [12:47:32](Interpretation) Number 2 is General (Redacted). He was
11 at the base within Camp de Roux.

12 MR CHOUDHRY: [12:47:45] With that if I could kindly ask the court officer to have
13 tab 9, that's CAR-OTP-2069-2166 formally submitted, please.

14 THE COURT OFFICER: [12:48:02] Tab 9 annotated will bear the following ERN:
15 CAR-REG-0002-0121 and tagged as formally submitted.

16 MR CHOUDHRY: [12:48:18] And if I could ask the court officer to place the final
17 photo that I intend on displaying for the witness. It's tab 21, CAR-OTP-2069-0936.

18 Q. [12:48:52] Mr Witness, do you recognise anyone in this photo? And, if so,
19 could you again please mark with numbers the people that you identify and state the
20 number with the name of the person that you recognise?

21 A. [12:49:24] All those who you see on the photograph, I no longer remember their
22 names, but those were Colonel (Redacted) elements. I can recognise his vehicle.
23 And all those people were his elements, but I really do not know their names. This
24 is the vehicle that they used to go to Boy-Rabe. Thank you.

25 MR CHOUDHRY: [12:49:54] And with that, if I could ask the court officer to kindly

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1 submit tab 21, CAR-OTP-2069-0936.

2 Q. [12:50:14] Mr Witness, only a few more questions for you.

3 Throughout your time as a member of the Seleka, did you ever receive any military
4 training?

5 A. [12:50:36] Thank you. Shortly after we went to Camp de Roux, some senior
6 military persons were called up to teach us the job of being a soldier which we had
7 wanted to be. After the training began, we were taken to Camp Kassai where
8 Lieutenant (Redacted) and chief corporal (Redacted) were present at that company.
9 So I was part of the first company and those were my leaders.

10 They are the ones who trained us. We were supposed to be ready by 5 December in
11 order to take the solemn declaration before the president with a view to joining the
12 national army. But the Balaka showed up and everything fell apart when they came
13 on 5 December.

14 Q. [12:52:11] What did this training involve?

15 A. [12:52:32] During the training, they taught us military discipline, how to sing
16 military songs, respect for authority and hierarchy, military hierarchy, respect from
17 juniors to hierarchically superior officers. And then we did some running in the
18 morning, then we would come back and sing some more. We would salute the
19 military authorities as they went by. Those are some of the things we learnt. We
20 learnt how to do push-ups and other exercises. This is what we were trained in
21 during that time.

22 Q. [12:53:32] Now, Mr Witness, my next question, I just want you to bear in mind
23 that we are in private session so nobody outside this courtroom can hear you, okay?

24 You have told the Court yesterday and today that you joined the Seleka in 2013.

25 When you were first contacted, Mr Witness, by Prosecution investigators - and by that

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1 I mean that is the very first time, so before you provided a witness statement - you
2 told investigators that you had never been a member of the Seleka. My question to
3 you is why?

4 MS NAOURI: [12:54:19](Interpretation) I'm sorry, Madam President. I wanted to
5 see the direction of this question, but it is extremely leading. We don't have any
6 foundation laid, we don't have any clarifications. We don't have anything that might
7 have been said before showing the screening note. So I think it's proper to my
8 learned colleague to proceed in a more orderly manner rather than lead him and
9 testify in the place of the witness.

10 MR CHOUDHRY: [12:54:54] Your Honours, I'm happy to do that and I can ask the
11 witness in terms of "did you" type questions. But before I do that, is it in dispute as
12 to whether the witness actually said that? If my learned friend can answer whether
13 that's a point in dispute, because, if it's not, then I would ask that I ask that very
14 directly to the witness. It serves the same purpose.

15 MS NAOURI: [12:55:22](Interpretation) My answer is as follows: I wasn't there
16 during the screening and I don't think anyone of us here was present, so I don't know
17 what to answer, and that is why you need to, first, put the question to the witness and
18 then put the document to him.

19 MR CHOUDHRY: [12:55:35] I'll do that, your Honours.

20 Q. [12:55:39] Mr Witness, do you recall the first time that you were contacted by
21 Prosecution investigators? Do you recall that time?

22 A. [12:56:07] It's been a long time and I don't remember the exact date, but maybe
23 2016. But I don't remember the month. Maybe 2016 is when they called me. We
24 started having conversations in 2016.

