

Trial Hearing
WITNESS: CAR-OTP-P-2049

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Friday, 25 February 2022
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:20] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:32:40] Good morning, everyone.
15 Could the court officer please call the case.
16 THE COURT OFFICER: [9:32:54] Good morning, Mr President. Good morning,
17 your Honours.
18 This is the second situation in the Central African Republic, in the case of The
19 Prosecutor versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, case
20 reference ICC-01/14-01/18.
21 And for the record, we are in open session.
22 PRESIDING JUDGE SCHMITT: [9:33:14] Thank you.
23 I ask for the appearances of the parties.
24 Mr Vanderpuye first.
25 MR VANDERPUYE: [9:33:19] Good morning, Mr President. Good morning,

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- 1 your Honours. Good morning, everyone. Good morning, Mr Witness.
- 2 Today the Prosecution is represented by Manochitra Prathaban, Yassin Mostfa, and
- 3 myself, Kweku Vanderpuye.
- 4 PRESIDING JUDGE SCHMITT: [9:33:31] Thank you.
- 5 For the representatives of the victims, Ms Massidda first.
- 6 MS MASSIDDA: [9:33:36] Good morning, Mr President, your Honours.
- 7 For the victims of the other crimes, appearing today, Mr Yaré Fall; myself, Paolina
- 8 Massidda, Mr Enrique Carnero Rojo and Ms Mouhia Asso. Thank you.
- 9 PRESIDING JUDGE SCHMITT: [9:33:51] Thank you.
- 10 I turn to the other victims representatives team.
- 11 MS LAU: [9:33:59] Good morning, Mr President, your Honours. The former child
- 12 soldiers are represented today by myself, Fiona Lau, associate legal officer at the
- 13 Office of Public Counsel for Victims. Thank you.
- 14 PRESIDING JUDGE SCHMITT: [9:34:06] Thank you very much.
- 15 I turn to the Defence of Mr Yekatom.
- 16 MS GUISSÉ: [9:34:24](Interpretation) Good morning, your Honour.
- 17 For Mr Yekatom's defence it's Madam Sabrine Bayssat, *moi-même*, and Anta Guissé.
- 18 And I'm in charge of saying that Mr Dimitri will not -- Mrs Dimitri will be there
- 19 because she's been held elsewhere. Thank you.
- 20 PRESIDING JUDGE SCHMITT: [9:34:42] Thank you. I have been informed about
- 21 that. Yeah. Good morning.
- 22 Mr Knoops, please.
- 23 MR KNOOPS: [9:34:49] Good morning, Mr President, your Honours. Good
- 24 morning, everyone in the courtroom.
- 25 The Defence of Mr Ngaïssona appears today before the Chamber with

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1 Ms Marie-Hélène Proulx, Chiara Giudici, Ms Despoina Eleftheriou and

2 Mr Ali Alabdali. Mr Landry is following the hearings from the field office, and the
3 Defendant is present in the courtroom.

4 PRESIDING JUDGE SCHMITT: [9:35:12] Thank you very much.

5 And most importantly, of course, we have a witness at the video-link location.

6 Good morning, Mr Witness, do you hear and understand me well?

7 WITNESS: CAR-OTP-P-2049

8 (The witness speaks Sango)

9 (The witness gives evidence via video link)

10 THE WITNESS: [9:35:45](Interpretation) Good morning. I can hear you very well.

11 I can hear you.

12 PRESIDING JUDGE SCHMITT: [9:35:58] Mr Witness, on behalf of the Chamber, I

13 would like you -- to welcome you to the courtroom. You are called to testify to assist
14 this Chamber in the case of Mr Yekatom and Mr Ngaïssona.

15 Mr Witness, there are protective measures put in place to ensure that your identity is
16 not revealed to the public. I think these protective measures have been explained to
17 you. I only repeat --

18 THE WITNESS: [9:36:37] (No interpretation)

19 PRESIDING JUDGE SCHMITT: [9:36:38] I only repeat shortly: There is face
20 distortion, and we are using a pseudonym. So it's not impolite when I do not

21 address you with your real name but as "Mr Witness". This is the reason, because
22 you are testifying under a pseudonym.

23 THE WITNESS: [9:36:59] (No interpretation)

24 PRESIDING JUDGE SCHMITT: [9:37:00] Mr Witness, there should be a card on the
25 desk in front of you with a solemn undertaking to tell the truth. Could you please be

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1 so kind to read out loud the content of this card.

2 THE WITNESS: [9:37:27](Interpretation) Thank you, your Honour. I'm ready to
3 take oath.

4 I solemnly state that I shall speak the truth, only but the truth, and the whole truth.

5 I solemnly declare that I shall speak the truth, only the truth and nothing but the truth
6 in front of your Court.

7 PRESIDING JUDGE SCHMITT: [9:38:02] Thank you very much, Mr Witness. You
8 are now under oath.

9 Before we start with the questioning, I would like to note a few practical matters
10 regarding your testimony. Everything we say here in the courtroom is written down
11 and interpreted in various languages. It is, therefore, important to speak clearly into
12 the microphone and at a slow pace. Me, the Presiding Judge, often has problems
13 with that, but I'm trying. And I would ask you to do, please, the same.

14 The second thing is, please, Mr Witness, only start speaking when the person asking
15 you the question has finished. Perhaps you count in your head to three and only
16 then give your answer, because, just to explain it to you, when we have an overlap of
17 speaking people, the interpreters cannot follow what is being said.

18 Thank you very much for your patience until this moment. We will then start your
19 testimony.

20 You may be questioned by the lawyers from the Prosecution, the Defence and the
21 victims' representatives, and also of the judges if need be.

22 For all the participants, since we have not a French speaking person here, speak
23 slowly and observe the breaks to facilitate the work of the interpreters so that we
24 don't come a situation we had before.

25 So I give now the floor, Mr Witness, to the Prosecution, who will start with your

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1 questioning.

2 Mr Vanderpuye.

3 MR VANDERPUYE: [9:39:48] Thank you very much, Mr President. Good morning,
4 again.

5 QUESTIONED BY MR VANDERPUYE:

6 Q. [9:39:55] Good morning to you, Mr Witness.

7 We met a few days ago, very briefly. Let me reintroduce myself. My name is

8 Kweku Vanderpuye. I am with the Office of the Prosecutor, and I will be asking you
9 some questions in respect of the evidence you will give in this case.

10 I wanted to thank you once again for making yourself available to testify in this case.

11 I think it's very important.

12 As the Presiding Judge has just told you, and as you've been instructed already, you
13 are testifying with protective measures. But there may be areas of your examination
14 which may cover things that could tend to identify you, and I'll do my best to try to
15 avoid those, but it may come up. So if there's any answer that you'd like to give or
16 that you feel that the question calls for that might tend to identify you, and you're
17 uncomfortable, just let us know, and I'll -- I will address the Chamber, the Presiding
18 Judge, to see if it would be appropriate to proceed in private session. And private
19 session simply means that that portion or limited portion of your testimony will not
20 be made in -- made public.

21 Generally, we try to get as much evidence in the case in public as possible, so I'll try to
22 do that here and formulate my question in a way that can -- that can -- that can
23 facilitate that.

24 Just one or two other things. If there's anything that I ask you that's not clear, or you
25 would like me to rephrase it so that we can better understand one another, do not

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1 hesitate to let me know and I'll do my best to do that.

2 And I think that's -- that's basically it.

3 Are you with me so far?

4 A. [9:42:05] Yes, I followed you very well.

5 Q. [9:42:08] All right.

6 A. [9:42:12] I did understand you very well.

7 Q. [9:42:17] Very good.

8 Mr President, can we go into private session, please.

9 PRESIDING JUDGE SCHMITT: [9:42:22] Yes, we go into private session.

10 (Private session at 9.42 a.m.)

11 THE COURT OFFICER: [9:42:37] We're in private session, Mr President.

12 MR VANDERPUYE: [9:42:51]

13 Q. [9:42:52] Yes, Mr Witness, we're now in private session, so it means that what

14 I'm -- what we're discussing will not be made public. I'd like to get some

15 biographical information from you, some background. So if you could please state

16 your full name for the record.

17 A. [9:43:10] My name is (Redacted)

18 Q. [9:43:40] What is your date of birth, sir?

19 A. [9:43:46] (Redacted) I was born on (Redacted)

20 (Redacted)

21 THE INTERPRETER: [9:44:27] The witness repeats.

22 MR VANDERPUYE: [9:44:30]

23 Q. [9:44:30] Where were you born?

24 A. [9:44:41] I was born in Bossangoa.

25 Q. [9:44:48] What is your religion?

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1 A. [9:45:00] I am Muslim.

2 Q. [9:45:13] And are you married?

3 A. [9:45:31] Yes. I've done a religious marriage, but not a civil marriage. So there
4 was a religious ceremony, but not a civil ceremony.

5 Q. [9:45:51] And to whom are you married?

6 A. [9:46:12] I married to (Redacted)

7 Q. [9:46:21] How long have you been married to (Redacted)

8 A. [9:46:53] I've been married to my wife since (Redacted)

9 Q. [9:46:59] And do you have children?

10 A. [9:47:14] Yes, I do have children. I also have children with other wives, but
11 with my spouse, I have -- I have had children.

12 Q. [9:47:37] Did you -- were you raised in Bossangoa? Is that where you grew up?

13 A. [9:47:58] Yes, I was raised in Bossangoa.

14 Q. [9:48:06] And did you attend the school there?

15 A. [9:48:20] Yes. I started primary school, which was in (Redacted) and then I was
16 admitted to the (Redacted) and then I enrolled at the (Redacted)
17 (Redacted)

18 Q. [9:48:52] Did you complete your study at the (Redacted)

19 A. [9:49:10] No, I did not finish my studies at the (Redacted)

20 Q. [9:49:19] And why is that?

21 A. [9:49:35] You know that there was a conflict in my country, and you also know
22 that when there's a conflict, there are financial problems. And that's what prevented
23 me from completing my studies at the (Redacted)

24 Q. [9:50:01] Did you take up work in Bossangoa?

25 A. [9:50:24] I was working with the (Redacted) in Bossangoa. I was (Redacted)

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1 (Redacted) In a conflict-ridden country, there
2 is -- there are humanitarian staff who work with the (Redacted) so I basically helped
3 (Redacted). And I'm -- I'm also organising (Redacted) schedule.
4 I've also worked for (Redacted) during the conflict in my country.

5 Q. [9:51:30] And what was -- what is the name of the (Redacted) that you worked
6 for during that time?

7 A. [9:51:48] (Redacted) was called (Redacted)

8 Q. [9:52:00] You mentioned that you worked for (Redacted) Can you tell the
9 Chamber basically what kind of work you were doing for them.

10 A. [9:52:28] Thank you for your question.
11 During the conflict in the Central African Republic, (Redacted) set base in Bossangoa
12 when they saw that there was a lot of violence targeting the Muslims, and
13 Muslims were basically reluctant to go to (Redacted) and they wanted (Redacted) in
14 their districts. There were (Redacted) as well by woman, so the chief of (Redacted)
15 (Redacted) asked the (Redacted) to find someone who could work in the field of (Redacted).
16 The (Redacted) chiefs (Redacted), so it
17 was important to have (Redacted) as an interface between the Muslim
18 community - the victims, to say - and the (Redacted). And this is why the (Redacted)
19 chose me to work at the (Redacted)

20 Q. [9:53:59] Thank you very much for that explanation.

21 I would like to ask you a bit about what it was like for you and your family living in
22 Bossangoa before the crisis began in 2012.

23 PRESIDING JUDGE SCHMITT: [9:54:16] Open session?

24 MR VANDERPUYE: [9:54:18] I was just going to say.

25 PRESIDING JUDGE SCHMITT: [9:54:20] Okay. Yeah, yeah. Okay.

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1 MR VANDERPUYE: [9:54:20] I'm hoping to be able to do it in open session, so let's
2 give it a try.

3 And I just want to remind you not to say anything that might identify you or your
4 family, if -- if we can do that.

5 PRESIDING JUDGE SCHMITT: [9:54:35] So we go to open session.

6 But before we do that, Mr Witness, the reason why the Prosecutor addressed
7 that -- that we want to have as much information as possible in open session is that
8 the people can follow the proceedings, that the people from your country or other,
9 any people interested in the case can hear what happened. So that is the reason why
10 we try to elicit as much information as possible in open session, just for your
11 understanding.

12 We go to open session now.

13 (Open session at 9.55 a.m.)

14 THE COURT OFFICER: [9:55:27] We're back in open session, Mr President.

15 MR VANDERPUYE: [9:55:34] Thank you.

16 Q. [9:55:35] So, Mr Witness, I wanted to ask you just to describe for the Chamber
17 what it was like living in Bossangoa before the conflict arose in 2012. Can you just
18 describe what that was like for you and your family and your community.

19 A. [9:56:18] Thank you. Before the conflict broke out, we were living rather well.
20 There was peaceful coexistence. We were living like brothers and sisters of the same
21 family. There were no problems with the neighbours, neither with the neighbours
22 nor with any other members of the community. There were no problems.

23 But after the conflict, and even during the conflict, the neighbours, the neighbouring
24 districts, and -- and even all my family, no one actually threatened me. No one tried
25 to take my life. It is not because I'm before the Court that I should say something

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1 else other than the truth. I have been waiting for this opportunity for a very long
2 time, for a very -- for several years.

3 I wanted to have the opportunity to bear testimony against those who facilitated
4 crimes against my family. Thank you so much. I have stayed alive and I have the
5 possibility to provide testimony in front of your court so that the truth is found.

6 Q. [9:58:24] Thank you, Witness. Indeed, that is very important.

7 Now the Chamber has heard evidence that the former president, General Bozizé, was
8 from Bossangoa, and also evidence that Bossangoa is home to many people of the
9 Gbaya ethnicity. Are you able to describe, if you know, what General Bozizé's
10 influence was like in Bossangoa in the period leading up to the conflict in 2012.

11 PRESIDING JUDGE SCHMITT: [9:59:20] Mr Knoops.

12 MR KNOOPS: [9:59:22] I'm very sorry, Mr President, but I think this is not a witness
13 who can give an account on the influence of a former president in a community.

14 PRESIDING JUDGE SCHMITT: [9:59:34] He might. You know, he has lived there,
15 and he grew up there, and he might provide some information.

16 So, Mr Witness, you may answer the question.

17 THE WITNESS: [10:00:10](Interpretation) Thank you so much.

18 As the OTP pointed out, Bozizé hails from Bossangoa, and his birth town is 42
19 kilometres from Bossangoa. It's Benzambe. It's Bouansouma, but it was actually
20 francised. And he was living in a district called Gaga. And when he was in
21 power, we would talk about Gaga, because that was his birth town.

