

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 Judge Chang-ho Chung
7 Trial Hearing - Courtroom 1
8 Wednesday, 2 March 2022
9 (The hearing starts in open session at 9.30 a.m.)
10 THE COURT USHER: [9:30:59] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:31:19] Good morning, everyone.
14 Court officer, please call the case.
15 THE COURT OFFICER: [9:31:24] Good morning, Mr President, your Honours.
16 Situation in the Central African Republic II, in the case of The Prosecutor versus
17 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
18 And for the record, we are in open session.
19 PRESIDING JUDGE SCHMITT: [9:31:42] Thank you.
20 Mr Vanderpuye, for the Prosecution, the appearances.
21 MR VANDERPUYE: [9:31:46] Good morning, Mr President. Good morning, your
22 Honours. Good morning, everyone.. The Prosecution is represented today by
23 Manochitra Prathaban, Yassin Mostfa and myself, Kweku Vanderpuye.
24 PRESIDING JUDGE SCHMITT: [9:31:59] Legal representatives of the victims,
25 please.

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- 1 MR FALL: [9:32:01](Interpretation) Good day, your Honours. Good morning,
2 Mr President. Good morning, everybody.
3 The victims of other crimes are represented by *Mouhia Asso, Mr Enrique Carnero
4 and myself, Yaré Fall.
5 PRESIDING JUDGE SCHMITT: [9:32:20] Yes.
6 MS LAU: [9:32:22] Good morning, Mr President, your Honours.
7 Today the former child soldiers are represented by myself, Fiona Lau, associate legal
8 officer at the Office of Public Counsel for Victims. Thank you.
9 PRESIDING JUDGE SCHMITT: [9:32:38] Thank you.
10 I turn the Defence. First, the Defence for Mr Yekatom.
11 MS GUISSÉ: [9:32:41](Interpretation) Good morning, your Honours.
12 Today, Yekatom, who is present in the court, is represented by Mr Suzuki and myself,
13 Anta Guissé.
14 PRESIDING JUDGE SCHMITT: [9:32:53] Thank you.
15 And Mr Knoops.
16 MR KNOOPS: [9:32:56] Good morning, Mr President, your Honours. Good
17 morning everyone in the courtroom.
18 We appear before the Chamber in the same composition as yesterday, that's to say,
19 Ms Marie-Hélène Proulx, Despoina Eleftheriou, Madam Chiara Giudici, and
20 Mr Ali Alabdali. Mr Landry is following the hearings from the field office. And
21 Mr Ngaïssona is, as you see, in the courtroom.
22 PRESIDING JUDGE SCHMITT: [9:33:22] Thank you very much.
23 And I turn to our witness.
24 Good morning, Mr Witness, and welcome again. I can assure you that today we will
25 conclude your testimony. So I think you can look forward to that, to put it this way.

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1 I give Ms Proulx the floor.

2 WITNESS: CAR-OTP-P-2049 (On former oath)

3 (The witness speaks Sango)

4 (The witness gives evidence via video link)

5 QUESTIONED BY MS PROULX: (Continuing)(Interpretation)

6 Q. [9:34:01] Good morning, Mr Witness. Can you hear me clearly?

7 A. [9:34:06] Good morning. I hear you clearly. I think there's a weak -- I have a

8 toothache. Yesterday, as I spoke a lot, I had a rather difficult night. Since we're

9 going to finish today, I'll do my best and will try and hold on until we finish today.

10 But bear in mind that I -- I'm not feeling very well.

11 PRESIDING JUDGE SCHMITT: [9:34:41] Mr Witness, we are sorry to hear that, and

12 I would also appreciate it a lot if you could hold on. But if you need a break, please

13 raise your hand and let us know, then we will give you a break so that you can calm

14 down a little bit and perhaps drink something or eat something, whatever you want,

15 to feel more comfortable and better. Do you understand? Simply let us know if

16 you need a break.

17 THE WITNESS: [9:35:32](Interpretation) I think we can start. If I feel poorly, I'll let

18 you know.

19 PRESIDING JUDGE SCHMITT: [9:35:44] Thank you very much.

20 Ms Proulx.

21 MS PROULX: [9:35:53](Interpretation)

22 Q. [9:35:55] Mr Witness, I'll start today with the subject which affects you

23 personally, so I would like to start in private session, please.

24 PRESIDING JUDGE SCHMITT: [9:36:06] Yes, we go to private session.

25 (Private session at 9.36 a.m.)

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1 THE COURT OFFICER: [9:36:19] We are in private session, Mr President.

2 MS PROULX: [9:36:27](Interpretation)

3 Q. [9:36:29] I have some questions to put to you, Mr Witness, on the attack which
4 you suffered on (Redacted). I know it's difficult for you. So I will restrict myself to
5 a few questions.

6 You explained last week - it's in the transcription T-00 - that you *took the (Redacted)
7 and you said you went on a bike with a Peuhl (Redacted). In your declaration, you
8 said -- you informed -- you were informed of the danger in the sector (Redacted); is
9 that correct?

10 A. [9:37:21] Thank you, Counsel Proulx.

11 I don't know if I mentioned a danger in my statement. Perhaps I forgot. But if in
12 my testimony it's mentioned, because it's several years ago, then -- I think I said it was
13 (Redacted)

14 (Redacted) They sometimes went (Redacted).

15 (Redacted)

16 Some (Redacted), because they had relatives in Bossangoa, they came. It's not very
17 far away from the bush, and they came to the towns because the (Redacted) is around
18 the town. I took (Redacted). But to say that the (Redacted) informed me about a
19 danger, no.

20 It's true, yes, that it wasn't very safe in some areas. But to actually say that at
21 (Redacted) kilometres or just outside there were problems, I don't know. If I said it
22 in my testimony, I can't -- I don't know. But it's important to check my testimony if I
23 said that. I don't remember anymore.

24 Q. [9:39:35] Perhaps we can show you the paragraph.

25 PRESIDING JUDGE SCHMITT: [9:39:39] Is it so -- is this so important, if he was

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1 advised of any danger? Isn't there a right of free movement for everyone? What is
2 the importance, the relevance, if you could please tell us.

3 MS PROULX: [9:39:54](Interpretation)

4 Q. [9:40:02] Mr Witness, were you aware of the attacks in the beginning of
5 (Redacted), the day when you left with the Peuhl (Redacted); is that correct?

6 A. [9:40:29] Thank you. There were several attacks (Redacted). Since the
7 (Redacted) was in the bush, and since they were not very far away from the town, if
8 necessary, if they needed water, they came to the town. And wherever they were,
9 (Redacted) bought water, and they could use the donkeys to transport it.