25 Q. [12:56:30] And on that first occasion, do you recall or remember whether

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1 Prosecution investigators asked you if you were a member of the Seleka or ever had
2 been a member of the Seleka?

3 MS NAOURI: [12:56:56](Interpretation) I'm looking at the time, I think my colleague
4 wants to wrap up, but he should have simply said -- simply asked him whether they
5 talked instead of asking him what they talked about.

6 MR CHOUDHRY: [12:57:26] Your Honour, I'm in your Honours' hands in terms of
7 timing.

8 PRESIDING JUDGE SAMBA: [12:57:30] Yes, I mean in time -- in respect of timing,
9 yes. But I also note, Ms Naouri, that, you know, whatever the issue, this witness has
10 given certain testimony in that respect about, you know, not wanting to divulge
11 certain information initially because he was afraid, and remember he mentioned a
12 (Redacted), you know, who spoke to him in Bangui and they advised him to trust the
13 Court -- I mean the ICC and tell the truth as to what happened. I don't think it is -- is
14 it disputed at all that, you know, this witness was in fact a member of the Seleka in
15 respect of all that he has said? I know that you just -- you want us to follow the
16 procedure, but, I mean, you know, is that really controversial? Could we let that
17 pass so that we make progress.

18 MS NAOURI: [12:58:31](Interpretation) To answer your question, Madam President,
19 yes, it is a hugely controversial issue. We haven't started our cross-examination, but
20 we will put questions that will enable us to arrive at the right consequences in our
21 closing brief. But it is important that -- to know whether this man was part of the
22 Seleka, particularly given that we do not know whether this gentleman is exactly the
23 same person whom he claims to be, and we are going to be revisiting this point
24 during our cross-examination.

25 PRESIDING JUDGE SAMBA: [12:59:08] Mr Choudhry, for want of time, could you

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1 lay the foundation and let's get over and done with this point, please.

2 MR CHOUDHRY: [12:59:16] Your Honours, I think I can do that by referring to the
3 portion that your Honours had suggested.

4 Q. [12:59:22] Mr Witness, I'm going to read something to you that you said to the
5 Court earlier today.

6 You said: "After that, the ICC came and I refused to divulge that information
7 because I was afraid because even if things had changed, there was no work and
8 I was afraid and worried."

9 My question to you is why were you initially afraid to divulge information to
10 members of the ICC?

11 A. [13:00:07] Thank you.

12 Madam President, you have asked me and I said that I did not refuse to show up
13 voluntarily as I was supposed to. You see, first of all, after the trouble or troubles
14 that had taken place, all the young people who had joined the Seleka were being
15 sought after by all means. Some of them who, like myself, had been in the Seleka
16 coalition, some of them were killed. Imagine I too could have been a victim. You
17 see, (Redacted), who was (Redacted), the Anti-Balaka went to his house, told him that
18 he was a (Redacted), and he was killed at his home in (Redacted). He
19 was killed because he was a (Redacted) and that he was one of them, so he was
20 killed.

21 Then there is (Redacted) was also one of ours. He was also killed in Bimbo. Why?
22 Why? Because the Balaka had received information about him to the effect that he
23 was working with the Seleka. He was killed.

24 So because of all these experiences I had, I was frightened. And in order to protect
25 myself, (Redacted). You see, when I received the call, I was

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1 wondering how did they come by my phone number? And so I asked the person
2 who had called me how did they get my phone number to be able to contact me. So
3 I was told, "Do not worry. These people are seeking the truth, they want to find out
4 the truth about what happened in 2013."
5 Now, what bothered me or worried me the most is that Mr Yekatom Rambo
6 attempted to hurt me on three occasions because he had received information that
7 I was working with the Seleka. He tried by all means to reach me. And so, in order
8 to protect myself, I fled from (Redacted) to find refuge in my mother's
9 farm in the province. It was for reasons of my own security and safety that I
10 (Redacted). Because I was in danger. (Redacted)
11 then advised me, she explained everything to me about how to work hand in glove
12 with the ICC. And it is based on this -- on her explanations that I took courage to do
13 this.
14 But right at the beginning, I didn't trust them. I had some worries somewhere in me.
15 I was thinking maybe they will end up doing something to me. But she continued to
16 advise me, she told me that everything that I would say would remain confidential,
17 that I will be given a phone number which I can use if ever anything befell me. If
18 ever I would be in danger, I could call that number. And that is how I was able to
19 build up some trust and courage to come and share my experiences during those
20 times when the Seleka was in power. It is for these reasons, for all these reasons that
21 (Redacted) to those persons.