22 I'm trying to recall facts. Your question refers to 2012, and I would like to go back to
23 2006 to tell you that, during this period, there was Eugène Ngaïkosset and most of the
24 people who were arrested in Bossangoa were accused of barring roads in 2012. And
25 this was actually said on the radio when he had a meeting. He talked about

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1 compounds and surveilling the neighbourhood. So this was actually, this was -- this
2 was not just a problem in Bangui. It was also a report on Bossangoa. This was
3 publicly said and there was a report on it.

4 MR VANDERPUYE: [10:02:06]

5 Q. [10:02:10] Okay. Do you remember in your statement saying that Bozizé even
6 financed a trip to Mecca for several imams? Do you remember when that was?

7 A. [10:03:00] Thank you. When Bozizé made it possible for certain imams to go to
8 Mecca, I no longer remember the month, but I remember that the year was 2006. In
9 Bossangoa, he made it possible for three imams from Bossangoa.

10 For example, the imam of the central mosque where Muslims came for Friday prayers.
11 There was another imam from Benzambe, a small prayer location. Then there was
12 another imam from Youba -- Yunta (phon), 26 kilometres from Benzambe. It was
13 simply a small location for Friday prayer. And so this imam was from that locality.
14 So there were three of them. It was in 2006, if I remember correctly. And in 2006, it
15 was a period when Ngaïkosset was committing exactions in this locality. That is
16 what I can tell you.

17 Q. [10:04:52] Okay. That's very helpful.

18 I want to ask you about the Anti-Balaka and when it is that you first heard the term
19 used.

20 A. [10:05:29] Thank you. I heard about the Anti-Balaka in 2012. I do not know
21 precisely which year the movement was created, but before your court I can confirm
22 that it was in 2012.

23 At that time there was someone from Bouar called Abo. Abo had a father from the
24 Ouda ethnicity, while his mother, if I remember correctly, is -- the mother is a
25 Christian from Gbaya Kara. Abo came to Bossangoa, and after that he went to

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1 Ouham-Bac, located 45 kilometres away from Bossangoa, that is between Bossangoa
2 and Bozoum. He met with somebody whose name was Jano, and Jano was a former
3 mayor of the Ouham-Bac municipality. He did not stay long at that position because,
4 when he was there, he had a problem opposing him to the Peuhls. The authorities in
5 Bangui were made aware of that and then he was relieved of his duties in that
6 position.
7 Abo started recruiting Anti-Balakas. He started selling certain items, and all those
8 who were interested in the Anti-Balaka movement had to buy those products. It was
9 at that time that I started hearing about the Anti-Balaka.
10 At that time, they were not perpetrating any exactions or crimes. It is only when we
11 started hearing about Seleka. There was someone else known as Achille Godonam
12 from Bowaye, located 60 kilometres from Bossangoa, on the Bossangoa Nana-Bakassa
13 at the level of Zere.
14 So at Bowaye, that person is well known. His father is very well known. He was
15 like the head of group in Bowaye. Achille, for his part, is a nurse. I came to {ICR:
16 (Redacted)} when he arrived Bossangoa. He was then sent to the health centre in
17 Bouca and he worked near the airstrip in Bossangoa in Ngowe. He was working as
18 the head of centre there, head of health centre, and he was living in the 2nd
19 arrondissement of Bossangoa.
20 At the time we were hearing about Seleka invading certain locations, and at that time
21 Bozizé handed over a red Apache motorcycle to Achille. He also gave him a
22 Kalashnikov weapon. I saw it with my own eyes. I saw him on the motorcycle,
23 and he was armed.
24 It was at that time that Achille started recruited in each neighbourhood. He started
25 recruiting Anti-Balakas in each neighbourhood. Before that, it was Jano who was

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1 doing that. But since Jano was not educated, and he was older than Achille, and
2 given that Achille was very courageous and quite intelligent, the head of state used
3 him and provided him with a weapon. He also gave him a motorcycle, money, and
4 a bit of everything, and Jano became less influential.
5 Now, from that moment on, he set up a unit or a cell in each neighbourhood. So he
6 was recruiting young people in each neighbourhood.
7 Subsequently, I heard over the radio that Ngaïssona stated openly over the radio that
8 he had 10,000 men under him. And everyone was aware that Ngaïssona had
9 declared publicly that he had 10,000 men. This was known by everyone. Achille
10 was there, Jano. But all those people, it was Ngaïssona who was commanding them.
11 This is what I saw. This is what I heard in relation to the Anti-Balaka.

12 Q. [10:12:16] There are a few things I'd like to follow up with about some of the
13 individuals you've described.

14 With respect to Abo, what I have in the transcript is that he was selling certain
15 products which the Anti-Balaka would buy. So I wonder if you could briefly tell the
16 Chamber what those products were that he was selling.

17 A. [10:13:00] Thank you, Mr Prosecutor. With regard to Abo, he was not with us
18 in Bossangoa. He came from elsewhere. He was a trader. But to be frank before
19 your court, I did not see those products with my own eyes. Before the conflict, and
20 we were together, there were no secrets amongst us. Based on what I heard, it was a
21 sort of powders that he was selling, *gris-gris*, that people used. They were what I can
22 refer to as magical potions or decoctions for self-protection.
23 So Jano would hand over those products to them. And in the villages, they used
24 them and they bought them. Certain people bought those potions and drank them,
25 in addition to the *gris-gris* that he was selling.

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1 Q. [10:14:42] Thank you for explaining that. You mentioned that Jano had a
2 problem with the Peuhl. And I wondered if you might explain very briefly what
3 you heard about the problems that he had with the Peuhl.

4 A. [10:15:18] Thank you. Let us take the example of a town like Bossangoa. You
5 have a prefect, sub-prefects, a mayor, the gendarmerie, the police, and each person
6 was going about their business. But in the smaller villages, only the mayor has
7 authority. Apart from the mayor, there was -- there is no one else. It is the
8 sub-prefect who is in charge of all those mayors. And in most cases, particularly in
9 Ouham-Bac, there is a corridor for the transportation or travelling of cattle towards
10 Chad.

11 So in the rainy season, in the dry season, the cattlemen go to where there is enough
12 grass. After Ouham-Bac, there is a river called Mba on the road to Bozoum. People
13 were moving -- a lot of people were moving on those roads. And based on the
14 information that I heard, when the Peuhls were crossing this one could see his
15 elements. He had his elements that he would send to go and steal the cattle
16 belonging to the Peuhls.

17 I think each time -- each family had to pay a head of cattle to be able to pass. This
18 time he sent the elements under his authority. And the information spread. The
19 sub-prefect became aware. And this was considered as a case of theft and he was
20 arrested. And if I remember correctly, he had been three years as a commander of
21 that unit.

22 That is the information that I can provide for the moment.

23 Q. [10:18:20] Thank you. That's very helpful and very detailed.

24 If I can ask you about Achille Godonam. You mentioned him and his links to
25 President Bozizé, in particular the provision of a motorcycle and some arms. As

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1 long as it won't identify you, can you tell us how it is that you know or heard about
2 this information.

3 A. [10:19:13] Thank you very much. As I have already said, Achille was in
4 Bossangoa. He was known to everyone, both Christians and Muslims. And when
5 he created units or cells in localities, he would organise meetings. They were public.
6 They were well known. He was a civilian. He was neither a soldier nor a
7 gendarme or a policeman, but he was wearing military attire. Everyone knew that
8 he worked in the health sector, but at one point he started wearing military attire.
9 He had a weapon. And yet you had the police, there was the gendarmerie and the
10 army. So it was unacceptable for a civilian to be moving about with a weapon in the
11 locality.

12 I believe that it was President Bozizé who gave him that authority. And even the
13 policemen and gendarmes of the locality were afraid of him because he was reporting
14 directly to Bozizé.

15 I took an oath to tell the truth. I am not coming here to accuse anyone because I was
16 a victim of anything.

17 Achille, when the Seleka arrived in March 2013, when the Seleka were still in Bouca, I
18 think it was on the 21st that the Seleka arrived Bouca, he was in the vicinity of Bouar.
19 He had travelled towards Bouar. When the Seleka arrived, he arrived -- he came the
20 next morning -- the night in Bossangoa. The next morning, the Seleka came to
21 Bossangoa. I saw him on the motorbike. One of his daughters, who was three or
22 four years old, I saw them on the motorbike that had been given by the head of state.
23 And he was on the Nana-Bakassa road towards Chad.
24 At that time he was not in the locality during that period. So when everything
25 happened, Achille was not in the locality. I mentioned his name because you asked

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1 me the question as to how the movement started, and that is why I made reference to
2 Achille. But everything that happened after March 2013, when the Seleka arrived
3 until we left, Achille was not present.

4 So after he fled on the motorbike with his children, he never returned to Bossangoa.
5 It was after the change of regime that I heard that one of his daughters that he had
6 handed to someone in the town to take care of, we heard that Achille was not in the
7 locality during the entire period of the crisis.

8 Q. [10:23:10] You mentioned that he started recruiting people for his Anti-Balaka
9 group after Jano was no longer doing that. I wondered if you had an idea of how
10 that recruitment took place and how many individuals approximately he might have
11 recruited.

12 A. [10:23:56] Thank you, Mr Prosecutor, for your question. It is important to point
13 out that I did not say that Jano abandoned his duties as an Anti-Balaka. He
14 was -- Jano was more in control on the Ouham-Bac sector. When I say that Achille
15 had much more power than Jano, it was simply because he was dealing directly with
16 the president of the Republic. So when you compare someone dealing directly with
17 the president and someone who is not, you will see why. But Jano did not abandon
18 the Anti-Balaka for that reason.

19 Now, regarding recruitment, Bossangoa has a certain number of neighbourhoods.
20 And in each of those neighbourhoods, they had a base, a headquarters. I cannot give
21 you the exact number per neighbourhood, because if I venture to do that it will not be
22 accurate. But in any case, there were not less than 20 of them. They recruited
23 young men who volunteered and who came from all the neighbourhoods.
24 Initially, for the recruitment, he used the reason that the Seleka were arriving. So he
25 was supposed to be putting in place vigilance committees to stop the arrival of the

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1 Seleka. That was what happened in the beginning. But when he left and the
2 conflict broke out, things changed.

3 In the meantime, even if the objective was to combat the Seleka, unfortunately, things
4 turned in a different way. That is how it happened because they started attacking
5 civilians.

6 Q. [10:26:29] When Achille fled, do you know or did you learn where he went?

7 A. [10:27:04] I believe that we were in the same locality, and we heard that he fled
8 to seek refuge in Cameroon.

9 Q. [10:27:21] Can you tell us about someone named Vincent -- Vincent
10 Dim -- Dima.

11 A. [10:27:44] Yes, I can speak about him.

12 Q. [10:27:54] If you -- if you could briefly explain to the Chamber who he -- who he
13 was in relation to the Anti-Balaka in Bossangoa.

14 Again, if it would tend to identify you, just let us know and then we can -- we can go
15 into private session, if -- if that's necessary.

16 A. [10:28:36] I think it would be better to do it in private session, please.

17 PRESIDING JUDGE SCHMITT: [10:28:44] We go to private session.

18 (Private session at 10.28 a.m.)

19 THE COURT OFFICER: [10:28:58] We're in private session, Mr President.

20 MR VANDERPUYE: [10:29:05]

21 Q. [10:29:05] If you could just briefly tell the Chamber about him, and also Bertin,
22 when you have a -- just very briefly though, just so the Chamber has an idea of who
23 they are in relation to the Anti-Balaka in Bossangoa.

24 A. [10:29:41] Thank you. Before being a Balaka, he was working as an apprentice
25 on a transport vehicle that went to weekly markets. And when the Anti-Balaka was

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1 started, he joined the movement. I heard about it when the Seleka was already in
2 Bouca.
3 I saw him with a motorbike on which he was -- on which he was transporting
4 Anti-Balaka to Bossangoa. For some time I didn't see him. But in 2013, because we
5 had a meeting with (Redacted) the first time I saw him again, it
6 was with Bertin at the (Redacted) There was a meeting between (Redacted)
7 (Redacted) and (Redacted). There was (Redacted)
8 (Redacted) It was Bertin who was representing the Anti-Balaka
9 and he was accompanying Bertin. I think there are photographs that I have handed
10 over of that.
11 That's it. That is the summary that I can give you about this person.
12 Q. [10:31:25] Maybe as long as we're here, I would like to show you tab 9. And
13 maybe you can help us out with that. It's CAR-OTP-2088-2206.
14 PRESIDING JUDGE SCHMITT: [10:32:36] It should be on the screen now,
15 Mr Vanderpuye.
16 MR VANDERPUYE: [10:32:40]
17 Q. [10:32:40] Are you able to see the photograph in the screen?
18 A. [10:32:59] Yes, I can see the photo. I can see it well.
19 Q. [10:33:06] Is that the photograph that you're referring to?
20 A. [10:33:20] Yes, this is the photo. Yes.
21 Q. [10:33:22] And can you tell the Chamber when this photograph was taken,
22 and -- let's start with that. When was it taken and where?
23 A. [10:33:55] Thank you. This photo was taken at the (Redacted)
24 (Redacted)
25 (Redacted)

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- 1 (Redacted) And you've got
2 (Redacted) Just next to
3 (Redacted) there was also (Redacted)
4 (Redacted) I don't remember the exact date. (Redacted)
5 If I -- to the best of my memory, it was in the beginning of (Redacted)
6 (Redacted) After the meeting, they left, and they took this
7 photo. (Redacted)
8 (Redacted)
9 It was the FOMAC elements who bought us this photo. This was given to us in an
10 A4 format. You can also see this photo on Facebook, on the Internet.
11 Q. [10:36:20] All right. That's -- that's very helpful to know.
12 PRESIDING JUDGE SCHMITT: [10:36:27] Mr Vanderpuye, shortly, the ERN
13 number.
14 MR VANDERPUYE: [10:36:30] Oh, I'm sorry.
15 PRESIDING JUDGE SCHMITT: [10:36:31] Is -- no, no, you have said it, but at least in
16 the transcript it's not correct. The correct number is CAR-OTP-2088-2206, please.
17 MR VANDERPUYE: [10:36:43] Thank you, Mr President.
18 Q. [10:36:46] You mentioned that the photo was taken, you think, around (Redacted)
19 Would that be (Redacted) of 2014 or (Redacted) 2013?
20 A. [10:37:14] It was in (Redacted) 2014 and not 2013.
21 THE INTERPRETER: [10:37:27] The witness repeats, it was in (Redacted) 2014.
22 MR VANDERPUYE:
23 Q. [10:37:36] Okay. Thank you for that clarification.
24 Mr President, I think we can go back to open session.
25 PRESIDING JUDGE SCHMITT: [10:37:42] Yeah. Then we do that.

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1 Open session.

2 (Open session at 10.37 a.m.)

3 THE COURT OFFICER: [10:37:56] We're back in open session, Mr President.

4 MR VANDERPUYE: [10:38:01] Thank you.

5 Q. [10:38:01] I wondered -- or I would like for you to describe for the Chamber
6 what it was like when the Seleka arrived at Bossangoa, if you can remember the day
7 they arrived and what it was like. If you could explain that to the Chamber, that
8 would be very helpful.