10 There were attacks in some zones, but I couldn't know that at this axis there would be
11 an attack or there would be a fight here or there. I'm not -- I wasn't in contact with
12 them. I only knew that there was a danger. I didn't want to take a risk. I didn't
13 want to put my life at danger, to put myself in a dangerous zone.

14 As regards the Seleka, the Balaka, I think there were many problems in certain
15 locations because there were the presence of the Seleka and the Balaka, but we
16 couldn't say in which zone there would be a fight or there was particular danger.

17 Q. [9:42:02] If I understand correctly, that you didn't know that it was risky to go to
18 the area (Redacted).

19 Did you leave armed on that day, Mr Witness?

20 A. [9:42:37] Thank you. I'm not a police, I'm not a gendarmerie, I'm not a soldier,
21 I'm not Balaka, nor Seleka, therefore, I wasn't armed. If I had been armed or if I had
22 a weapon, then I would have fought, and I would have said I had fought. I'm not a
23 soldier. I didn't have any reason to be armed to go into the bush.

24 I don't know whether where I went there were any particular risks. I wasn't in a
25 position to know. And even if I felt safe in that zone or not safe, I wouldn't have

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1 taken any risk. I wasn't armed. I didn't even have a knife on me.

2 Q. [9:43:45] Did the (Redacted) who came with you, did he have a knife or weapon
3 or nothing at all?

4 A. [9:44:07] Thank you for your question.

5 Each time, as I said -- I thought I was clear. I cannot lie or mislead you. You know,
6 a weapon, if it's visible, I don't -- I didn't have any weapon. But if it's a knife -- he
7 could have had a knife on him. He could have had it on him hidden. I don't know.
8 But to confirm and say that he had a knife, I didn't have the possibility of -- to undress
9 him to see whether he had a knife or not.

10 As regards the knife, I cannot say whether he had or did not have a knife. I know
11 many people who have a knife, who put it in their pockets or attach it hidden on their
12 belts, but I really didn't see anything. So I'm not in a position to say whether he had
13 a knife or not. Only God knows.

14 Q. [9:45:22] Thank you. You said you were asked to stop, and the people who
15 stopped you beat you in the bush and then they tortured you in a house. You also
16 said that they tied you up; is that correct? Did they tie you up in the house?

17 A. [9:45:54] Thank you. I said that when I was stopped, indeed, I was beaten and
18 I was led to a house which was uninhabited. It was a house that was quite remote
19 which was partially destroyed and was uninhabited.

20 PRESIDING JUDGE SCHMITT: [9:46:31] This -- I know in the beginning it was clear
21 because of the relationship with the (Redacted), and so on and so forth, but this
22 cannot be talked about in open session?

23 We can also ask the witness if he would be comfortable to talk about it in open session.

24 It's -- you know, we don't think that it might be identifying. But, of course, for you
25 to speak about these things might be difficult in public, but on the other hand, it

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1 might also be to take into consideration that the public hears what has happened.

2 THE WITNESS: [9:47:52] (No interpretation).

3 THE INTERPRETER: [9:48:00] The English interpreter is not getting any French.

4 Sorry.

5 PRESIDING JUDGE SCHMITT: [9:48:09] Mr Witness, I would kindly ask you to
6 repeat what you said. We did not get the translation. That would be very kind. I
7 apologise for this.

8 THE WITNESS: [9:48:36](Interpretation) Thank you. I can express myself in open
9 session if it doesn't concern me directly and it doesn't lead to my identification. I
10 don't mind doing it in open session in that case. No problem.

11 PRESIDING JUDGE SCHMITT: [9:48:58] Mr Vanderpuye, do you have any
12 objections to that or any --

13 MR VANDERPUYE: [9:49:03] No, no, we can play it by ear.

14 PRESIDING JUDGE SCHMITT: [9:49:12] Yeah. Open session.

15 (Open session at 9.49 a.m.)

16 THE COURT OFFICER: [9:49:21] We are in open session, Mr President.

17 PRESIDING JUDGE SCHMITT: [9:49:24] Thank you.

18 Ms Proulx.

19 MS PROULX: [9:49:31](Interpretation)

20 Q. [9:49:34] Mr Witness, after you were beaten and tied up, did your assailants
21 leave you alone in the house?

22 A. [9:49:56] Thank you. Defence counsel, I think that in my testimony I said
23 that - also last Friday I spoke about this - in the beginning I wasn't alone. I was
24 surrounded. They were numerous. I said that when they heard the noise of the
25 motorbike, they left in a hurry and saying, "Oh, the Seleka are coming." And they

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1 hurried to go and fight the Seleka. So they all fled, and that is when I saw an
2 opportunity to leave.

3 Q. [9:50:50] And Friday last you said, indeed --

4 I hear the Sango interpreter on the French channel. I don't know if that's a problem.
5 I'm going to start again.

6 PRESIDING JUDGE SCHMITT: [9:51:15] Actually, I'll have to say something also.

7 You know, especially when we have a witness who went through these things and is
8 speaking about what happened to him, the Chamber would very much appreciate it if
9 translation would go forward without any hiccups and interruptions.

10 Ms Proulx, please continue.

11 MS PROULX: [9:51:46](Interpretation)

12 Q. [9:51:48] I will -- I'll ask again. And I haven't got many more questions on this
13 particular subject. I will try and do this very quickly.

14 So you said on Friday, on page 66 of the transcript, that you heard a motorbike noise.

15 And you also said - you were very specific - that the vehicle came from Bossangoa
16 direction. You were in the house, you had just been beaten. And then how could
17 you know that the vehicle was coming in the direction of Bossangoa?

18 A. [9:52:37] Thank you. You know that if you hear someone talking in the court
19 or you hear a noise of a motorbike or an airplane, you can work out which direction
20 it's coming from. You could even know that the sound is coming from the left side
21 or the right side. You could also know there is a bird who is making noise from this
22 side. So that's how I knew.

23 Q. [9:53:32] How could you escape? Because you were tied up.

24 A. [9:53:44] Thank you. I didn't -- I didn't have my arms tied up. They only
25 attached me my feet. And when they left, I freed myself. I undid the cords. But

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1 after they fled, I was alone, and that enabled me to untie myself.

2 Q. [9:54:32] In page 47 of your testimony, you said that the confusion of the
3 motorbike happened about 15 hours, and you also added that you arrived in
4 Bossangoa about 20 o'clock, 8 o'clock in the evening. So that's five hours for 12
5 kilometres to go to Bossangoa. I imagine you went on foot, Mr Witness.