22 Thank you.

23 MR CHOUDHRY: [13:04:59] Your Honours, I note the time. I have two short
24 questions. I'm in your Honours' hands.

25 PRESIDING JUDGE SAMBA: [13:05:05] I think we can go on with those so that we

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1 complete at least the Prosecution's questions in-chief. Please put your questions.

2 MR CHOUDHRY: [13:05:16]

3 Q. [13:05:16] Mr Witness, you said, and this is at real-time transcript page 52,

4 lines 1 to 3, "the Balaka showed up and everything fell apart when they came on

5 5 December."

6 What did you mean by that?

7 A. [13:05:34] I wanted to say that during the training we had to endure a lot of

8 suffering under the Seleka so as to have a job and take care of our families. We lost

9 those opportunities, all the activities ended. It was after 15 December, or around

10 15 December that I withdrew from the Camp de Roux because I believed that, to

11 remain in Camp de Roux, if the Anti-Balaka attacked those premises -- those premises,

12 we would be in danger. So with the approach of the Anti-Balaka towards the

13 capital -- towards the capital, there was no longer any trust between the Goula and

14 the Muslims and us. They said that we had been traitors, and because of all those

15 rumours, I had decided to withdraw.

16 Q. [13:07:05] And, finally --

17 A. [13:07:06] That is also the reason why I left the town, to protect myself against

18 Anti-Balaka attacks.

19 Q. [13:07:19] Finally, Mr Witness, why have you chosen, yesterday and today, to

20 give your evidence to the Court in this case?

21 A. [13:07:47] Thank you. I thank you. I thank you. I thank you. I thank you

22 for the fact that I decided to finally testify so as to be like sort of the spokesperson for

23 those who lost their lives before my eyes. I wanted to tell the Court so that the Court

24 should be able to convict the executioners of those victims. It is said that dead

25 people are not really dead, they are still alive and observing what is going on.

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1 During that time, it was very difficult, but they told me -- they told me that -- to be
2 their spokesperson and to testify about what they suffered so that their souls should
3 rest in peace with their creator in heaven. So I thank the good Lord because, during
4 the eight and a half months that I was under the Seleka command, I never shed
5 anybody's blood. I thank God for having reserved me and given me the strength to
6 come out alive from these events and who also gave me the opportunity to testify on
7 behalf of those who perished, so I am very grateful for speaking on behalf of the
8 victims that were brutally killed. I know that their souls have been resting in peace
9 since yesterday till today.

10 Despite everything that I endured mentally and physically, since Saturday, last
11 Saturday to this day, I did not even close my eyes, I was not able to sleep at all
12 because I am terribly concerned. So I could not sleep because of what happened and
13 I have to tell the truth and I have to give an account of them here. Those are the
14 reasons which gave me the strength and encouraged me to stay on my feet and testify
15 about these events. Thank you.

16 PRESIDING JUDGE SAMBA: [13:10:54] Okay, thank you very much, Mr Witness.

17 Mr Prosecutor, I take it that you are done with your examination-in-chief.

18 MR CHOUDHRY: [13:11:01] That's what I was going to say, your Honours.

19 Thank you, Mr Witness. The Prosecution has no further questions.

20 PRESIDING JUDGE SAMBA: [13:11:07] Okay. Thank you very much,

21 Mr Choudhry.

22 So, Mr Witness, you've said what you have to say in answer to the Prosecution's
23 questions. We're going to tomorrow have questions put to you by the lawyers for
24 Mr Said, so I'm going to advise, like I did yesterday, and ask that you do not discuss
25 your testimony with anybody when you leave this courtroom and to remind you that

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- 1 you would still be on oath tomorrow when we commence having your testimony.
- 2 We still give you the Rule 74 assurances against self-incrimination.
- 3 So I rise the Court for tomorrow at 9:30, please. Thank you.
- 4 THE COURT USHER: [13:11:58] All rise.
- 5 (The hearing ends in private session at 1.12 p.m.)