9 A. [10:38:43] Thank you. It was on 22 March when the Seleka arrived in
10 Bossangoa. We would hear about the Seleka when they would come to -- and take
11 cities. While going towards Bangui on the 21st, around 10 or 11, we learnt that the
12 Seleka invaded the city of Bouca. The city of Bouca is 110 kilometres away. And
13 when we got to know that, we were scared and we said, "What are they going to do
14 when they come to our city? Are they going to hurt us?" And we were really
15 worried about that. And perhaps when they would face the regular army, there's
16 going to be casualty. So we were really scared, all of us, both Christians and
17 Muslims alike.

18 On the 22nd, morning, around 7, we heard the firing of heavy weapons. We were
19 already aware that they were in Bouca, and there were gunshots and the sound of
20 heavy weaponry in the night. And we said that these people had entered. And
21 then we saw them on their motorbikes and their vehicles, and they were travelling
22 around the town. And this is how they entered the city of Bossangoa.

23 Q. [10:40:39] You mentioned that you heard the sound of weapons or -- or shots, I
24 guess. From where were they coming, if you -- if you -- if you know? Where was
25 the sound coming from, and from which direction were the Seleka coming from?

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1 A. [10:41:20] Thank you. There were several roads around Bossangoa, but there
2 was a main road that leads to Bangui. And it's the same road that also takes you to
3 Chad, Nana-Bakassa, or Paoua until the Chadian boarder.
4 Now, when you come to Katanga from Bangui, there is a bridge in the fourth district,
5 there is a locality called Katangoa. And while going to the city centre, you have to
6 actually cross a bridge, Ouham. And when you -- when you come from Bangui to
7 your right, there is the Bouca road. And there is -- and there is a road that takes you
8 to Bossangoa. They couldn't come from Bangui. They could only come from Bouca.
9 When we heard the gunshots, it was at the entry of Bossangoa towards Katanga.

10 Q. [10:42:55] I would like to show you a map --

11 PRESIDING JUDGE SCHMITT: [10:42:56] Microphone. Microphone, please.

12 MR VANDERPUYE: [10:42:57] It's on. Oh...

13 PRESIDING JUDGE SCHMITT: [10:43:00] Then perhaps the translation had not
14 finished. So no problem.

15 MR VANDERPUYE: [10:43:05] Thank you.

16 Q. [10:43:07] I'd like to show you a map, if I could. It's at tab 5,
17 CAR-OTP-2118-9140. You may not have seen it before, and it may be difficult to -- to
18 see. But have a look at it. I'd like to -- I'd like to know if you can sort of indicate
19 what -- or illustrate what you're describing.

20 A. [10:44:03] Yes. Please show me the map, and if I can use it I will tell you. And
21 if I have problems, I shall let you know.

22 Q. [10:44:16] It's very much appreciated.

23 I wondered if we have the facility to mark it from where he is. I suppose not. I am
24 asking the Registrar if that's a possibility.

25 If not, we can just -- he can just describe, and we can follow along, I suppose.

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1 THE COURT OFFICER: [10:44:47] Yes, it is possible for the witness to mark the
2 printed version that we have at the country office.

3 MR VANDERPUYE: [10:44:55] Okay, excellent. That's good. Okay.

4 Q. [10:44:58] Mr Witness, can you -- are you able to orient yourself on this map?

5 A. [10:45:29] The map on the screen is not visible. I can't read anything on that.

6 Q. [10:45:43] We can -- we can blow that up for you, if that would be helpful.

7 It's -- it's equally -- it's equally small on the piece of paper, so it's probably better to
8 blow it up on the screen.

9 PRESIDING JUDGE SCHMITT: [10:45:55] Indeed. Actually, it's -- you cannot read
10 anything. It's really hard to see something.

11 MR VANDERPUYE: [10:46:02] Yeah.

12 Q. [10:46:02] So if we could start maybe on the centre of the map where the two
13 roads intersect, the two red roads intersect.

14 We can blow that up and maybe the witness can see that better.

15 Are you able to see what's on the map now, Mr Witness?

16 A. [10:46:50] I'm trying to decipher the map. Could you please bear with me. If I
17 could just locate Katanga, I can make a few comments.

18 PRESIDING JUDGE SCHMITT: [10:47:05] Yes. Take your time to have a look at it
19 to orientate yourself, and please say when you are ready.

20 Perhaps, Mr Vanderpuye, you simply try to continue and ask him specific questions
21 about the map. I think, if he -- if he has it on the screen, and it is enlarged, I think we
22 can continue.

23 MR VANDERPUYE: [10:48:17] Thank you, Mr President.

24 Q. [10:48:19] You indicated a road that goes to the right when you are coming to
25 Bossangoa from the direction of Bangui.

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- 1 So if we can go down this map, down the page, we'll see a road that goes to the right.
- 2 Keep going, please.
- 3 There you can see in red what is marked as the Sangaris base. And if we continue
- 4 going down, you'll see a road that goes to the right. Can you see that?
- 5 A. [10:49:34] Can you hear me?
- 6 PRESIDING JUDGE SCHMITT: [10:49:37] Yes.
- 7 MR VANDERPUYE: [10:49:38]
- 8 Q. [10:49:38] Yes, we hear you.
- 9 A. [10:49:44] Can you hear me, please?
- 10 This is a question: Can you hear me, please?
- 11 Q. [10:49:51] We can hear you.
- 12 PRESIDING JUDGE SCHMITT: [10:49:57] Mr Witness, we hear you very well.
- 13 THE INTERPRETER: [10:50:31] The Sango interpreter is saying that he's got no
- 14 sound from the witness.
- 15 PRESIDING JUDGE SCHMITT: [10:50:38] We seem to have lost the sound.
- 16 What about having a break now? Yeah, Mr Knoops, shortly.
- 17 MR KNOOPS: [10:50:48] Isn't it more simple just to ask the witness from which
- 18 direction the Seleka came. It would save us a lot of time.
- 19 PRESIDING JUDGE: [10:50:54] But, nevertheless, nevertheless, we have this -- this
- 20 technical problem that has to be solved, am I right? Yeah.
- 21 So, Mr Vanderpuye, would it be a problem to have a coffee break until 11.30, with
- 22 regard to your time?
- 23 MR VANDERPUYE: [10:51:13] You probably saw the look of panic in my eyes.
- 24 PRESIDING JUDGE SCHMITT: No, you don't have to panic.
- 25 MR VANDERPUYE: [10:51:14] I think -- yeah, I think it's okay. I think it's okay.

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- 1 We don't have to hang up on this anyway.
- 2 PRESIDING JUDGE SCHMITT: [10:51:21] Okay. Fine.
- 3 MR VANDERPUYE: [10:51:22] Thank you, Mr President.
- 4 PRESIDING JUDGE SCHMITT: [10:51:23] So we will then have a break until 11.30,
- 5 and we very much hope that the technical problem is resolved. Thank you.
- 6 THE COURT USHER: [10:51:32] All rise.
- 7 (Recess taken at 10.51 a.m.)
- 8 (Upon resuming in open session at 11.33 a.m.)
- 9 THE COURT USHER: [11:33:06] All rise.
- 10 Please be seated.
- 11 PRESIDING JUDGE SCHMITT: [11:33:31] Welcome back.
- 12 And I think the technical problems have been solved, so we can continue.
- 13 Mr Vanderpuye, you have the floor.
- 14 MR VANDERPUYE: [11:33:45] Thank you, Mr President.
- 15 Q. [11:33:46] Good morning again, Mr Witness.
- 16 When we left off, I was showing you a map. And at the suggestion of my colleague,
- 17 I think if you could just indicate the direction from which the Seleka arrived, that
- 18 would be helpful. If you see the map, I would be either, I guess from -- either from
- 19 the bottom to the top, or right to the left, so on and so forth. If you could just give us
- 20 a general indication, that would be helpful.
- 21 A. [11:34:29] Can you enlarge the map a little bit. It is not very clear for me. Can
- 22 you hear me?
- 23 Q. [11:34:47] We can hear you, yes.
- 24 PRESIDING JUDGE SCHMITT: [11:35:03] Can you see it better now, Mr Witness?
- 25 THE WITNESS: [11:35:17](Interpretation) Yes, it's a little better. But I'm still

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1 looking at it. I think you -- you can see the Bouca road there, that is the Bouca road.
2 Where you can see *Centre de sainté*, Bozoro, and PK9, where you can see that, that is
3 the Bouca road. That is the -- the entire road is the Katanga area.
4 So what I'm seeing on the screen is Katanga. One of the roads goes to Bouca. The
5 other goes to Bossembélé and Bangui. And then the other to the villages.
6 I hope you have understood me. Have you understood me correctly?

7 MR VANDERPUYE: [11:36:31]

8 Q. [11:36:32] I think we have understood you.

9 And just for the record, the road that goes to the right appears to be the road that goes
10 to Bouca. The road that goes down towards, southwards is the one that goes
11 towards Bossembélé, and the one that goes to the left is the one that goes --

12 PRESIDING JUDGE SCHMITT: [11:36:50] Yeah, I think we have understood it this
13 way. I think you can -- can proceed from there.

14 MR VANDERPUYE: [11:36:56] Indeed. Thank you very much, Mr President.

15 Q. [11:37:00] Mr Witness, I wanted to ask you about, as you were describing how
16 the Seleka arrived -- can you tell the Chamber about how many -- if you -- if you saw,
17 how many Seleka arrived that day, 22 March 2013?

18 A. [11:37:34] Thank you for that question. I think I would be mistaken if I gave
19 you an estimate of their numbers. You know, the Seleka were rebels. They entered
20 the villages with vehicles, with motorbikes. There were many of them. I cannot
21 give you an accurate estimate. I have taken an oath before you, so I cannot lie. All I
22 know is that they had arrived with a lot of vehicles and motorbikes.

23 Q. [11:38:16] Thank you again. That's -- that's very much appreciated.

24 Now, does the name -- well, you mentioned that when the Seleka arrived, Achille
25 Godonam, for example, fled. Does the name Gbangouma Olivier Koudemon, mean

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1 anything to you?

2 A. [11:38:58] It is not Koudemon, is Goudemon. Olivier Gbangouma Goudemon.
3 During that period he was a lieutenant. I think he was actually a captain. He was
4 the one in command of the GP, that is those who were responsible for the security of
5 President Bozizé. Before the Seleka arrived, he was there. He fled on the day that
6 the Seleka entered the town.

7 So I repeat, he was the commander of the presidential guard who were posted in
8 Bossangoa.

9 Q. [11:39:49] And do you know if he was present in Bossangoa when the Seleka
10 arrived or thereafter?

11 A. [11:40:15] Thank you. As I have said a short while ago, we were in the village.
12 We, the young people, during the events, we went out on the roads to see what was
13 happening. And Gbangouma, Olivier Gbangouma, is someone that I know very
14 well. He is from Bossangoa and he is a Gbaya.

15 When he was detached to Bossangoa, he was present in the town when the Seleka
16 came in. And I want to point out that there were some of his men before -- that is in
17 front of Ecobank, but he was based near the seminary. There is a place there known
18 as Oxygène. He was there. At the time that the Seleka came in, we saw him
19 patrolling on the Katanga road. And sometimes he was the one driving the vehicle
20 and sometimes he came across the Seleka. And when he met the Seleka, he turned
21 around and left.

22 You know, he's a good driver. When he came across the Seleka, he turned around
23 and he went to the main road, towards Nana-Bakassa and Chad. He did not even
24 stand to fight the enemies when they came into town. I cannot tell you a lie.

25 Q. [11:42:14] Okay. Thank you for that clarification.

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1 I'm going to move to an area concerning some alleged attacks by the Anti-Balaka
2 before December 2013. But before I do that, I forgot to do something with respect to
3 the photograph that I showed you. So I'm going to ask you just to bear with me for a
4 second and take a second look at this photograph so that you can indicate the people
5 that you recognised in it.

6 It's at tab 9 CAR-OTP-2088-2206.

7 PRESIDING JUDGE SCHMITT: [11:42:56] Perhaps you ask him specifically who is
8 that person so that we can identify it. There are, I think, some 20, 25 persons on the
9 photograph.

10 MR VANDERPUYE: [11:43:06] Yeah, I won't ask for all of them, no.

11 PRESIDING JUDGE SCHMITT: [11:43:09] Okay.

12 MR VANDERPUYE: [11:43:15] Is it up? Okay. Okay.

13 Q. [11:43:20] I think you can -- hopefully you can see the photograph now. The
14 first is I wanted to ask, you indicated that there was a certain Gueguen on -- in this
15 photograph. Can you just describe who that person is for where they're standing
16 in --

17 A. [11:43:49] (No interpretation)

18 Q. [11:43:50] Yeah.

19 A. [11:43:53] I think -- can you hear me?

20 Q. [11:43:56] We hear you.

21 A. [11:44:00] Can I continue? Thank you.

22 All these people on the photograph, as you can see, there is a single white person on
23 that picture, and that is the person we are talking about.

24 Q. [11:44:25] All right. That's -- that's helpful and that's the second person from
25 the left.

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1 And the imam. Can you tell us which one is the imam.

2 A. [11:45:05] The imam? You can see a lady there with a wrapper, and to the left
3 there is the vicar, that is the Catholic priests, and the imam is the person right next to
4 the priest with a white soutane. And on that you have another piece of cloth that
5 he's wearing that is of an orangey colour. So that is the imam.

6 Q. [11:45:57] That's very helpful as well. He appears to be the fifth person from
7 the left.

8 Can you tell us which one is Bertin.

9 A. [11:46:22] Bertin is the one who is standing between the two ladies. He's
10 wearing that overcoat. Between the two ladies that you can see on the photograph.

11 Q. [11:46:38] All right. So he's practically in the middle of the screen. Is that the
12 green overcoat that we see? He appears to be the eighth person from the left.

13 A. [11:46:58] Yes, yes indeed he is the one between those two ladies.

14 Q. [11:47:01] Okay. Thank you very much. I think that's all I will have you
15 identify.

16 If I can move now to the next topic, which was -- which concerns some of the alleged
17 attacks that happened before the -- before December 2013.

18 First of all, were you present in the Bossangoa area throughout that period of time,
19 from the time the Seleka arrived up until the end of December of 2013?

20 A. [11:47:45] Yes, I was in Bossangoa.

21 Q. [11:47:48] And did you become aware of attacks that were carried out in that
22 area during that period of time?

23 A. [11:48:11] Thank you.

24 At the beginning of the events, we heard - if I remember correctly, it was in August
25 2013 - we heard that at Zere, which is 25 kilometres away from Bossangoa, and

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1 particularly between Bossangoa and Bouca, we heard that certain people had come
2 from Bangui, all soldiers and members of FACA. These were soldiers of the
3 presidential security who had left Bangui to Yorouba.