6 A. [9:55:10] Thank you. I said to you that I was beaten, and so it was difficult for
7 me to -- to find a motorbike or a vehicle. It's the distance, it's true, was about 12
8 kilometres. And for someone who is in good health, that could have -- you could
9 have walked without fear along the main road. For someone who is in good health,
10 it could be done less than five hours. But as far as I was concerned, I couldn't walk
11 on the main route.

12 Sometimes I was walking in the bush, and sometimes I left and went on the main
13 route to walk. So that's what I was doing. I couldn't walk as if it was in a period of
14 peace. I walked through the bush. It was difficult for me to take the main route.
15 That was it.

16 PRESIDING JUDGE SCHMITT: [9:56:31] Mr Witness, you don't have to justify
17 yourself for how long it took you to get back home. But thank you for your answer.

18 MS PROULX: [9:56:46](Interpretation)

19 Q. [9:56:52] Mr Witness, did you want to say something?

20 A. [9:56:56] No.

21 Q. [9:57:02] I'm going to now talk about the attack on 17 September on Bossangoa.
22 You explained to us that you started to hear shots about 5 o'clock in the morning.
23 With your -- did you leave the house with your wife and children at that moment,
24 Mr Witness?

25 A. [9:57:31] Yes, I was in the house with them at that time.

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1 Q. [9:57:43] Last Friday - it's on page 70 of the transcript - you said that you left and
2 you sought refuge with the imam. However, Mr Witness, in your statement, in
3 paragraph 54, you clearly state: "I -- I went to the *école*," to the school. So did you
4 go to the imam, or did you go to the school?

5 A. [9:58:18] Thank you. I have the impression that you are a bit lost in this issue.
6 Why am I saying this? You are -- you're mixing the events of the 5th and the 17th.
7 If you have a question to ask me, please specify.

8 Are you talking about the events of the 5th or the 17th? In my statement I went to
9 the school after the 5 December attack. But during the first attack, I went to the
10 imam. That's not what I said.

11 What I said is, there were refugees at the school who came from the surrounding
12 villages. During that time, there were some inhabitants of Bossangoa who were at
13 the school. But it was after the attack of 5 December that we all went to the school.
14 So please check what was said in my statement.

15 Q. [9:59:41] What I suggest, we look at together, Mr Witness. I would like to show
16 you a declaration. It's document 13 in the Prosecution binder, CAR-OTP-2088-2173.
17 And the extract is on page 2183, paragraph 54.

18 PRESIDING JUDGE SCHMITT: [10:00:30] Please zoom in with the headline

19 "*Attaque de Bossangoa*", and then -- exactly like this. Thank you very much.

20 Please, Mr Witness, read this paragraph 54, especially the end of this paragraph.

21 THE WITNESS: [10:01:42](Interpretation) Thank you. I have just read it.

22 Do you want me to read it out, or should I make an observation regarding what you
23 have displayed?

24 I don't know what -- whether you can hear me. Do you want me to read it out? Do
25 you want me to read it?

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1 PRESIDING JUDGE SCHMITT: [10:02:12] No, Mr Witness, you don't have to read it
2 aloud. But if you have read it for yourself, you see that in the end it says, "*Moi, je*
3 *suis allé l'école -- je suis allé à l'école.*" So -- and the question was if you went to the
4 school or if you went to the imam, and we are talking, as you can see from the
5 headline, now about the 17 September 2013 attack. Perhaps you can answer this.
6 Thank you.

7 THE WITNESS: [10:02:52](Interpretation) Thank you very much. As I have already
8 said, I was talking about confusion. I think it is clear in my statement, and even in
9 relation to the statement or the question of the Defence, when she put the question to
10 me, I answered that I was at home with my wife and children. I was in bed.
11 As you know, during that period, before going to school, you had to go past the
12 imam's house. So I went to the imam's place before the school. And after I received
13 a call relating to (Redacted), and then I was compelled to go to the hospital. That is
14 my statement.

15 MS PROULX: [10:04:06](Interpretation)

16 Q. [10:04:09] (No interpretation)

17 A. [10:04:27] Yes, that is correct. Because when you leave (Redacted) to go to the
18 school -- because the imam's house is on that road, so you have to pass by his place.
19 There were many people who had gathered at the imam's place. I was called to take
20 (Redacted) to the hospital. After that, I came back to the imam's house because
21 certain members of my family were there.
22 But there were many questions. And I believe I have told you that I had a few health
23 problems, and the events happened a long time ago. So it is possible that I may have
24 made a few mistakes.

25 So if you talk about the school, I think the good answers, the correct answers are in

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1 the statement because time has passed and people forget things. I do not remember
2 everything, but the information in my statement are far more reliable. But I'm just
3 human, and I cannot remember all the details.

4 So, now, for example, if you have a conversation with someone, a short while after
5 you could have forgotten certain details.

6 Q. [10:06:21] Were your wife and children with you at the imam's place and at the
7 school?

8 A. [10:06:46] I prefer that you check this aspect in my statement. I cannot
9 remember very well.

10 Q. [10:06:57] Mr Witness, I'm asking you that question because there is nothing on
11 that matter in your statement.

12 A. [10:07:17] If there is nothing in my statement, it means I forgot. You know,
13 when there is conflict or war, we can see what is happening on the television. There
14 are people who did not lose their relatives, but, for example, they tried to flee, and
15 that is because they are traumatised.

16 I saw -- you might have seen certain things in the television. And when things
17 happen, you cannot keep all the details because you could be traumatised. So
18 I cannot answer that question because I don't have the details. I have forgotten.
19 The events took place several years ago.

20 Q. [10:08:15] Mr Witness, I understand that the events took place several years ago,
21 but we are talking about your wife and children who are very close to you. They are
22 the people that are closest to you. You got up out of bed with them in the morning.
23 So are you saying that you don't have any memory of whether they were with you or
24 not?

25 A. [10:08:48] Let me give you an example. As you know, in times of conflict, it is

1 the man, the head of the family who must protect his wife and children. Given what
2 was happening -- now, let me even give you an example that I saw on the television.
3 A man left and did not know where his wife and children were. Women and
4 children are important. Wives and children are important, but they separated. But,
5 as you know, when there are explosions, your mind is usually not clear enough to
6 take care of your children or your family. And the events go back to many years ago,
7 and so, as not to lie to you, I prefer to tell you that I forgot.

8 Q. [10:09:55] Let me come back to your statement. In paragraph 55 of your
9 statement, you state that on that date, 17 September, the Anti-Balaka arrived from
10 several directions, from the route to Benzambe, Zere, Bowaye and Ouham Bac. You
11 say that they seemed to know the town very well.