4 As you know, during the time of Bozizé, he had a cattle farm, and he also had an
5 airstrip that was -- had been built there. There were soldiers posted there. There
6 were Mbororos on the road to Zere. And when those soldiers came, he killed them.
7 This was the beginning of the events. That is what we heard.

8 Subsequently, the events moved towards Benzambe and Bowaye. They also arrived
9 Zere before continuing on to Bossangoa in September. And that is what led to the
10 major attack of 5 December.

11 Q. [11:50:22] Now, with respect to the incident in August involving the Mbororo,
12 without identifying yourself, do you -- do you have a recollection of how you came
13 into that information? How did you come to know about it?

14 Mr President --

15 A. [11:51:02] I would like to ask to go into private session, please.

16 PRESIDING JUDGE SCHMITT: [11:51:09] Yes. That makes -- might make sense.
17 We go to private session.

18 (Private session at 11.51 a.m.)

19 THE COURT OFFICER: [11:51:25] We're in private session, Mr President.

20 THE WITNESS: [11:51:43](Interpretation) Can I speak now?

21 PRESIDING JUDGE SCHMITT: [11:51:46] Yes.

22 THE WITNESS: [11:51:53](Interpretation) Thank you.

23 I would like to talk to you about something. Now, as you know, there was a war in
24 the country, even on the side of the Christians, in Bossangoa. Christian families took
25 refuge at the bishopric, that is the residence of the bishop.

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1 As you know, in the entire world, when there are conflicts, when there are wars, you
2 always have displaced people. And people have the habit of seeking refuge at
3 religious homes with priests and with the imams. Now with us, the Muslims, when
4 there was a conflict, we could approach the imam, and as you know, the Peuhls, the
5 Mbororos, who were living in the bush, had cows, were raising cows and cattle
6 belonging to the inhabitants of the town. So I told you that (Redacted)
7 (Redacted) so I was up to date. I was informed about everything that was
8 happening as a result of (Redacted) That is how I
9 came into that information.
10 It was possible for me to know what was happening to people that had nothing to do
11 with my family. I knew the approximate number of displaced person, the
12 approximate number of people killed, and so on. I heard all that information
13 because (Redacted)
14 (Redacted)
15 (Redacted) And it is because (Redacted) that I received that
16 information. I am not armed. I was not a soldier, and I was not involved in
17 political activities, but I had this information.
18 (Redacted)
19 could be able to know what was happening. So I would repeat, it was thanks to my
20 (Redacted) that I was able to know what was happening and I was able
21 to get all that information.

22 MR VANDERPUYE: [11:55:01]

23 Q. [11:55:01] That's very helpful.

24 I think we can go back into open session.

25 PRESIDING JUDGE SCHMITT: [11:55:06] Yes, we can do that.

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1 And remark by me, the witness is very much aware when it might make sense to go
2 into private session. That's very remarkable.

3 Yeah, we go to open session now.

4 (Open session at 11.55 a.m.)

5 THE COURT OFFICER: [11:55:25] We're back in open session, Mr President.

6 MR VANDERPUYE: [11:55:31] Thank you.

7 Q. [11:55:32] Mr Witness, we're back in open session.

8 I just want to ask you, you mentioned that you had information that members of
9 the -- of Bozizé's security, I think is what you said, I understand that to mean
10 presidential guard, but you'll correct me if I'm wrong, came up from Bangui, or from
11 the direction of Bangui, interacted with these Mbororo and killed them.

12 I wondered what -- first of all, how many people were killed, to your knowledge?

13 A. [11:56:27] Thank you, Mr Prosecutor. People had come from Bangui, and on
14 their way there were people joining up with them. I noted all those events in my
15 notebook. Unfortunately, I am not authorised to bring my notebook here. I have
16 all the information in my notebook. These people who were killed were not
17 members of my family, so I could not retain all the information. But I would like to
18 specify that I noted everything down in my notebook, but unfortunately I was not
19 allowed to come here with that notebook.

20 I think that I made mention of that in my statement. If you look at my statement,
21 you will see the number of Mbororo victims and Peuhl victims. I do not remember
22 accurately, but I believe I said it in my statement. I talked about the numbers of
23 Mbororos and Peuhls who were killed by the presidential guard.

24 PRESIDING JUDGE SCHMITT: [11:58:06] Mr Vanderpuye, do you have an idea
25 why it might be that the witness was not allowed to bring the notebook with him?

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1 MR VANDERPUYE: [11:58:13] I don't. I'm happy to ask him that.

2 PRESIDING JUDGE SCHMITT: [11:58:18] Of course, we cannot -- yeah, let's say,

3 salvage the situation, because he has not -- notebook not with him, but it could have

4 been helpful information. We all know that with passing time our recollection is not

5 so good, and that is the reason why people note down things at the time.

6 MR VANDERPUYE: [11:58:41] Indeed.

7 Q. [11:58:41] If maybe I could -- maybe I could show you paragraph 36 of your

8 statement to the Office of the Prosecutor.

9 It's CAR-OT -- I don't think I have a tab for it, though, do I?

10 CAR-OTP-2088-2173, tab 13. And it is paragraph 36, which is at 2179.

11 In your statement, you indicate -- you talk about this, and you give certain names

12 here. You can see that in the last sentence.

13 PRESIDING JUDGE SCHMITT: [12:00:02] I think it's fine, really, it's fine if we ask

14 the witness to read through it and if this comports with his memory now -- now if this

15 jogs his memory. I think that's the best thing to -- to quickly go forward.

16 MR VANDERPUYE: [12:00:17] Yes.

17 Q. [12:00:17] Do you -- are you able to see the names in this paragraph 36, in the

18 screen in front of you?

19 A. [12:00:35] Yes, I'm looking through it. I can see the names.

20 Q. [12:00:46] These are the names of the victims that you were aware of, that

21 you -- that you wrote down in your notebook as well?

22 A. [12:01:05] Yes, that's it.

23 Q. [12:01:07] Okay. There appear to be eight people there.

24 Yes, Mr President.

25 PRESIDING JUDGE SCHMITT: [12:01:14] No, I'm -- I think we can do this exercise

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1 with each of the -- the sites. It's always good to give victims, even give victims a
2 name, I think. We always did that at this court and this is -- I just want to encourage
3 you to go forward with this exercise.

4 MR VANDERPUYE: [12:01:38] Thank you very much, Mr President. Then I
5 will -- yeah.

6 Q. [12:01:41] The names you indicated here are Guewa Moussa, Oumarou Djao,
7 Bamy Amadou, Ibrahim Abakar, Adamou Bouba, Bakari Amidou, Mahamat Hassan
8 and Ayoub Issa?

9 A. [12:02:15] I think you've missed a name. You did not mention Oumarou Djao.

10 Q. [12:02:30] Thank you for -- thank you for that.

11 Let me ask you about -- you started to talk about September 2013. Tell us what you
12 know about any attacks that happened in September.

13 A. [12:03:06] Thank you. You can see the names of the victims on the screen.

14 They're the victims in the month -- for the month of August. Now you want me to
15 speak about the events that took place in September?

16 Q. [12:03:30] Yes, that's what I'd like you to do.

17 But before I -- before I move on, let me just ask you: With respect to the names you
18 see on the screen here, did you have information of whether these individuals were
19 civilians, whether they were fighters, whether they were Seleka?

20 A. [12:04:06] Thank you. In my previous statements, I said this, and I'm going to
21 repeat myself. These people were Peuhls. Now, when you carry out investigations,
22 you will see that people in the cities who were wealthy could actually do cattle
23 farming. I'm going to give the example of Bozizé, when he was the president he
24 could have cows, cattle for himself. But these people wouldn't tend to the cattle
25 themselves, so they would employ other people who would work as shepherds in the

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1 bushes. So the real owners of the cattle were in Bossangoa and they had staff taking
2 care of their cattle in the bushes.

3 So these were mere shepherds. The Seleka -- the -- in fact, the -- these were simple
4 shepherds. The Seleka couldn't go and work as shepherds in the bushes for someone.
5 These victims that I stated were all civilians.

6 Q. [12:05:54] Okay. Now I would like to ask you about the events in September,
7 as best you recall them.

8 Is there a technical problem?

9 PRESIDING JUDGE SCHMITT: [12:06:42] Even if there was one, it looks as if we
10 could continue.

11 MR VANDERPUYE: [12:06:47] Okay.

12 PRESIDING JUDGE SCHMITT: [12:06:47] So perhaps you repeat the question. I
13 think you wanted to talk about an attack in September 2013.

14 MR VANDERPUYE: [12:06:54] Yes. Yes, I was asking --

15 Q. [12:06:57] Mr Witness, can you tell us what you know about attacks that took
16 place in September 2013.

17 A. [12:07:22] I think in September 2013, if I'm not mistaken, it was around the 6th.
18 And on this date, there was an attack on three villages, Zere, Benzambe and Bowaye.

19 * And the weekly market in Zere was often held in -- on Saturday. The Bowaye
20 market day was on Saturdays -- and the weekly market day for Benzambe was on
21 another day. But they in fact attacked these three localities on the same day. There
22 was a vehicle that left Bossangoa for Bowaye for -- for the weekly market. And
23 when the two lorries -- now there was a big lorry that was called Berliet, and there
24 was another three-tonner lorry. Now when these lorries were -- reached the
25 destination, the three ton lorry was in the front and the big lorry called Berliet was at

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1 the back. And at the entry, the Anti-Balaka came out and they started shooting.
2 And they took -- they fled, and then they left the vehicle. I don't think there was
3 anyone killed in the first vehicle. Now, in the second lorry, the passengers weren't
4 aware. They fell into the trap. They -- they've killed the driver Abakara (phon).
5 They killed the owner. And they also killed an old trade man called Fakibour (phon),
6 because he was a marabout. And there was also a -- a trader selling second-hand
7 clothes, he was killed. And there was a young person who was selling bread who
8 was also killed. And there was another person, Amin, was killed. His father was
9 killed and on the Benzambe road. I remember the names because I know them.
10 And may I also add that we also killed other inhabitants of the village. And this was
11 in my statement. And I got this information from two women who were passengers.
12 So this was when they actually could escape and they weren't killed and these people
13 provided me with the -- with the information. And this happened in Bowaye.
14 In Benzambe, the victims were as follows: There was Bourham, Bashir, Abdelkarim,
15 who was -- who went by the nickname Shacks (phon). There was also Yaya. There
16 was another victim called Abou Khiress. Abou Khiress was in fact the head of the
17 village. There was a man called Deré. We all -- they also killed his wife and
18 children. Another victim was called Bashru (phon) and his wife was killed and all
19 his children. There were so many victims. There were two people who escaped
20 who saw their wives and children being killed, and they're the ones who provided me
21 with the information.
22 Now, in Zere, I remember Abdoulaye Abakar, Koursi Mamat. Djouli, he was
23 actually burnt alive, along with his wife and children, in -- I think you have the
24 pictures. I've said that in my declaration. There was also Bouba, Bouba Bouson
25 (phon). His children were also killed. So these are the people. But please check

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1 my statement. You will get more information.

2 So all this happened on the 6th. If you have any other questions with respect to any
3 other date, I am free to take those questions as well. Thank you.

4 PRESIDING JUDGE SCHMITT: [12:13:05] Mr Vanderpuye, you're aware we are
5 here at paragraph 37, following.

6 MR VANDERPUYE: [12:13:11] Yes.

7 PRESIDING JUDGE SCHMITT: [12:13:11] Of the statement.

8 MR VANDERPUYE: [12:13:13] Yes.

9 PRESIDING JUDGE SCHMITT: [12:13:13] The witness has provided, let's say, a lot
10 of the information now orally that is in this statement. Or if you're satisfied with
11 that --

12 MR VANDERPUYE: Yes --

13 PRESIDING JUDGE SCHMITT: [12:13:23] -- or you have further questions,
14 there -- there are even, he mentions even more victims, actually. Yes.

15 MR VANDERPUYE: [12:13:36] Than are -- than are in -- than are -- yes, than are in
16 the statement.

17 I don't know how my colleagues feel about it. My position would be to have him
18 confirm the information that's in this statement as a matter of record in the case. The
19 short way of doing that obviously would have him look at it and confirm it. The
20 long way to do it would be to go through each paragraph and read it into the record,
21 which is (Overlapping speakers)

22 PRESIDING JUDGE SCHMITT: [12:14:01] I think -- I think we would have no
23 problem here if we would do the exercise like the last time, so to speak, have him look
24 at it, the paragraphs. Forty-two, for example, Benzambe.

25 MR VANDERPUYE: Benzambe.

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1 PRESIDING JUDGE SCHMITT: [12:14:16] Thirty-eight and 40.

2 MR VANDERPUYE: Indeed.

3 PRESIDING JUDGE SCHMITT: [12:14:18] Whereas 40 I think is necessary as far as I
4 see it, he has provided the whole information orally, at least 90 per cent, so we don't
5 have to do it for -- for everything.

6 MR VANDERPUYE: Yes, Mr President.

7 PRESIDING JUDGE SCHMITT: [12:14:28] But I think to -- to do justice to potential
8 victims, I think it would be a good -- good thing to have it on the record.

9 MR VANDERPUYE: [12:14:39] Thank you, Mr President.

10 With that then, I would like to have -- oh, it's still there. Good. Perfect.

11 Q. [12:14:48] If we could go to paragraph 38 first, and that's on ERN page
12 ending -- it's right up the page, sorry. There we have it.

13 Mr Witness, can you see the names here that you provided in relation to the attack on
14 the market? It's in the first sentence of this paragraph. Does that refresh your
15 recollection? And this is in Zere, so the record is clear. In Zere.

16 A. [12:15:37] Yes, it's true. Yes, that's -- this incident relates to Zere.

17 PRESIDING JUDGE SCHMITT: [12:15:48] Well, that's -- that's relatively quick, so I
18 think we can proceed like that.

19 MR VANDERPUYE: [12:15:54] Yes. Do you want me to address the names in
20 particular, or can we -- can we --

21 PRESIDING JUDGE SCHMITT: [12:15:58] Perhaps, yes, yes, the names, because it's
22 not a Rule 68(3) witness.

23 MR VANDERPUYE: Indeed.

24 PRESIDING JUDGE SCHMITT: So I think we should have it on the record, for
25 procedural reasons.

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1 MR VANDERPUYE: Very well.

2 MR KNOOPS: [12:16:11] Mr President, sorry, I think it would help the Defence if the
3 Prosecution could directly also ask the witness the foundation of the knowledge he
4 alleges to have, how does he know about those names? Because there is, as we have
5 noticed, no forensic evidence to it.

6 PRESIDING JUDGE SCHMITT: [12:16:33] Fine. Fine. Yeah, yeah, yeah, yeah.

7 Fine. So I'm fine with that. The witness has provided some more generic
8 information why he knows it. I don't repeat it because it was in private session.

9 But I think it -- it would make sense to indeed ask him the question. That is a very
10 reasonable proposal by Mr Knoops. Otherwise he would have to do it sometime,
11 perhaps, or Ms Proulx.