12 I'm wondering, Mr Witness, how is it possible for you to know that? Because later
13 on in your statement, paragraph 63, you stated that you did not see them on that day.

14 A. [10:10:40] Thank you. I was in the town on that day. There were gunshots,
15 explosions, people were fleeing everywhere. I was in the town. I gave you several
16 examples.

17 We are in open session. I gave you several examples.

18 Now, take the example of this room. It is possible to hear gunshots. If the gunshots
19 come from one of the doors of this room, you will be able to know the direction from
20 which the shots are coming.

21 Regarding the people who were killed, there were events at the mosque also. There
22 were injured people and people who died around the mosque. That is why I say
23 that the gunshots were coming from the four corners of the town.

24 After that, in the evening, at night or the following day, the people, the survivors or
25 victims would give accounts or testimonies. They would say, "Such-and-such a

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1 person was struck at such-and-such a place and on this place on his or her body."

2 That is what I'm saying, Counsel.

3 I know that what you are doing is your job, but I am also personally asking myself

4 questions. So, according to you, the attack of 17 September did not take place?

5 There were no victims, no dead, no injured? Is that what is prompting you to put

6 those questions to me? I am wondering, did that attack not take place? Did the

7 Balaka not invade the town? Were people not killed or injured? I'm asking myself

8 those questions because I can see that you are putting those questions very insistently.

9 Q. [10:13:28] Mr Witness, still about the 17 September attack, I want to talk about
10 something that personally concerns you. So, in order to have your answer, I would
11 like us to go into private session, please.

12 PRESIDING JUDGE SCHMITT: [10:13:46] Private session.

13 (Private session at 10.13 a.m.)

14 THE COURT OFFICER: [10:13:59] We are in private session, Mr President.

15 MS PROULX: [10:14:09](Interpretation)

16 Q. [10:14:11] I would like to come back to (Redacted) who died on that day,
17 Mr Witness. You explained last week, page 71 of the transcript, that certain people
18 (Redacted) to come and assist him.

19 Who are those people, Mr Witness?

20 A. [10:14:47] Thank you. As I have already told you, I would like to reiterate so as
21 to clarify matters. (Redacted) had a girlfriend called (Redacted). Her nickname
22 was (Redacted). She is a (Redacted). She was living in the Bornou neighbourhood,
23 which was not very far away from the mosque.

24 (Redacted) were not living in the same house, but it seems that that night he spent
25 that night in his girlfriend's house.

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1 So during the attack the following day, (Redacted) left his girlfriend's house and was
2 coming towards the mosque. And since I told you that the town had been totally
3 invaded, behind the mosque there is a road from the north which comes right to the
4 mosque. (Redacted) came out at that level, and those who were behind the mosque
5 shot at him.
6 I think at that location there were (Redacted) people who were injured. There were a
7 (Redacted), another (Redacted) who was living at the Boro neighbourhood, which is
8 next to the neighbourhood of (Redacted) girlfriend. So when these things happened,
9 (Redacted) was at home. (Redacted) went to the school, and then (Redacted) was
10 called by phone to be informed that (Redacted) had been injured.
11 (Redacted), the injured individuals had been gathered into a certain compound.
12 Practically everyone had fled to the imam's place, as I have already said. So
13 (Redacted) him to the hospital.
14 (Redacted) to take a vehicle because (Redacted),
15 but (Redacted).
16 So (Redacted) on a motorbike, and (Redacted).
17 So you can cross-check these things with (Redacted)
18 (Redacted).
19 (Redacted) and -- I mean, (Redacted), he was born in Bossangoa. And all the
20 Christians and Muslims know him in Bossangoa. He studied at (Redacted)
21 school. So if I am lying that he died, you can carry out investigations to know what
22 happened to him. As far as I'm concerned, I cannot make statements like that that
23 are incorrect. For what reason? To have money? No, no.
24 PRESIDING JUDGE SCHMITT: [10:18:37] Is it the position of the Defence of
25 Mr Ngaïssona that (Redacted) did not die on that day?

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1 MS PROULX: [10:18:58] No, Mr President, that is not our position. We will come
2 to our position very shortly.

3 PRESIDING JUDGE SCHMITT: [10:19:03] Yes, of course. But then, you know, this
4 seems to be an event that -- with unique and an amount of details that you very rarely
5 hear in a courtroom. So what are you -- what is your point here with regard to
6 this -- to this story? What is your point?

7 There is this issue with the operation, yes. But the witness is not an expert,
8 obviously, and he draws his own conclusions, how (Redacted) died, who is
9 responsible. So we are wondering a little bit where this is leading to.

10 MS PROULX: [10:20:06] Very well. I will skip a few questions and get to where I
11 wanted to get to. But to do so, Mr President, I would like to confront the witness to a
12 piece of information that is in document 23 of the Defence binder. It's at
13 CAR-OTP-2078-0132.

14 And by fairness to the witness, considering (Redacted)
15 (Redacted), I would like to be allowed to reveal to the witness
16 who the source is.

17 PRESIDING JUDGE SCHMITT: [10:21:07] Yes, why not.

18 MS PROULX: [10:21:21](Interpretation)

19 Q. [10:21:23] Mr Witness, on Friday you said that (Redacted), (Redacted), was a
20 civilian and that he was not a member of an armed group. Do you stand by that?

21 A. [10:21:39] Yes, I stand by that.

22 Q. [10:22:01] Mr Witness, (Redacted),
23 provided information to the OTP and stated that (Redacted) was a member of a
24 Muslim self-defence group and was killed in battle. Can you react to that
25 information, please.

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1 A. [10:22:47] I would like to address myself specifically to the Presiding Judge, if he
2 grants me permission to.

3 PRESIDING JUDGE SCHMITT: [10:23:01] Yes, I do.

4 THE WITNESS: [10:23:03](Interpretation) Thank you. I am quite distressed to hear
5 what counsel for Defence is talking about. If she continues like that, I am ready to
6 drop everything, to abandon everything. Please, remember that (Redacted).

7 I am not defending Muslims (Redacted).

8 (Redacted) was not a member of any self-defence group. It is true that I met with the
9 investigators of the OTP, but at no time did (Redacted) meet with an investigator of
10 the OTP. He never mentioned any such thing to me.

11 When did (Redacted) participate in such fighting or in such movements or groups for
12 him to be killed?

13 I am here before you. (Redacted). (Redacted).

14 Ngaïssona was very clear when he broadcast on air that he had 10,000 men. He
15 himself made that statement. And because of those 10,000 men, we continue
16 suffering. He talked about it on France 24 with the elements of the Sangaris who
17 were controlling things during that conflict.

18 So (Redacted), and I am -- I am (Redacted) to this very movement that I'm speaking to
19 you. So if you continue on that path, then my presence here is totally worthless,
20 Mr President.

21 I would like to appeal to the Defence counsel to contact (Redacted) to verify the truth.

22 I do not know where she has drawn her information from to be able to say such
23 things.

24 (Redacted) was killed. (Redacted) was not bearing any weapons.

25 Why was she killed?

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1 PRESIDING JUDGE SCHMITT: [10:25:40] Mr Witness, I would ask you to -- I know
2 it is very difficult for you. I would ask you to stay patient and to continue asking the
3 questions, because you came to this Court to give testimony and you have done this
4 for a couple of days, and it would be a great waste if you would withdraw now. So
5 I would ask you, really, to answer the questions, and this question had to be asked by
6 the Defence.

7 Mr Vanderpuye, what is the screening note, by the way? Can we have a little bit
8 more information about that?

9 MR VANDERPUYE: [10:26:15] I think it's on the screen right now. And I think
10 there may have been an interpretation error with respect to the question that was put
11 to the witness because I don't believe that the proposition that (Redacted) was killed
12 in an attack or was a member of a group was -- is contained in that statement.

13 PRESIDING JUDGE SCHMITT: [10:26:36] No, no, Defence counsel did not say that.

14 MR VANDERPUYE: [10:26:41] Indeed.

15 PRESIDING JUDGE SCHMITT: [10:26:42] It's about (Redacted). But this screening
16 note concerns (Redacted), or what?

17 MR VANDERPUYE: [10:26:53] I believe so, yes, that's correct. So it's the statement
18 of -- well, it's the screening note concerning (Redacted), as opposed to -- as opposed to
19 concerning -- concerns (Redacted).

20 PRESIDING JUDGE SCHMITT: [10:27:09] So (Redacted) has spoken with members
21 of the Prosecution.

22 MR VANDERPUYE: [10:27:13] Yes.

23 PRESIDING JUDGE SCHMITT: [10:27:15] And he has said that (Redacted), born in
24 1987, was part of a Muslim auto-defence group and was killed in combat.

25 MR VANDERPUYE: [10:27:27] That's what the screening note says, Mr President.

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1 PRESIDING JUDGE SCHMITT: [10:27:28] Okay.

2 MR VANDERPUYE: [10:27:29] But, as you've pointed out, and as Defence counsel
3 know. Screening notes are screening notes, and their accuracy isn't necessarily
4 adopted or validated by the witness who provides it, but the investigators are under a
5 duty to record them as accurately as they can.

6 PRESIDING JUDGE SCHMITT: [10:27:46] No, no, that's -- the whole system bases
7 on that, absolutely.

8 So, Ms Proulx, perhaps you allow me to give it try with the witness. It might be
9 easier.

10 Mr Witness, this is a screening note. This does not mean that it is a written down
11 statement. But, as the Prosecutor here has confirmed, members of the Prosecution
12 have spoken with (Redacted), and they have written down that (Redacted), that is,
13 (Redacted), born in 1987, was part of a Muslim auto-defence group and was killed in
14 combat. So this is written down here.

15 So the question -- and this is absolutely a question that the Defence has to ask. The
16 question is: What is your info? What do you say to this information?

17 It seems to come from (Redacted). But what would you say, according to your
18 knowledge, was (Redacted) part of an auto-defence group and was he killed in
19 combat?

20 Please answer the question by the Presiding Judge. That would be very kind of you.

21 THE WITNESS: [10:29:34](Interpretation) (Redacted) was not a member of a
22 self-defence group. As I have already told you, he was killed by the Anti-Balaka.
23 There were three of them, all of them civilians. In the neighbourhood in question
24 where they were killed, there was no group, no member of the Seleka. There was no
25 Seleka base.

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1 And so I'm asking myself the question: When did the investigators meet with
2 (Redacted) in order to have such information?

3 Personally, I know that he never militated in that movement. He was struck by a
4 bullet. (Redacted) took him to the hospital, and he died (Redacted). But to say that
5 he was a member of a self-defence group, I totally deny that.

6 PRESIDING JUDGE SCHMITT: [10:30:44] Mr Witness, we have come to know you
7 as a very intelligent person who quickly grasps all the situations that arise in
8 this -- during these proceedings. And you, I think also, see that since this piece of
9 paper, this screening is in the files, it is important to hear from you, who is live now, a
10 witness here, what happened and to hear your opinion. And so you see the
11 importance that you can provide us with your view, because this is in the world, so to
12 speak. You understand what I mean. So this is just to encourage you to continue
13 testifying and to provide us with your -- with your testimony.

14 THE WITNESS: [10:31:57](Interpretation) Thank you very much, your Honour.
15 I think what happened (Redacted).

16 And when you lose (Redacted), it's for always. Today, nothing in the world can
17 replace the presence -- (Redacted) that I lost. The human being is not something you
18 sell at the market.

19 Everything I expect from you is that your Court (Redacted).

20 Secondly, I would like to have reparations for (Redacted).

21 I would like to see that justice is done and condemns those responsible, who
22 committed these exactions, so that they acknowledge their actions so it never happens
23 again.

24 This is what I would like to stress upon put. And (Redacted), I would like to point
25 that out.

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1 Secondly, individuals responsible for these exactions, for these crimes must be
2 condemned. And, thirdly, I would like that (Redacted) could have in some guise
3 reparation.

4 PRESIDING JUDGE SCHMITT: [10:33:52] Thank you, Mr Witness.

5 I think it was better, Ms Proulx, under the circumstances that I put the question to
6 him. And it is absolutely clear that the Defence has to go into that. I want to make
7 that clear. It could have been done perhaps more directly I would have said. But
8 I'm fine. So please continue, Ms Proulx.

9 Can we continue in open session or private session?

10 MS PROULX: [10:34:23] Well, I would like to ask one last question on this topic.

11 PRESIDING JUDGE SCHMITT: [10:34:27] Of course. Do that, yeah.

12 MS PROULX: [10:34:37](Interpretation)

13 Q. [10:34:39] I listened very carefully to what you've said. I just want to make
14 sure that I understand your position. Is your position as such, that (Redacted),
15 (Redacted)

16 (Redacted)

17 simply lied and invented that (Redacted) was a member of a combat group?

18 MR VANDERPUYE: [10:35:17] Mr President, I object to that question. I don't think
19 there's a foundation to put to the witness that (Redacted) lied about anything. As I
20 said before, and I think everyone knows that the screening notes are screening notes
21 and they are the best recollection or rendition of the statement of an individual by an
22 investigator, and to the extent -- she can put to the question that (Redacted) lied, but
23 not on the basis of this. If she wants to -- if she wants to make that accusation, she
24 can make it, but not on the basis of the screening note, no.