12 Mr Vanderpuye, please continue.

13 MR VANDERPUYE: [12:17:00] Thank you, Mr President.

14 Q. [12:17:01] With respect to the information that's in -- in your statement, is this
15 information that you came into in the manner that you described earlier in your
16 testimony today? That is, in relation to your occupation, let's say.

17 A. [12:17:44] Yes, that's it.

18 Q. [12:17:48] All right.

19 PRESIDING JUDGE SCHMITT: [12:17:49] So perhaps for -- Mr Witness, so for our
20 understanding, if you are now asked about victims of attacks, and if there is any
21 additional information where you might have gotten the information from, we would
22 appreciate it if you could tell us. For example, if you have talked to witnesses
23 personally, or something like that. I think you -- you understand what I mean. So
24 if you could do that, we would appreciate that. That would help us a lot. Thank
25 you.

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1 Mr Vanderpuye.

2 And -- and we can, just one short addition, excuse me. If this information would
3 identify you, we would elicit it in private session. But I have already recognised that
4 you are fully aware of -- of the potential dangers when you -- when we speak in open
5 session. Thank you.

6 Mr Vanderpuye.

7 MR VANDERPUYE: [12:18:49] Thank you, Mr President.

8 Q. [12:18:53] Just for the record, the names that you provided previously are, with
9 respect to the attack on Zere market, are Bouba Gaye; his children, Halidou Bouba,
10 and Mana Bouba; Djouli Djibrila and his wife, Mariam Babari, and their six children,
11 Malam Djouli, Amat Ali, Amat Bore, Issa Amadou, Youssoufa Bouba, Saleh Bouba,
12 Adamou, Zenabou, Koursi Mamat, Abdoulaye Abakar.

13 You indicate here anyway that -- that you understood or learned that some 90
14 Muslims had been killed.

15 First of all, do you recall that? And second of all, can you say whether these are
16 individuals who were civilians or fighting, combatants, that is, or in the military, or
17 part of the Seleka?

18 A. [12:20:36] Thank you. I told you shortly that I've taken an oath to speak the
19 truth. If you -- if you see there are 90 people -- well, you actually referred to several
20 people. Bouba Gaye was the head of the group. Many people know him. And
21 currently two or three of his wives have sought refuge elsewhere. They are from the
22 Gbaya ethnicity and they have become Muslims now. These -- this gentleman was
23 about 70 years. He was Gbaya who had -- he -- he was an old man with young
24 children. He couldn't do such a job.

25 Djouli, again, who was burnt, was also very old. He couldn't have done this work.

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1 I haven't seen all the 90 people, but Djouli and some of the people I met, and I met the
2 wives as well. I've also seen some videos of them. There were people who talked
3 about the presence of Peuhl in the bushes and they said how people were massacred,
4 and they also spoke about these 90 people. The Bouba and the Djoulis, I know them
5 very well. I know their wives and their children. And this is why I spoke about
6 them here.

7 Secondly, I also would like to add the following: All the people I'm referring to are
8 neither Anti-Balaka nor Seleka. I've had information on this -- on these people.
9 There were clashes between the Anti-Balaka and the Seleka, and there were casualties.
10 But all this information I'm giving you is on civilians. I'm not talking about the
11 death of Anti-Balaka and Seleka combatants.

12 Q. [12:23:22] Thank you for that clarification. That's -- that's very helpful.

13 I wanted to refer you now to paragraph 42, as the Presiding Judge also indicated.

14 That is on ERN page ending 2181. And it's the second paragraph on that page.

15 So with respect to the casualties in Benzambe, the names that you indicated
16 previously are Abou Khiress, Yaya Zakaria, Defala Bourham, Abdelkarim Sair, Yaya
17 Djito, Ibrahim Adey, Aladi Mahamat, Naga Adamou, Douka *et ses entants*, Doya
18 Douka *et* Harouna Douka, Dolé and his wife and children, Salma Idrissa and nine
19 children, the oldest being 32 years old and the youngest being four years old.

20 Machoutou Djabire, Mariam Adamou and the children Adamou Seidou, Kartouma
21 Seidou, Ashta Seidou, Mahamat Zain Seidou and Amadou Seidou. Deré Seidou.

22 PRESIDING JUDGE SCHMITT: [12:25:27] Deré Seidou is -- has escaped, I think.

23 MR VANDERPUYE: Yes, yes, I'm sorry.

24 PRESIDING JUDGE SCHMITT: [12:25:30] According to the statement of the witness.

25 MR VANDERPUYE: [12:25:38] Yes, yes.

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1 PRESIDING JUDGE SCHMITT: So that's different.

2 MR VANDERPUYE:

3 Q. [12:25:38] These are the individuals that you named in your statement. Does
4 that refresh your recollection and is it -- is it correct, to your recollection?

5 A. [12:25:58] Thank you. Amongst these people, there were people who came
6 from Bossangoa to trade. The others were living in Benzambe and they've been
7 there for a long time. For instance, Khiress is an elderly person, the chief of
8 Benzambe. Defala, Abdelkarim, Yaya Zakaria, came from Bossangoa. Abdelkarim
9 is also someone who was born in Bossangoa. They went there for trading purposes
10 before dying. For Yaya, the eldest son was working in Bossangoa. He also went
11 there to trade. Deré, whose wife and children were killed, but he is now living on
12 another site.

13 There was another person who sought refuge somewhere and his wife and children
14 were killed. I'm telling you the truth.

15 Machoutou, I met him. Zakaria and the others who were in Bossangoa, I did help
16 them during the funeral.

17 PRESIDING JUDGE SCHMITT: [12:27:30] Please allow me a question.

18 Mr Witness, did you -- you say in your statement that there have been survivors, that
19 two people escaped, if I understand it correctly. Did you speak with them?

20 THE WITNESS: [12:28:02](Interpretation) Speak about what, for instance?

21 PRESIDING JUDGE SCHMITT: [12:28:07] Apologies, I was not clear enough. So I
22 understand it that there have been two people escaping from this massacre, and I
23 asked you if you have spoken to these people afterwards about the events.

24 THE WITNESS: [12:28:43](Interpretation) Yes, I did meet them. I did meet them.
25 Because I knew these people rather well. In the village, when someone is struck by

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1 bad -- something bad, you really have to help him out to cheer him up. Now after
2 these events I did meet them to talk to them and console them, after the demise of
3 their family members.

4 PRESIDING JUDGE SCHMITT: [12:29:20] Mr Vanderpuye.

5 MR VANDERPUYE: [12:29:21] Thank you, Mr President.

6 Q. [12:29:24] Now, with respect to these attacks -- well, before I get to that, I guess,
7 in your statement you indicate here that a hundred Muslims were killed and that a
8 mosque was burnt and that heads of cattle, I believe, were lost. Is that also
9 information you gathered in the same way that you've indicated previously?

10 A. [12:30:12] Thank you. Can we go into private session, please?

11 PRESIDING JUDGE SCHMITT: [12:30:18] Yes, we do that. We go to private
12 session.

13 (Private session at 12.30 p.m.)

14 THE COURT OFFICER: [12:30:30] We're in private session, Mr President.

15 MR VANDERPUYE: [12:30:38]

16 Q. [12:30:40] Thank you, Mr Witness.

17 A. [12:30:50] (Redacted) organised at the imam's place. As you know, Zere is
18 42 kilometres from Bossangoa; Benzambe, 25; and Bowaye, 60. During the events, I
19 would like to point out that even at the bishopric, some victims of the Seleka took
20 refuge at the bishopric, and when these people went to the bishopric, their names
21 were taken down and noted. Even (Redacted) at the imam's place, when people
22 arrived, (Redacted) carried out a census. You had displaced persons, those who had
23 lost relatives, those who had lost their wives, children, (Redacted) took down note of all of
24 that.

25 For example, someone came and said that his wife had been killed in the bush, and

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1 another person came and said that his wife had been killed while he was in the bush.
2 A third person came and said that, look, I was in the market and my family was killed
3 at home. Other people talked about the number of cows and cattle. So (Redacted)
4 (Redacted) to carry out a census of all those people who came to the imam's place.
5 And even during those events, there was distribution of foodstuffs and (Redacted)
6 (Redacted) drew up the list of the needs, particularly for the women who came.
7 (Redacted) drew up the list for people who needed food and (Redacted) would hand over the
8 food to the women as assistance.
9 With regard to the women, (Redacted) could provide what they wanted in a bucket,
10 and a bucket for their showers. (Redacted)
11 (Redacted) And everything that happened there in the Muslim community, all the
12 Muslims who came to see the imam, (Redacted) organised everything and
13 their stay there. (Redacted)
14 (Redacted)

15 Q. [12:33:55] Just before we go back into open session, I have a question with
16 respect to the survivors that you -- you spoke about and the Presiding Judge asked
17 you about if you'd spoken to them.

18 At paragraph 41 of your statement, you indicate one is named Rachid Mouzambi.
19 And then another at paragraph 42 is Deré Seidou. Do you have a recollection of that?
20 Are these the two individuals that you refer to as the two survivors? One being a
21 survivor of Bowaye attack and the other one being a survivor of Benzambe attack?

22 A. [12:34:43] Thank you, Mr Prosecutor. Rachid Mouzambi is from Bossangoa.
23 He has a vehicle. I told you that he had a truck, a three-ton truck, a Dina truck going
24 to the Bowaye market. He was a victim of the attack in the Bowaye area.
25 As for Seidou, he is from Benzambe *centre*. Currently he is in a refugee camp. He

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1 (Redacted) that his wife and all his children were killed. His wife and
2 children were not killed in the Benzambe centre, they were fleeing towards Bossangoa.
3 It was at that time that they were attacked and he succeeded in fleeing and hiding in
4 the bush, and he was able to observe the murder of his wife and children.

5 Q. Thank you for that --

6 THE INTERPRETER: [12:36:12] The Sango cabin would like to ask the witness to
7 slow down when mentioning names.

8 PRESIDING JUDGE SCHMITT: [12:36:19] Yeah.

9 Mr Witness, the Sango booth interpreters tell me to ask you, when you say names, to
10 slow a little bit down so that they get them and we have them correctly on the record.
11 Thank you very much.

12 And speaking about names, you mentioned in your statement also a certain Fané
13 Amat. Can you tell us something about this person, Fané Amat. I hope I have
14 pronounced it correctly.

15 THE WITNESS: [12:37:09](Interpretation) Thank you.

16 Fané Amat, you mentioned the name correctly. Fané Amat was a lady from
17 Bossangoa. She was a trader. She was a single lady who went regularly to the
18 weekly market in order to look for food. She was in Rachid's vehicle when the event
19 took place. She was in the truck when it was attacked. And thank God, she is still
20 alive and she is currently living in a camp.

21 PRESIDING JUDGE SCHMITT: [12:38:01] Mr Vanderpuye, please continue.

22 MR VANDERPUYE: [12:38:04] Thank you, Mr President.

23 If we could go to open session. I think we can.

24 PRESIDING JUDGE SCHMITT: [12:38:10] Of course.

25 Yeah, open session.

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1 (Open session at 12.38 p.m.)

2 THE COURT OFFICER: [12:38:20] We're back in open session, Mr President.

3 MR VANDERPUYE: [12:38:25] Thank you.

4 Q. [12:38:26] Mr Witness, we're in open session.

5 Now, with respect to the attack that was carried out in Bowaye - I hope I'm
6 pronouncing it correctly - do you recall who carried out that attack?

7 A. [12:39:04] Thank you, Mr Prosecutor. What I'm telling you -- well, up to know
8 I mentioned the people who were killed. I didn't mention the names of the other
9 people who were victims. But the people who were leading the events, those
10 responsible were in Bangui. I talked about only those who were in the field. For
11 example, the case of Ngaïssona who was in Bangui. In Bowaye, there was Kema
12 Florent, known as Kema Kema. He was a former soldier. He worked as a
13 presidential guard. He himself is also from Bowaye. He was elected deputy after
14 the events of 2013 -- or, rather, 2016. He became deputy for Nana-Bakassa in 2016.
15 So Kema Florent was the one supervising the attacks on the ground.

16 Q. [12:40:36] And can I ask you about the attack on Benzambe. Do you know who
17 was on the ground or responsible for carrying out that attack?

18 A. [12:41:05] The Benzambe attack, Dedane was the person who supervised it. I
19 think his name is Danboy and his nickname is Dedane. He is also from Benzambe.
20 He was one of the young Gbaya that Bozizé sent to China, to South Africa, to Burkina
21 Faso to be trained. They were the ones protecting the president and he was a
22 member of the presidential guard.

23 Q. [12:42:01] Thank you for that clarification.

24 Can you tell us about the villages of Koro-Mpoko and Sadjo.

25 A. [12:42:24] Yes. Koro-Mpoko is located 50 kilometres away from Bossangoa. It

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1 is between Bossangoa and Bossembélé. Sadjo is 40 kilometres from Bossangoa,
2 between Bossangoa and Bossembélé. On the day of the market, if I'm not mistaken it
3 was a Wednesday. I think it was on 11 September, if I'm not mistaken. On that
4 market day, the village was attacked. They started by attacking Sadjo and they
5 killed an old man called Hissein. He was killed in Sadjo.
6 And then the attackers advanced to Koro-Mpoko, and since the distance was just
7 10 kilometres, they found people at the market. They killed an old man, a former
8 adviser at the mayor's office, Idriss Adeif. He was a village chief and he was about
9 70 years old, if I am not mistaken.
10 There was another victim called Zakaria. I probably mentioned that in my statement,
11 so you can find it there.
12 Idriss Adeif had -- has two children and his wife in a camp. I have -- I know his two
13 children and his wife who are currently in a camp.
14 Then the old man called Hissein Waddai, I can state that his children are also
15 currently in a camp, and I know those children well.
16 Q. [12:44:58] Let me show you paragraph 44 of your statement, for the same
17 purposes as I've done with the others.
18 It's at CAR-OTP-2088-2173, and then we have to go to page 2181, please.
19 Paragraph 44, please.
20 In your statement there you indicate the attacks on the villages of Koro-Mpoko and
21 Sadjo much as you've described it. And here the names you've indicated as victims
22 of those attacks are, as you say, Idriss Adeif, Zakaria Ibrahim, Oumar Idriss, Bousadi
23 Saoudi, Hassan Ibrahim, Hissein Waddai you also named, Chaibou Hissein, Hassana
24 Daboura, Bouba Bi Lire, Kourgue Bi Bouba. And you indicate that according
25 to -- according to your information some 60 Muslims were killed and that 39 heads of

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1 cattle, it appears, were -- were lost. Many houses and mosques were burned. And
2 that's at Koro-Mpoko.

3 And then at Sadjó, 40 Muslims were killed and 41 heads of cattle lost, and all of the
4 houses of the Muslims were burned.