25 PRESIDING JUDGE SCHMITT: [10:35:49] Yeah, but the screening note says it, of

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1 course. So then perhaps OTP would have to ask how their screening notes come to
2 pass. That is, unfortunate, of course.

3 MR VANDERPUYE: [10:36:00] She could say that the screening note says one thing
4 about (Redacted) and that he says another. That's fine.

5 PRESIDING JUDGE SCHMITT: [10:36:07] Yeah. That was --

6 MR VANDERPUYE: [10:36:08] But to say that (Redacted) lied, that is another story.

7 PRESIDING JUDGE SCHMITT: [10:36:10] I agree on you with that. And, again, I
8 put the question to the witness a little bit -- change it a little bit, if you allow me,
9 Ms Proulx.

10 Mr Witness, would you have an explanation why in the screening note it is noted
11 down as something that (Redacted) has said to investigator how this could happen,
12 how could he have said that? Would you have an explanation for that?
13 If you don't, doesn't matter. But do you have an -- do you have an idea
14 why -- why -- how this could happen?

15 THE WITNESS: [10:37:02](Interpretation) Thank you. For the -- for the moment,
16 I'm with (Redacted). And if events of this nature had happened, he would have told
17 me. He is illiterate. He went to (Redacted).
18 He is not learned, if I could put it like that.

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 I'm wondering when they met to make such a statement. Is it someone else who
23 took his name to provide that information? I don't know. We can't be sure of that.
24 Because even some authorities, they use -- their identity is usurped for ulterior
25 motives. I don't have an explanation for that.

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1 Did he really meet the OTP? Was it on the telephone? Did it happen in that way?

2 Who knows.

3 Personally, I do not know. But if you want things to be clear, then I ask you to carry

4 out investigations. You have all the means possible to go on the ground to

5 inform -- or to ask investigators on the ground. You have all the means to verify this,

6 not only as regards (Redacted), but also the Christians in Bossangoa, so that you can

7 find the truth.

8 PRESIDING JUDGE SCHMITT: [10:39:04] Okay. I think we move on. So we

9 won't get anything else.

10 MS PROULX: [10:39:11] Indeed, Mr President. I was going to move on.

11 But, just for the record, I agree that this is just a screening note, but at the same time,

12 information of this nature just don't slip in screening notes. It's not on accident. So

13 I would, you know, contest the fact that this is not worth anything.

14 PRESIDING JUDGE SCHMITT: [10:39:32] You have heard what I have said. So

15 it's -- but, you know, to infer -- but you understand that. To infer that one is lying or

16 the other is lying, we don't have a foundation for that. But we have a contradiction

17 here that can be put to the witness, and we have done that, and that's absolutely okay.

18 It's very unpleasant for the witness, but it's inevitable.

19 Please continue.

20 THE WITNESS: [10:40:02] (No interpretation).

21 PRESIDING JUDGE SCHMITT: [10:40:08] Yes, Mr Witness. You may speak,

22 Mr Witness.

23 THE WITNESS: [10:40:25](Interpretation) Let me give you an example to show to

24 the Defence that some of the information are false. Why do I say this? Yesterday,

25 regarding the events in Benzambe, they gave a name which was regarded as a

1 member of Benzambe. I said to go to the Bossangoa bishop who would give
2 information as regards the imam of Benzambe and how did he bring the imam of
3 Benzambe to Bossangoa. So some information are incorrect information, and the
4 majority of the information that you have are erroneous.

5 PRESIDING JUDGE SCHMITT: [10:41:24] Ms Proulx, please continue. And, again,
6 I have assured you before you started, I will not push you timewise.

7 MS PROULX: [10:41:44] Thank you very much, Mr President. Much appreciated.
8 At this stage, I think we can continue in open session.

9 PRESIDING JUDGE SCHMITT: [10:41:52] Open session.

10 (Open session at 10.41 a.m.)

11 THE COURT OFFICER: [10:42:06] We are in open session, Mr President.

12 MS PROULX: [10:42:10](Interpretation)

13 Q. [10:42:15] We'll continue. I'm still talking about the attack on 17 September.

14 In the same way where you say that some people close to you were not armed during
15 the combat, is it possible or do you have information could let me believe that other
16 individuals who died in that day were also armed and participated in the attack?

17 A. [10:43:03] Thank you for your question.

18 Since Friday, and in my statement, I said that the information that I give you
19 regarding individuals armed people were either Seleka or Balaka. The individuals
20 of whom I'm talking are civilians.

21 When the attack took place, there were victims both as regards the Balaka and the
22 civilians. I only knew of people who were civilians. I only have information about
23 civilians. If I'm talking, it's perhaps somebody in Bossangoa who I know, and all the
24 people that I mentioned perhaps come from the surrounding areas. But as regards
25 the armed men, I didn't talk about them in my testimony.

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1 Q. [10:44:15] I think my question wasn't specific. What I'm suggesting is that the
2 individuals you are saying are civilians could have been armed. You didn't see the
3 attack yourself, so you can't be certain that they weren't armed. Do you agree with
4 me?

5 A. [10:44:49] I cannot say, I cannot lie. I did not see it. I wasn't witness to it.
6 The people who died, I didn't witness that myself. But somebody who lives had
7 Bossangoa, there is the burials, we will help people who are mourning. If you've lost
8 a member of your family, we go to them to pay tribute. And -- but it's not something
9 that I've seen. If in a battle a person was armed and died, I wouldn't know that.
10 In any case, all the persons that I mentioned, all the names I gave, I never saw them
11 armed. And if that was the case, I would have told you because I have no interest to
12 hide the truth from you, because I wouldn't win anything from that. I don't intend
13 to hide anything because it doesn't help in any way.

14 Q. [10:45:56] Do you agree with me that the victims also responded to the attack
15 and that the victims were affected by the gunshots of the Seleka?

16 A. [10:46:21] That's possible, because there could also be stray bullets. During
17 conflicts, there is exchange of fire, and it's probable that some could be hit by a stray
18 bullet. But not everybody was a victim of a stray bullet. As far as I know, it is the
19 Anti-Balaka who shot at them.

20 Q. [10:47:07] Mr Witness, you went back home the evening of the attack?

21 A. [10:47:20] Thank you. As I have said, I was in the hospital until the evening.
22 And in the evening, I took someone with me to go back home. The person took what
23 they had to take, and then we returned to see (Redacted). Somebody who is sick and
24 in hospital, he always needs assistance. So what happened to him was not prepared.
25 It was unexpected. So we went to the hospital in a hurry. He needed help. That

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1 is it.