5 Does that refresh your recollection and is it accurate?

6 A. [12:47:17] Yes, that is correct. And I think, as I have already said, their children
7 and their wives are still alive and they are living in a camp. The attack at
8 Koro-Mpoko, no one can doubt it. The images were broadcast over France 24.
9 Everyone saw the intervention of the Gabonese contingent of FOMAC in
10 Koro-Mpoko.

11 When the events were taking place, the FOMAC contingent arrived. They saw the
12 houses being burnt down. They saw the bodies of the victims. They saw the
13 women and children and they saw the survivors. They even transported the
14 survivors to Bossangoa. The images were broadcast over France 24. No one can
15 doubt that.

16 Now, concerning the numbers of head of cattle 39, 44, and so on, I did not see that
17 with my own eyes. It was the survivors who gave me the information.

18 But for Zakaria, Hissein Waddai, and others, I know them personally, I know their
19 families and I know their children.

20 PRESIDING JUDGE SCHMITT: [12:48:53] Mr Vanderpuye --

21 MR VANDERPUYE: Yes, Mr President.

22 PRESIDING JUDGE SCHMITT: -- do we have this footage?

23 MR VANDERPUYE: [12:49:00] We have it, indeed.

24 PRESIDING JUDGE SCHMITT: [12:49:00] Why -- why not look at it now?

25 MR VANDERPUYE: [12:49:02] I was just --

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1 PRESIDING JUDGE SCHMITT: [12:49:02] Okay. Excuse me. So it would make --

2 MR VANDERPUYE: (Overlapping speakers) about to go there.

3 PRESIDING JUDGE SCHMITT: -- would make sense.

4 MR VANDERPUYE: [12:49:08] Indeed, I have it. It's CAR-OTP-2073-1329. That's

5 at tab 16. And the transcript reference should be tab 2, CAR-OTP-2127-6597. And

6 there's -- there are two parts of it I'd like to play. One is from 02:16 to 03:54, and

7 transcript references for that are 6599 through 6600, lines 30 through 52.

8 And then after that I will play timing 08:05 through 08:38. Transcript reference is

9 6601, lines 103 through 109. But before we play that, let me just ask one or two

10 questions.

11 Q. [12:50:12] First, with respect to the attack on Koro-Mpoko, can you tell us who

12 was responsible for that attack.

13 MR KNOOPS: [12:50:28] Mr President, this is of course (Overlapping speakers)

14 PRESIDING JUDGE SCHMITT: [12:50:32] Please only speak when I -- when I tell

15 you, because then it's not -- because then we have all this back and forth in -- in the

16 transcript and the overlapping speakers. Please now.

17 MR KNOOPS: [12:50:42] Mr President, I recall the Prosecution objected to the

18 question of the Defence when it concerns the role of transitional government in terms

19 of responsibility.

20 Now, it's my understanding that the term "responsibility" is something legal. It's up

21 to the Court and not to a crime-base witness to make a judgment call on responsibility.

22 He can only put facts, alleged facts to the Court and it's up to the Court to decide

23 whether somebody is responsible for anything in legal sense.

24 PRESIDING JUDGE SCHMITT: [12:51:15] Sustained, I think you would say in -- in

25 common law. So you are -- you are right. But we all know that the question, or

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1 to -- to try to enquire the knowledge of the witness in that regard is no problem at all.

2 And Mr Vanderpuye knows how to word it -- how it in a way that is not
3 objectionable.

4 MR VANDERPUYE: [12:51:36] I'll try.

5 Q. [12:51:37] Do you recall who led the attack?

6 Mr Witness, can you hear us?

7 PRESIDING JUDGE SCHMITT: [12:52:22] Mr Witness, let me repeat the question of
8 Prosecution.

9 Do you have information about who led the attack on Koro-Mpoko and Sadjo? And
10 if so, where do you have the information from?

11 So this is again the sound issue.

12 Excuse me, we are now again before a break, and it would perhaps make sense to
13 have this. I am responsible that the whole thing lasts longer, so nevertheless, when
14 I'm asking you if you can cope in the afternoon session with finishing it, otherwise we
15 can -- we can perhaps reduce a little bit the -- the time for the lunch break.

16 MR VANDERPUYE: [12:53:52] I would -- thank you, Mr President.

17 I would like to err on the side of caution. And if -- if it's okay with everyone, if we
18 could reduce the lunch break just a bit, maybe 15 minutes or so, that might -- that
19 might do it.

20 PRESIDING JUDGE SCHMITT: [12:54:06] Okay. When you say 15 minutes, fine.

21 Then let's say we continue quarter past 2. And we very much hope that the sound
22 problem is fixed until then. Thank you.

23 THE COURT USHER: [12:54:19] All rise.

24 (Recess taken at 12.54 p.m.)

25 (Upon resuming in open session at 2.47 p.m.)

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- 1 THE COURT USHER: [14:47:15] All rise.
- 2 Please be seated.
- 3 PRESIDING JUDGE SCHMITT: [14:47:41] Good afternoon, everyone.
- 4 Good afternoon, Mr Witness.
- 5 The break was a little bit longer than we had thought, but I think we still can manage,
- 6 Mr Vanderpuye. Of course, we will -- we will take our time, but I think we can
- 7 finish today with your examination.
- 8 MR VANDERPUYE: [14:48:01] I'll do my best, Mr President. I think -- I think so
- 9 too.
- 10 PRESIDING JUDGE SCHMITT: [14:48:04] Okay. Please continue.
- 11 MR VANDERPUYE: [14:48:06] Thank you.
- 12 Q. [14:48:07] Good afternoon, Mr Witness.
- 13 I think just before we left off I was asking you about who led the attack in
- 14 Koro-Mpoko and - I don't think you had answered yet - and Sadjo.
- 15 Can you tell us, if you know, who led the attack there.
- 16 A. [14:48:51] Thank you, Mr Prosecutor, for your question. Well, there was a
- 17 problem of liaison. And after that, we had a break. I must tell you, I wasn't present
- 18 during the attack. It was those in Koro-Mpoko, we were the liberty bases who
- 19 provided the information saying that the heads, all those who are leading, this was
- 20 Mr Yakossi. And in my statement, I mentioned other names. You can check that in
- 21 my testimony. You will find other names.
- 22 I didn't have the opportunity to see it myself. Those who were displaced from
- 23 Koro-Mpoko to the school of *liberté* informed me about this.
- 24 Q. [14:50:05] Okay. That's very helpful.
- 25 In your statement you indicate the names Kouzou, known as Al-Habo, from Kana.

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1 Someone named Ngaodji Bandoro, someone named Charles Yonbondji, and someone
2 named Kadacho Yafaro.

3 Does that -- is that -- does that comport with your recollection?

4 A. [14:50:54] Thank you, Prosecutor. Yes, the names have been correctly
5 pronounced. I must tell you, I don't know them personally. I just told you that I
6 received this information through those who had been displaced, who were at the
7 *École de Liberté*. I didn't meet these people myself. So those who were displaced
8 and the members of their family, when they went to the *École de Liberté*, told me about
9 this.

10 Q. [14:51:38] Thanks again for that clarification.

11 And with the attack on Zere, which occurred earlier, do you recall who led that attack
12 or was involved with it?

13 A. [14:52:05] As regards the Zere attack, I met quite a few people and they spoke to
14 me about a Djibert Cauchon. I mentioned him in my testimony. The wife of Bouba
15 Gaye told me this, introduced his son who had scars on the head. And so far today,
16 that particular child has mental problem. So Djibert Cauchon is the one who kicked
17 him in the head.

18 According to the information which I received, they told me of the son of Damsio,
19 Yakossi Jonasse.

20 Perhaps you can check in my testimony. There were many other names that he
21 mentioned to me.

22 PRESIDING JUDGE SCHMITT: [14:53:21] I think we can do that. It's paragraph 39.

23 MR VANDERPUYE: [14:53:23] Indeed.

24 Q. [14:53:23] And in respect of -- of your -- your statement that you gave, you name
25 quite a few people, indeed. You say that the attack was under the command of

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1 Andjilo, and then you talk about a person named Claude Zamolengue, Simon, Eva,
2 Enock alias Langa. Eric, Damsio. Someone named Simon, *une autre* Simon.
3 Bodayo and Djibert Cauchon.

4 Does that -- does that fit your recollection?

5 A. [14:54:27] Thank you. You know, the events happened long time ago. I told
6 you, I wasn't together with these people when these events unfolded. You just read
7 part of my statement, and it jogged my memory. I will give you the example.
8 Everything -- all the names that you mentioned, I do remember. They are the ones
9 who led the attack. I'm going to talk in particular about Andjilo. *He was someone
10 who was very strong. He led several attacks. For example, if you take the Bouca road,
11 you'll get to Zere after Bossangoa, then to Bouca, and then after Bouca you will get to
12 Batangafo. So, for a long time, Andjilo had launched these types of practices between
13 Zere and Batangafo and was stealing cattle belonging to Peuhls. All those elements
14 are his elements, if I remember correctly, in Benzambe. the name of Andjilo was
15 mentioned to me, saying that he had come all the way to the Benzambe axis. I learnt
16 through the radio that he ended up in prison. The FOMAC arrested him, and
17 currently he is imprisoned. Andjilo, once again, is responsible for many events.

18 Q. [14:56:28] Just before we -- we took the break, I was about to play a video for
19 you we had discussed, and it was following your evidence concerning Koro-Mpoko
20 and Sadjo, the crimes there. And I believe it is something you've seen before, but I
21 want to -- I want to play that for you. It's at tab 16, CAR-OTP-2073-1329, and the
22 transcript can be found at CAR-OTP-2127-6597. The first part of it we'll play is brief.
23 It's only a minute or so, from 02:16 to 03:54, and the transcript reference should be
24 6599 to 6600, lines 30 through 52.

25 (Playing of the video excerpt)

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- 1 THE INTERPRETER: [14:57:30](Interpretation of the video excerpt)
- 2 "A few kilometres further away, a village completely ransacked, smoking ruins
- 3 deserted by the population.
- 4 You can see the huts are still burning, so it was set alight not so long ago.
- 5 When do you think?
- 6 Um perhaps two hours ago.
- 7 Yes, perhaps two hours.
- 8 What is there?
- 9 Suddenly from afar, two children appear out of the bush and run towards us ...
- 10 scouting.
- 11 They live in the village.
- 12 The people came here.
- 13 They killed my father over there, and we fled into the bush with our uncle.
- 14 The two boys lead us quickly to tell their family of the presence of aid workers.
- 15 Then women emerge in their turn, so they lead us to the houses reduced to ashes. At
- 16 a small place, we discover the horror. A first body, a second. And in front of this
- 17 house, the remains of a third."
- 18 The interpreters have read -- did a sight transcript because they are --
- 19 PRESIDING JUDGE SCHMITT: [14:59:14 No. It's fine. It's fine. I think it was
- 20 also in French, so it's -- it's okay.
- 21 MR VANDERPUYE: [14:59:20] Okay.
- 22 PRESIDING JUDGE SCHMITT: [14:59:21] Then the second part, I think.
- 23 MR VANDERPUYE: [14:59:23] Okay.
- 24 PRESIDING JUDGE SCHMITT: [14:59:24] I would simply say, since it's connected.
- 25 MR VANDERPUYE: [14:59:27] Yes, yes. Thank you, Mr President.

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1 The second part is -- yes, I think it's at 08:05 to 08:38. Transcript reference is
2 transcript page 6601, lines 103 to 109.

3 (Playing of the video excerpt)

4 THE INTERPRETER: [14:59:47](Interpretation of the video excerpt)

5 "Sitting on the stoop, the elders had nothing better to do than to comment on events.

6 Powerless to do anything about the situation.

7 Angry against the troops who are occupying their town, their village.

8 The farmers do not want to take the things ... they have looted all their possessions.

9 It's not normal. Somebody who doesn't speak Sango ... your lingo, just comes here in
10 order to pillage. What do you think of that?"

11 MR VANDERPUYE: [15:00:28]

12 Q. [15:00:29] Mr Witness, were you able to see -- I hope. Were you able to see the
13 videos and hear them?

14 A. [15:00:53] Yes. Yes, I followed them.

15 Q. [15:00:58] Do you recall having seen them before, seeing that -- that footage
16 before?

17 A. [15:01:15] Yes, I have seen them previously. I think that I spoke about them in
18 my statement, and I even handed over a copy to the investigators of the OTP. And it
19 is, indeed, in my statement.

20 Q. [15:01:38] You're correct about that. Can you tell the Chamber what the
21 video -- the location that the video shows, where we see the kids and we can see the
22 village and the burnt huts and things of that nature. If you're -- if you're able to
23 remember.

24 A. [15:02:12] Thank you, Mr Prosecutor. I think that in this video you saw the
25 France 24 logo. So you know that when there is a conflict in a country, there are

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1 media to document the events. I think the first video was in Koro-Mpoko. And
2 where there was dialogue, these are people that I know. And this was at the *Hôtel de*
3 *Chasse*, where the FOMAC was based. I do not know how the images were taken.
4 When I watched them on France 24, I was able to see what had happened. I do
5 not -- I do not know how the images were taken. It is just as what is happening
6 today in Ukraine, the medias are there and reporting, but the circumstances under
7 which they are doing that are not known. I don't know.
8 So I know that it was in Koro-Mpoko and -- and these people were coming from
9 Bangui and going to Bossangoa, so they simply stumbled upon this event, I believe.
10 And in the video in which there is dialogue, it was at the *Hôtel de Chasse*, I believe, the
11 tourism hotel.

12 PRESIDING JUDGE SCHMITT: [15:04:00] Mr Vanderpuye, I have a question.

13 Mr Witness, you -- you mentioned the -- the FOMAC. When did the FOMAC troops
14 arrive in your region or in Bossangoa? Do you have a recollection on that? In 2013.

15 THE WITNESS: [15:04:37](Interpretation) Thank you, Mr President. I believe that
16 it is -- it is FOMAC. It is not CEMAC. The team that you saw in this video, the
17 team was coming from Bangui on their way to Bossangoa. I believe the attack in
18 Koro-Mpoko was on 11 September.

19 In the video, people talk about two hours. So it was on 11 September, if I am not
20 mistaken, because the Koro-Mpoko attack was on the 11. It was on that same day
21 that they arrived Bossangoa. When they arrived Bossangoa, they were not
22 operational.

23 In relation to what happened, I think that is the reason why they asked for more
24 reinforcements in Bossangoa. Before, they were not based in Bossangoa. Their
25 work was to escort humanitarian workers.

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1 PRESIDING JUDGE SCHMITT: [15:06:00] Thank you, Mr Witness. You are of
2 course right, it's FOMAC.

3 Mr Vanderpuye, please continue.

4 MR VANDERPUYE: [15:06:08] Thank you, Mr President.

5 Q. [15:06:10] Mr Witness, I just wanted to show you one last part of that same
6 video. It should be at timestamp 11:45, through 12:12 seconds. It's transcript
7 reference 66, page 6602, lines 143 through 150.