2 Q. [10:48:32] In the days following on, from 17 September, do you recall other
3 attacks or events in Bossangoa?

4 A. [10:48:53] If you talk about the centre of Bossangoa, after the 17 September
5 attack, no, no, there were no attacks between the Seleka and the Anti-Balaka until the
6 attack of 5 December. I do not want to lie to the Court.

7 Q. [10:49:28] I want to read an extract from a document to you. 36 in the Defence
8 binder, CAR-OTP-2105-0028, page 3 -- 0030. It is a confidential document.

9 Mr Witness, this is a screening note taken after an interview of a person who lived in
10 Bossangoa at that time. And this person said to the OTP -- and I'm going to read it to
11 you - it's in English - so you'll have the interpretation.

12 (Speaks English) "Afterwards, the Seleka and some Muslims started to burn down the
13 houses of Christians; about 600 houses were burnt. As a result, almost the entire
14 Christian population of Bossangoa fled to the church. The displaced population was
15 protected by the Sangaris against a possible attack by the Seleka. At that time, the
16 Muslims remained in their own homes because they were not targeted by the Seleka.
17 After this incident, the situation worsened; the Seleka and some Muslims would go to
18 the villages nearby to kill and pillage. At the town hall there were two containers
19 where the Seleka used to lock people in."

20 (Interpretation) Mr Witness, it's hard to believe that you didn't hear about these types
21 of exactions that happened in Bossangoa. Do you agree with me?

22 A. [10:52:02] Thank you. I would like to address the Defence to understand
23 something. I realise that according to the Defence that I am here before the Court to
24 defend the Muslims and the Seleka. No. I want to be quite clear.

25 Why am I saying this? You've talked about this, you've said that the Muslims have

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1 done this, have done that, and then asks me the question that I -- that it was
2 impossible, that I didn't know about these incidents, that I was not aware of them. I
3 have no children and their mothers are Christians.
4 In my statement, I said, I swore to tell you the truth. If the Seleka carried out such
5 acts, I would confirm it. I am telling you and I continue to say that it's because of the
6 Seleka and the Anti-Balaka that we are suffering. It is because of their stupidity that
7 we have suffered, that we have lost our possessions. It's from both sides, the
8 Christians and the Muslims.
9 So you just talked about houses that were burnt down. It is true that houses
10 belonging to the Christians were burnt down. But, listen, you provide me with
11 information which is erroneous because you said, after the attack of 17 September
12 people left and the Sangaris came to protect. No.
13 Listen, the Sangaris arrived in Bossangoa after the attack of 5 December. After 5
14 December, all the Muslims were at the *École de Liberté*. There were no Muslims in the
15 neighbourhood. And the Christians were at the bishop's house. The Sangaris did
16 not assure the safety of both communities, no. They only patrolled the bishop's
17 house, area. They went to the Muslims in the *école*. It was not their role. It is the
18 FOMAC elements who ensured our security. They were based in the *École de Liberté*
19 and the bishop's house, and they left the bishop's house after the attack, when there
20 was an element. There was a FOMAC element that was attacked, and they left the
21 bishop's house after that attack.
22 As regards the Sangaris, the Sangaris were not responsibility for -- did not have the
23 responsibility of making sure the Christians were safe. Now, as regards the Seleka,
24 no, they were not responsible for guaranteeing the Muslims' safety in the *École de*
25 *Liberté*. If you look at the institutions, if you look at the elements of United Nations

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1 who were there, those elements could confirm this. I am here to tell you what really
2 happened on the ground.

3 As regards the town hall that you said that the Seleka sometimes committed exactions
4 there, the container which was in front of the town hall, there were two -- I think there
5 was one or two, but I'm sure there were some containers. It is -- if the container was
6 there, it's true, I heard there was some talk that sometimes the Seleka put people in
7 the containers and locked them up in the containers. When I was at the *école*, I heard
8 it said, but my -- me personally, I didn't have the possibility of seeing it personally.

9 Were there people in those containers? I don't know. I can't tell you.

10 I'm not here to defend the Muslims or to express myself against the Anti-Balaka.

11 I am here -- I'm not here to protect one group and incriminate the other group.

12 Thank you, madam.

13 PRESIDING JUDGE SCHMITT: [10:57:05] Ms Proulx, this is not, as I have reiterated
14 many times, to push you but simply for planning purposes. How long will it take?
15 The background is that I'm informed that between the two witnesses, when we finish
16 now this witness and the next witness comes, we need a break, roughly one and a half
17 hour. So ...

18 MS PROULX: [10:57:34] Mr President, at this stage, I'm afraid it's going to take the
19 whole day with this witness.

20 PRESIDING JUDGE SCHMITT: [10:57:41] You alone the whole day?

21 MS PROULX: [10:57:45] Indeed.

22 PRESIDING JUDGE SCHMITT: [10:57:46] Okay, good. Then this makes it's easy,
23 so to speak.

24 MS PROULX: [10:57:52] Before the break, I would like to do one more thing with the
25 witness. If you'll allow me, I would like to work with the map again.

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1 PRESIDING JUDGE SCHMITT: [10:58:00] No, I think we make -- we make a break
2 now until 11.30.

3 THE COURT USHER: [10:58:10] All rise.

4 (Recess taken at 10.58 a.m.)

5 (Upon resuming in open session at 11.30 a.m.)

6 THE COURT USHER: [11:30:45] All rise.

7 Please be seated.

8 PRESIDING JUDGE SCHMITT: [11:31:14] Ms Proulx, you still have the floor.

9 MS PROULX: [11:31:23](Interpretation)

10 Q. [11:31:25] Mr Witness, I would like to show you an excerpt of a report. It is tab
11 20 on the Defence list. It is CAR-OTP-2073-1299. And we have a transcript for the
12 interpreters, document 1, CAR-D30-0002-0008.

13 And I would like to show you, starting from 11 minutes, 10 seconds, to 16 minutes, 02;
14 about five minutes. Then after that I will have a few questions.

15 (Viewing of the video excerpt)

16 THE INTERPRETER: [11:32:33] (Interpretation of the video excerpt)

17 "After looting and burning, the population fled. In the village, we stopped to
18 took -- to take a few images. There were confrontations in Bossangoa. The people
19 of the Seleka came here. They accused us of attacking Muslims and then they burnt
20 down houses. We had nothing to do with what happened there. So we fled into
21 the bush.

22 If the Seleka comes back, we will once again be compelled to go into the bush. And
23 if they find us, it is clear that they are going to kill us.