8 (Playing of the video excerpt)

9 THE INTERPRETER: [15:06:44](Interpretation of the video excerpt)

10 "At the entrance to Bossangoa, the Peuhls of Muslim denomination whose villages
11 were reduced to ashes, they are finding refuge here around the general headquarters
12 of Seleka.

13 We travelled through the entire night. We walked through the night and we have no
14 strength left anymore."

15 MR VANDERPUYE: [15:07:19]

16 Q. [15:07:19] I have the same question as before.

17 First, do you recognise the area that was depicted in that part of the video? And do
18 you have a recollection of the events that are narrated in that video?

19 A. [15:07:43] Thank you. I remember them. I recognise this location, and I even
20 know some of the faces. Some of them are still living in the refugee camps.

21 As to the location, I think there was a straw fence, and it was a former FNEC office,
22 that is the Federation of Cattle Rearers.

23 So you have the mayor's office, the town hall, which is opposite with the straw fence.

24 And on the other side you have the *liberté* school. And in front of the *liberté* school, a
25 little further on, you have the sub-prefecture of Bossangoa. And after the mayor's

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1 office, you have the residence and the office of the prefect. These people were
2 people from Koro-Mpoko, Sadjo, Bossangoa, and because of the events that took place
3 in their locality they fled to Bossangoa.

4 Now the distance between the *liberté* school and the Seleka base, well, after the 5
5 December attack, those of Bossangoa came and joined up with those who were here.

6 So I believe that those Peuhls that you saw, they were there at the time this video was
7 filmed. But after that they went back -- they went to the residence of the sub-prefect.
8 THE INTERPRETER: [15:09:56] And the Sango interpreter says: If he understood
9 correctly.

10 MR VANDERPUYE: [15:10:04]

11 Q. [15:10:05] All right. Now you -- you were about to say or -- or you did say that
12 you were talking about the distance between the school and the -- and the office, the
13 cattle rearing office that you described, but I didn't hear the distance, in fact. So
14 can -- can you maybe repeat that, because I didn't see it in the -- in the transcript or
15 hear it.

16 A. [15:10:47] Thank you. I believe that the FNEC fence is on the main road from
17 Bangui to Bossangoa. It is the main road that separates the FNEC building from the
18 *liberté* school. I do not know whether the road is 8 or 10 metres. I'm not sure. But
19 from the fence of FNEC to go to the school, it may be 30 metres. So you have to walk
20 a bit and cross the road before going to the other location, so the distance cannot be
21 more than 50 or 60 metres. So there is just one road, the main road, which separates
22 the FNEC and the town hall from the *liberté* school.

23 Q. [15:11:58] Thank you for that detail. It's -- it's much appreciated.

24 Mr President, I'd like to go into private session, if I could, for a moment.

25 PRESIDING JUDGE SCHMITT: [15:12:09] Yes.

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1 Private session.

2 (Private session at 3.12 p.m.)

3 THE COURT OFFICER: [15:12:21] We're in private session, Mr President.

4 MR VANDERPUYE: [15:12:24] Thank you.

5 Q. [15:12:25] Mr Witness, I want to go to a bit of a different area in my examination.

6 And it may be a bit difficult for you.

7 Let me -- let me put up a photograph. It's at tab 11, CAR-OTP-2088-2200.

8 You should see in front of you now a photograph of you that was taken in (Redacted)

9 2013. And I would like for you to describe for the Chamber how it is that you came

10 to be injured in the manner that's shown in those photographs.

11 A. [15:14:29] Thank you, Mr Prosecutor. My father is a (Redacted) He's a (Redacted)

12 (Redacted) He was (Redacted) in Bossangoa. He

13 was (Redacted) He had (Redacted)

14 (Redacted) So I believe he was quite (Redacted) He had his (Redacted) from Bossangoa.

15 They went to (Redacted) And (Redacted) they will take the road towards

16 Bangui, Sadjio for (Redacted)

17 Every two weeks or month, they have to take (Redacted)

18 (Redacted) I was the one responsible for doing that. On that day, (Redacted)

19 (Redacted) was not there. (Redacted) And

20 they were at (Redacted) So I took (Redacted) and I had (Redacted) that I carried with

21 me, and we went close to a village about (Redacted) kilometres from Bossangoa.

22 * The Balaka came out and they fired warning shots. We stopped, and then we were

23 taken into a village somewhere inside the bush. And when we arrived there, they

24 started beating us up. Then they took us further into the village.

25 Personally, I was taken into another house while the (Redacted) was

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1 taken to a different house. Where I was, I was tortured. I do not know what
2 happened to the other person. A short while later, I was tied up. In that house,
3 there was a window, but no door. It was sort of an abandoned house. People were
4 moving about here and there. And I asked what had happened to the person who
5 had come with me, and I was told, "Look, you no longer have to ask about him
6 because he is no longer with us. He is no longer alive." And I was totally
7 distressed and so I thought I should try something.
8 Around 2, 3 p.m., I heard the sound of the engine of a vehicle coming from the
9 direction of Bossangoa. And when they heard the noise, I heard them say that it was
10 the Seleka coming.
11 So they ran out, and I think they were running out to go and fight. And when they
12 went out, I heard gunshots. There was no one left. There was confusion. I
13 realised that there was no one left. And there were bushes nearby, and that is how
14 come I fled.
15 I saw the (Redacted) Unfortunately, he was already dead and his clothes had been
16 taken off. There was a bullet wound at the level of his chest. So I went into the
17 bush, and because I was familiar with the area, I managed to find my way back to the
18 house safely. That is what happened.
19 Q. [15:19:21] Do you know who led the group that abducted you or brought you to
20 the house and tortured you?
21 A. [15:19:50] Thank you, Mr Prosecutor. When they grabbed me, there were
22 many of them. And when they took me to where they took me, there were also
23 many of them. And as far as I know, it was when I was taken into the room that the
24 person came in. He was called (Redacted) but as far as I know it must have
25 been (Redacted) because I know that he was the one who was the

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1 head of that gang, of that group.

2 Q. [15:20:40] I'd like to take you back into open session and ask you some questions
3 about an attack on Bossangoa around 17 September.

4 PRESIDING JUDGE SCHMITT: [15:20:56] Okay. We can do that.

5 Since we are still in private session, it's not necessarily we have to address it here, but
6 we have the impression that the notebook is at the field office. So I think we have
7 found now a way to introduce the evidence of the witness, let's say, without the
8 notebook, but the notebook is still a document.

9 MR VANDERPUYE: [15:21:18] Yes.

10 PRESIDING JUDGE SCHMITT: [15:21:18] So, yeah, we will have to think about
11 what to -- what to do about that. But it's up -- it's up to you, so.

12 MR VANDERPUYE: [15:21:28] I very much appreciate it and I -- I'd written it down
13 as a reminder to ask the witness about it. I will ask him about it, if -- if -- if that's ...

14 PRESIDING JUDGE SCHMITT: [15:21:35] No, no, but as I say, I think it's simply
15 the -- it's at the field office. They said -- they said he is not allowed to -- to bring it
16 with him, so that is what I understood.

17 Mr Knoops.

18 MR KNOOPS: [15:21:47] Mr President, if -- if the purpose of the notebook to be
19 introduced through this witness, we would object to this because it was not part of
20 the material submitted by the Prosecution. We had no chance to digest it, and it
21 would be very instrumental to our preparation of the witness examination and it
22 might contain other information we have to verify.

23 So with all due respect, I think it's not really now the moment to introduce notebook
24 with this witness. We would be heavily prejudiced if -- if the Court would

25 (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [15:22:22] I -- yeah, when I say I fear you are right,
2 then I mean that it would have been of course good to have it. But as I said, we have
3 a witness who has a remarkable recollection, as far as I -- I perceive it. So, okay.
4 Mr Vanderpuye.

5 MR VANDERPUYE: [15:22:36] Yes, Mr President. I tend to agree with Mr Knoops
6 on this particular point. But what I would propose to do is, my recollection is that
7 the protocol provides for a witness to refresh his memory with an item with
8 permission of the Chamber. And I believe that the reason why he's not been allowed
9 to bring the notebook with him is because, well, nobody asked for that permission.
10 So I would ask for it first in respect of the continuation of his testimony even perhaps
11 tomorrow, with the Defence on cross-examination.

12 PRESIDING JUDGE SCHMITT: [15:23:15] Tomorrow, we -- we would --

13 MR VANDERPUYE: [15:23:17] Monday. Alternatively, I would still submit that it
14 may be relevant evidence, but not -- obviously, the Defence should have a chance
15 to -- to see it, to make any observations on it or -- or objections to it, but that can be
16 done, I think, after the fact. And we can certainly discuss how to do it, if -- if there is
17 (Overlapping speakers)

18 PRESIDING JUDGE SCHMITT: [15:23:38] And actually, I think it would be perhaps
19 good if -- if you review it, so to speak, over the weekend. But I think it might well be
20 that, for the examination of this witness, at the moment, it's not necessary
21 because -- so there might be a benefit in what we introduced in -- in the first session
22 and the second session, that we simply asked him about the names. So I don't think
23 there is perhaps much more in it.
24 But I wanted to address it because such documents, also in -- with regard to other
25 witnesses, if they exist, it's always good to have them in evidence. But, of course, it's

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1 also good if the other party, it could always also be at a later stage, potentially
2 somebody else, they have the chance to prepare. So I agree with Mr Knoops, in
3 principle, but also with you. We do not necessarily, I think, have to rely on it now at
4 this stage. Yeah.

5 So a long, long speech. Open session now.

6 MR VANDERPUYE: [15:24:48] Thank you, Mr President. It's much appreciated.

7 Q. [15:24:51] Mr Witness, I wanted to ask you about -- not yet.

8 THE WITNESS: [15:25:04](Interpretation) I beg your pardon? Can you hear me?

9 (Open session at 3.25 p.m.)

10 THE COURT OFFICER: [15:25:04] We're back in open session, Mr President.

11 PRESIDING JUDGE SCHMITT: [15:25:10] Yes, we hear you, Mr Witness. We are
12 now in open session and Mr Vanderpuye continues with his -- with his examination.
13 Thank you.

14 MR VANDERPUYE: [15:25:21]

15 Q. [15:25:21] I wanted to ask you about the attack on Bossangoa around 17
16 September 2013.

17 Can you tell -- first of all, do you recall that? And if you do, can you give the
18 Chamber, briefly, a narrative of -- of what you know about it, what happened.

19 A. [15:25:57] Thank you, Mr Prosecutor.

20 On 17 September 2013, at night, shortly before that, we had heard about the attacks on
21 Benzambe, Zere and Bowaye, and others. That is, around -- on 17 September 2013,
22 in the morning, at around 5 a.m., we heard gunshots from the four corners of
23 Bossangoa. There were explosions everywhere. I was compelled to wake up.
24 And when I woke up, I saw people running in all directions and saying that the
25 Anti-Balaka had arrived. And -- and since we had been suspecting that attack, when

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1 we heard the explosions, we told ourselves that the Balaka had entered the town. So
2 we fled to go and seek refuge in the imam's house. With the gunshots and
3 everything, we did not know what to do.

4 Some who had fled to take refuge at the *liberté* school were protected by the FOMAC
5 elements. And those of Bossangoa centre fled. Some of them took refuge at the
6 *liberté* school, while others sought refuge at the imam's place. That is what happened
7 at the beginning of the attack. I remember that very well.

8 In the course of that day, the Christians also went to the bishopric, that is the bishop's
9 house. The Muslims went to the imam's house, while others went to the *liberté*
10 school. Even some Christians went to seek refuge at the *liberté* school. A few
11 people stayed in town. So that was the beginning of what happened in the town
12 during that day.

13 I do not know, but I believe that for the rest of the information I would like to ask you
14 to go into private session.

15 PRESIDING JUDGE SCHMITT: [15:29:11] Yes, we go to private session for that
16 purpose.

17 (Private session at 3.29 p.m.)

18 THE COURT OFFICER: [15:29:25] We're in private session, Mr President.

19 PRESIDING JUDGE SCHMITT: [15:29:33] So you can answer now, Mr Witness.
20 We are in private session.

21 THE WITNESS: [15:29:50](Interpretation) During that attack, (Redacted) took
22 refuge at the imam's place. (Redacted) He

23 had his girlfriend, a Gbaya girl who lived in the (Redacted)

24 (Redacted) The girl -- the boy had spent the night in his friend's house, and when

25 there were explosions on the 17th he came out to join up with his own people. And as

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1 he fled, he was struck by a bullet in the abdomen, that is just above his naval, and he
2 was taken to a compound right next to the mosque.
3 (Redacted)
4 he was in a critical state, and that was simply because he had lost a lot of blood. And
5 since (Redacted) had a (Redacted) vehicle, (Redacted) ran off to fetch the vehicle (Redacted)
6 I was confused on that day. And while trying (Redacted)
7 (Redacted)
8 (Redacted) So (Redacted) was compelled to (Redacted)
9 (Redacted)
10 (Redacted)He
11 received some first aid treatment and they advised (Redacted) to allow them take him
12 (Redacted) to the hospital because (Redacted)
13 (Redacted)
14 On that day, since there were gunshots, (Redacted) doctors had retreated to
15 their base and they were not working. On that day there was a technical -- an
16 advanced health technician called (Redacted)
17 (Redacted) where (Redacted) worked, he was also working at the hospital of the
18 Doctors without Borders. He was called. He came. There were a few injured
19 people to be treated.
20 (Redacted)
21 and the young man was operated. But after that he was brought out and taken to a
22 room. I think he spent two hours there, but the effects of Xylocaine, even though
23 those effects dissipated, he did not improve. He was still speaking, but at 4.30 he
24 died.
25 And when he died, he was still on drips. And (Redacted) called the nurse, who came and took

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1 out the drips, and (Redacted) the person had
2 (Redacted) And when (Redacted) returned to the house (Redacted)
3 found (Redacted). And (Redacted) left them. (Redacted) went to look for (Redacted)
4 (Redacted) and (Redacted) said, "What happened?" (Redacted) said, "He is dead." He said, "In this
5 case, you have to call the driver so that we should take the dead body to the house."
6 So (Redacted) took a bed sheet and covered him. But (Redacted) think that the operation, (Redacted)
7 (Redacted) believe that it was because of that
8 (Redacted) died. And there was nothing left but to bury him,
9 because at that time there were no justice system, there was just FOMAC and so on.
10 This person that I'm talking about, he was working at the hospital. I know someone
11 who was working in the hospital and he told me that people (Redacted)
12 (Redacted) But that, it is wrong. It was
13 a mistake. And I answered him, (Redacted)
14 today there is nothing that can be done because there's no judicial system. Maybe
15 one day justice will be done. And even if we die, it will no longer be the justice of
16 men, but the justice of God." (Redacted) had no problem with him. And then we
17 separated.
18 Regarding (Redacted) he died. (Redacted) saw the circumstances under which he died.
19 And (Redacted) came and asked questions on the rumours of the murder of (Redacted)
20 (Redacted) through that (Redacted) So I can only speak about what concerns (Redacted)
21 (Redacted) Regarding what (Redacted) might have done to the other people,
22 I cannot say anything about that.
23 Q. [15:37:46] The -- first, I'm very sorry to have heard about this story concerning
24 (Redacted)
25 The attack on Bossangoa on September 2013, 17th, do you know who led that attack,

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1 or did you hear?

2 A. [15:38:22] Are we in private session? Yes, we are. I think we are in private
3 session.

4 Q. [15:38:28] We are, yes.

5 PRESIDING JUDGE SCHMITT: [15:38:29] Indeed.

6 *THE WITNESS: [15:38:36](Interpretation) Very well. On the Bossangoa attack, I think
7 there were several individuals. There were some who came from the provinces. There
8 was Dedane, there was Rocky. There was someone who is called Rocky. I think in the
9 France 24 documentary, I think he was the one who spoke and who was wearing a
10 vest. In fact they were the ones who encouraged and organised the attack. There was
11 Charlie. Charlie is somebody I didn't see, but I heard it said that he was in the
12 organisation or that he participated in this attack. Others came from Ouham-Bac or
13 from surrounding small localities. They came from at least all four corners. There was
14 also Jeannot. Jeannot was the leader and commander on the Ouham-Bac axis. So there
15 were several individuals involved. They were also young people from the locality;
16 (Redacted). There were many of them. There were many. There were many.

17 MR VANDERPUYE: [15:40:04]

18 Q. [15:40:04] Have you heard the name Chaolin before?

19 A. [15:40:27] I also heard talk about Charlie. Charlie's not his real name. It's a
20 nickname. His real name is Tola. I couldn't recall the name. It's someone who was
21 very important in the Anti-Balaka movement. For the moment, he is still operational
22 in the Balaka movement. He is part of those individual who were sent to Burkina and
23 other countries for training. I think he's remained active in the Anti-Balaka movement.

24 Q. [15:41:12] Okay. The -- the name I was actually -- thank you for that

25 information, but the name I was referring to was Chaoline or Chaolin. But if -- if you

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1 don't recall or you haven't heard it, that's okay as well.

2 A. [15:41:41] No. It's not Charline, it's Chaolin, Chaolin. He is a Dagba, ethnically
3 speaking. He's at Bossangoa centre, and he was a butcher. (Redacted)

4 Q. [15:42:09] For my next set of questions I think we can go to public session.

5 PRESIDING JUDGE SCHMITT: [15:42:14] Yes.

6 MR VANDERPUYE: [15:42:16] Open session.

7 PRESIDING JUDGE SCHMITT: [15:42:17] Then we go to open session.

8 (Open session at 3.42 p.m.)

9 THE COURT OFFICER: [15:42:29] We're back in open session, Mr President.

10 MR VANDERPUYE: [15:42:42]

11 Q. [15:42:43] Have you heard the name *Caporal* Ndangba before?

12 A. [15:43:05] Kapo Ndangba?

13 Q. [15:43:06] *Caporal* Ndangba.

14 A. [15:43:08] It's *Caporal* Ndangba, because the first name you gave, it's not that. I
15 know him. I've heard people talk about him. I don't know his face, but he worked
16 with Kema, Dedane, they were all in the same group. He was also in the
17 presidential guard. He had training in Burkina Faso. He was in the presidential
18 guard for Bozizé. He participated in several attacks in Benzambe, in Bossangoa.
19 And I think in my statement I mentioned his name. He participated in the attack.

20 Q. [15:44:14] As a result of those attacks that you've discussed so far, did people go
21 to safe places such as the school or to the imam's house? Did they gather there?
22 Did they remain there? Do you know?

23 A. [15:44:52] Thank you. After the attack I was scared. People were scared to
24 remain at home because they were scared they would be shot at. They thought the
25 best was to go to the *École de Liberté* because the FOMAC was there and could provide

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1 advice about the safest places where they could go, because they couldn't guarantee
2 safety for individual families. So the best would be to group together in one specific
3 place close to the bases so that their safety could be guaranteed. So it is for that
4 reason that many people went there.

5 With the imam they also went there, because people realised that after the conflict, the
6 imam with the bishop participated in working towards restoring peace. So they
7 thought that if they went to the imam they would be more safe because it's a man of
8 God, not Anti-Balaka, not Seleka would affect them. So many also went to the
9 residence of the imam.

10 Q. [15:46:15] I want to ask you about the 5 December attack on Bossangoa. The
11 first thing I will ask you is, were you in Bossangoa during the course of those events?

12 A. [15:46:49] Yes, I was present.

13 Q. [15:46:53] Can you describe for the Chamber what happened immediately
14 before the attack. And in that respect I'd like to know if there were any efforts
15 towards avoiding the attack, peace initiatives or discussions.

16 A. [15:47:33] So that it's clear, so that you have a general idea to establish the truth,
17 I like to go into private session.

18 PRESIDING JUDGE SCHMITT: [15:47:46] Yeah, I think also looking at the potential
19 evidence in that regard, that also makes sense.

20 Private session, yes.

21 (Private session at 3.48 p.m.)

22 THE COURT OFFICER: [15:48:06] We're in private session, Mr President.

23 THE WITNESS: [15:48:22](Interpretation) Thank you, Mr Prosecutor. I think this
24 will allow me to remember some things that happened before the attack of the 17th,
25 or after, because there was a lot of insecurity, there was the conflict. There were

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1 missions. There was the religious platform which grouped Nzapalainga, or
2 somebody of that name. He is a cardinal in Bangui. There was the imam Kobine,
3 who was responsible for all the imams in the Central African Republic, and a
4 Protestant representative who represented all the Protestants. They came from
5 Bangui. They came to the welcome centre, the reception centre in Bossangoa.
6 When they arrived, they visited the imam. (Redacted) had a long discussion
7 about what had happened. After that, the bishop sent his vehicle so that (Redacted)
8 could also have some discussions with him at the reception centre.
9 So they came from Bangui (Redacted) had discussions. (Redacted) gathered in the town
10 hall to set up a committee which is called committee of dialogue and reconciliation,
11 led by the vicar of Bossangoa. The deputy was the imam of Bossangoa.
12 There was Mrs the prefecture, the mayor of Bossangoa. There was -- there was the
13 imam of Bossangoa. There was the president of the youth, president for the women,
14 the head of the neighbourhood. There was the herdsman representative, various
15 other delegations. FOMAC commander was there as well. There was a
16 representative from the Seleka for the young. There was also someone from the
17 police. I think (Redacted) too was part of that committee as the deputy rapporteur.
18 This was set up in order to make the population aware so that we could cohabit
19 together, that there would be no divisions between Muslims and Christians. And
20 Islam and Christians are religions -- Christianity are religions, and the aim was to pay
21 visits to who belonged to both religions. So the imam -- the aim was to allow
22 everybody to go back home.
23 However, a few days after that we had the attack. Before the attack of 5 December,
24 there were people. There were four ministers. There was the minister of justice,
25 there was the minister of security, the -- the minister Gonda and another minister.

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1 There were four of them. They came to Bossangoa. They stayed in the hotel of
2 tourism.

3 The imam (Redacted) went to them. (Redacted) also went to the cathedral. And in the cathedral
4 there was a very big reunion for peace.

5 After that (Redacted) went to the *Hôtel de Chasse* for a cocktail. There was all the -- there was
6 the mayor of Bossangoa. There was a lot of goodwill. And two days later we had
7 the attack on Bossangoa of 5 December.

8 As I said, (Redacted) I was working at about 8 o'clock. I

9 was at the (Redacted) I heard people say that in Bangui there is a battle between the
10 Anti-Balaka and the Seleka. And at about 10 o'clock (Redacted) had a meeting
11 amongst themselves, and after that they called us, (Redacted) they called us and told
12 us that in Bossangoa they fear an attack, that they said we should go into a hall. And
13 if we wanted to go home, we could go back home. I was scared. I took my bike.
14 There were two of us. There was another man with us. And we went back home.
15 And when I went to my home, one of my sisters --

16 PRESIDING JUDGE SCHMITT: May I shortly. Is this possible in open session?
17 I'm not sure.

18 MR VANDERPUYE: [15:54:19] I'm sorry, Mr President?

19 PRESIDING JUDGE SCHMITT: [15:54:21] We are now -- excuse me, I have to
20 apologise, Mr Witness. I was just thinking about if at some point in time we could
21 go back to open session. The -- the witness is now starting to speak about the attack,
22 so I wondered if we can hear this information from him in open session.

23 What do you think, Mr Vanderpuye?

24 MR VANDERPUYE: [15:54:44] I think part of it, yes. I think so.

25 PRESIDING JUDGE SCHMITT: [15:54:49] Okay. So --

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1 MR VANDERPUYE: [15:54:52] As long as he's -- as long as he's aware not to, for
2 example --

3 PRESIDING JUDGE SCHMITT: [15:54:54] Yeah, but -- but of course we might speak
4 about what -- what happened to (Redacted)

5 MR VANDERPUYE: [15:55:01] Indeed.

6 PRESIDING JUDGE SCHMITT: [15:55:01] So perhaps -- perhaps it's -- it's better to
7 stay in private session. Because -- because we also need, let me put it this way, we
8 also would need the details of what happened.

9 MR VANDERPUYE: [15:55:13] Yes.

10 PRESIDING JUDGE SCHMITT: [15:55:13] So I think we stay in -- in private session.
11 So, Mr Witness, you have heard what I have said, I think. So what we -- you already
12 started with talking about what happened on 5 December. We would appreciate it if
13 you could provide us with all the information that you still have in your mind, the
14 things that happened (Redacted) on this day.

15 THE WITNESS: [15:55:59](Interpretation) Thank you. That's fine.

16 When we arrived (Redacted) called me by telephone to say, "Well, look, there are
17 Peuhls that have arrived." There was also a journalist who went to the imam. The
18 imam was about 300, 400 metres away and (Redacted) phoned me to say, "There are
19 journalists here." When I went to the imam, I saw that a Peuhl had a wound in his
20 leg, and there was a journalist who was asking questions to the imam and (Redacted)
21 (Redacted) It was about 1 o'clock. I left my bike (Redacted) and I went to the mosque
22 on foot to pray. It was about 1 o'clock in the afternoon.

23 After praying, (Redacted) And as soon as I entered (Redacted) I heard
24 gunshots towards the exit of -- near Nana-Bakassa, which is near the frontier or
25 border with Chad. So automatically, I left. I asked (Redacted)

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1 (Redacted)
2 During the previous attacks, the Muslims went to the imam in order to have
3 protection. * (Redacted) at the imam, Anti-Balaka wouldn't go there to attack. In
4 the meantime, there was a woman (Redacted). I went to her to check via -- and went
5 via the imam. (Redacted) met the imam outside, and (Redacted)
6 said, "Be careful. Today people mustn't gather here. It's too risky. So even you,
7 the imam, mustn't stay here. You must go and seek refuge somewhere."
8 And all of a sudden (Redacted) were separated. The very same day, that evening,
9 explosions were everywhere and people were running in every direction. Myself, I
10 went to the *École de Liberté*. (Redacted) we
11 couldn't meet up that day because everybody was going in a different direction.
12 The next day, (Redacted) wasn't with us. In the meantime, at the exit, when
13 (Redacted) wanted to leave, they were late in joining the
14 bases -- the base at the imam, and they were attacked en route. At that point in time,
15 everybody went their different ways and they arrived just next to the compound of
16 the imam. They were attacked. (Redacted) was hit in the leg. And in that
17 compound there, (Redacted) died.
18 When (Redacted) left the compound, she was with (Redacted)
19 (Redacted) in that compound. Even (Redacted) was killed there. (Redacted)
20 (Redacted) was wounded in the head. But fortunately, she survived.
21 (Redacted) had machete wounds on her head. And the next day we fortunately
22 found her. She didn't die because of her wounds. My (Redacted)
23 also had bullet wounds, and he died.
24 As regards (Redacted) I didn't say this in my statement (Redacted) but
25 since we are before the Court, I will tell you the truth. (Redacted)

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1 (Redacted) It's true many died. (Redacted)

2 (Redacted) people died (Redacted)

3 (Redacted)

4 So that's what happened (Redacted) Thank you.

5 PRESIDING JUDGE SCHMITT: [16:01:54] Thank you very much, Mr Witness.

6 Mr Vanderpuye.

7 Mr Witness, would it -- would it be good for you to have a break, or do you want to

8 continue?

9 THE WITNESS: [16:02:24](Interpretation) I think it would be better to stop, but
10 everything depends on you.

11 PRESIDING JUDGE SCHMITT: [16:02:33] Yes, I think from the human perspective, I
12 think it would make sense to stop.

13 Mr Vanderpuye, I want to inquire, and also then with Ms Proulx and with the
14 Defence of Mr Yekatom too, how much time do you think you will need? I think
15 you're quite far, I would imagine.

16 MR VANDERPUYE: [16:02:56] I am quite far. There's -- there are a couple of topics
17 I wanted to cover. One was, as we had done before, to -- to have the witness talk
18 about some of the victimisation and damage during the attack. And the other has to
19 do with his displacement to the -- to the school.

20 PRESIDING JUDGE SCHMITT: [16:03:20] Absolutely. So we have -- we have
21 heard this now, this -- this very moving story. And I think we should really stop for
22 today and -- and give the witness the chance to -- let's say, to recover from -- from this
23 testimony.

24 Ms Proulx, I just want to have an idea what awaits us next week.

25 MS PROULX: [16:03:48] Thank you, Mr President. Our estimate for this witness

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1 was between four and six hours. I'm certainly aiming for the lower number of hours,
2 but at this stage I think it could be somewhere in between that.

3 PRESIDING JUDGE SCHMITT: [16:04:00] For the Defence of Mr Yekatom, it will
4 not as much, I think? It should -- should be less.

5 MS GUISSÉ: [16:04:10](Interpretation) Yes, Mr President, I can reassure you that we
6 have practically no questions. Maybe none at all. And that will depend on the rest
7 of the questions.

8 PRESIDING JUDGE SCHMITT: [16:04:27] So thank you very much to -- to everyone.
9 Of course I would have -- I would have not forgotten you, Ms Massidda. You have a
10 couple of questions too?

11 MS MASSIDDA: [16:04:36] Depending on the questions of Mr Vanderpuye on
12 victimisation, we may have maximum of 15 minutes, I think.

13 PRESIDING JUDGE SCHMITT: [16:04:44] Thank you very much.

14 So, Mr Witness, we conclude your testimony for today and we continue on Monday,
15 the time that we here have at 9.30.

16 I hope that you will have a weekend where you can calm down and respire, and we
17 hope to see you on Monday again.

18 So this concludes for today. We continue at 9.30 on Monday.

19 THE COURT USHER: [16:05:13] All rise.

20 (The hearing ends in private session at 4.05 p.m.)