24 These villagers say that they are not part of any armed group. They are there to look
25 after their goats and pigs. They show us their ransacked houses and a decomposing

1 body being devoured by the pigs.

2 There is someone in the village who was killed by the Seleka.

3 How many people were killed in the village?

4 10 or 20. It's not easy to know.

5 We arrived Bossangoa. This is a native area of President Bozize. On 7 September,

6 Zere, the Anti-Balaka attacked the Muslims. The Seleka went on reprisals, and then

7 the entire area went up in fire. There was about 100 dead.

8 The Christians, most of them went to the cathedral and protected by FOMAC soldiers.

9 Several thousand refugees were there, one water point, and so on. The vicar of the

10 diocese does not know what else to do.

11 We are more than 36,000 displaced persons. Yesterday we had 36,700. What is

12 worrying me is that people have nothing here. They do everything here. They eat,

13 they sleep and they do everything here. It is very dangerous.

14 The question that everybody is asking is, who is responsible?

15 It is the Seleka.

16 To you it is clear?

17 Yes, it is clear. They're the ones who bring insecurity. They're the ones killing

18 people. They're the ones who are responsible.

19 Now, the Christians and Muslims were living peace fully together in the CAR. What

20 happened that suddenly the tensions have flared?

21 It is not religious tensions. I have always told. Those who said it was a conflict

22 between Muslims and Christians, I said, no, it is a conflict that was started in January

23 to trigger the arrival of the Seleka. They are with the Muslims, and according to

24 them, they are Muslims. So they are against those who are not Muslims. We have

25 lost confidence. Everyone has lost confidence. So we have to work towards

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1 reconciling people.

2 The day of our arrival, a first assistance convoy arrived. The Reverend Father

3 Dieudonne believes that there should be others coming very soon.

4 There you have buckets, hygienic products, toothbrushes, towels, just for women who

5 left their houses without anything. It does not provide everything, but it is a

6 beginning. And women are very happy to receive those.

7 All the testimonies talk about fear, violence, incomprehension.

8 I was in the farm with my two children. They killed them and all -- both of them,

9 and I fled.

10 How do you explain this violence suddenly?

11 I do not understand. I was surprised by the events. It was about 4 a.m. in the

12 morning. They started shooting everywhere, and no one understood what was

13 happening.

14 I, I was living in the Arabe quarter for a long time, but these recent days it became

15 unbearable. They were threatening us all the time with knives and with weapons,

16 and I was compelled to flee to come here."

17 PRESIDING JUDGE SCHMITT: [11:37:37] The reportage was from October 2013.

18 Do you know when the footage was taken? It seems to be September, then,

19 sometime, I would assume.

20 MS PROULX: [11:37:57](Interpretation) Mr President, the metadata that we have

21 from the OTP dates the report on 5 October 2013.

22 PRESIDING JUDGE SCHMITT: [11:38:19] Thank you. Please.

23 MS PROULX: [11:38:26](Interpretation)

24 Q. [11:38:27] Mr Witness, you were able to see this video, weren't you?

25 A. [11:38:36] Thank you. Are we in open session or private session?

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1 PRESIDING JUDGE SCHMITT: [11:38:49] We're in open session.

2 THE WITNESS: [11:38:51](Interpretation) I would like us to go to private session.

3 PRESIDING JUDGE SCHMITT: [11:38:55] Then we go to private session,

4 Mr Witness.

5 (Private session at 11.39 a.m.)

6 THE COURT OFFICER: [11:39:02] We are in private session, Mr President.

7 THE WITNESS: [11:39:21](Interpretation) Thank you.

8 I watched the video. I recognised several people. There is one person who was

9 wearing a white cassock. He was the vicar general. (Redacted).

10 (Redacted).

11 The second person is *abbé* Dieudonne, the director of Caritas. (Redacted)

12 (Redacted)

13 There is another man who said he was in the Arabe neighbourhood. I know him.

14 He is a mechanic, and his nickname is "Maître".

15 The items that you saw distributed were distributed by an NGO. About 500 items

16 were even given to (Redacted). (Redacted) was responsible -- responsible for

17 distributing these items to the women.

18 As I told you, there were several people, many people who came from the

19 neighbouring villages. They were lodged at the bishopric before the attack. And

20 those who went there were from 17 September.

21 As you heard, the woman who was speaking about the gunshots that started at 4 a.m.

22 in the morning, this was on 17 September. The inhabitants of Bossangoa joined up

23 with those who had come from the other villages. It was sad, really sad, and it

24 involved the entire population. I experienced the situation, and I know very well

25 how the events unfolded.

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1 And as the lady told you in the video clip, she observed the confrontations, and she
2 says that it took up the entire morning. It is the reality, and I confirm that.

3 Now, if you have questions to put to me about the video, I am prepared to answer
4 those questions.

5 PRESIDING JUDGE SCHMITT: [11:41:50] I think -- I don't know your questions, but
6 we could answer them in open session. I would assume.

7 We go back to open session.

8 Thank you, Mr Witness.

9 (Open session at 11.42 a.m.)

10 THE COURT OFFICER: [11:42:08] We are back in open session, Mr President.

11 MS PROULX: [11:42:26](Interpretation)

12 Q. [11:42:27] Mr Witness, you seem to be linking the video that we have just seen
13 exclusively to the attack of 17 September. I put it to you that a single attack would
14 not have brought 36,700 people to the bishopric. The number of people found at the
15 bishopric was due to all the attacks of the Seleka over several months. I spoke to you
16 about some of them yesterday, and you told me that you were not aware of them.
17 Do you agree with me?

18 A. [11:43:29] I think that Defence counsel may not be understanding me correctly.
19 I told you that these were not only the inhabitants of Bossangoa. Some of them came
20 from the neighbouring villages. They were lodged at the bishopric. I also told you
21 that the inhabitants of Bossangoa town joined up with those others at the bishopric
22 after the attack of the 17th. But those who came from the villages around, fled their
23 villages to come there before the 17th.

24 But for the inhabitants of Bossangoa, it was on that day that they joined up with those
25 who were already settled and lodged at the bishopric. Some of them were at the

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1 *École Liberté*, but this was after the attack of the 17th. It was after the attack of
2 17 December that the Muslims went and joined those who were at the *École Liberté*.

3 PRESIDING JUDGE SCHMITT: [11:44:49] I think the witness has said that he agrees
4 with what has been seen in the video. So -- and, of course, people have their
5 different views in a conflict, and perhaps I might address this with the parties now.

6 Do you see -- don't you see any chance to agree facts with regard to Seleka crimes?

7 All parties here. Because I'm not saying -- it's absolutely okay under the
8 circumstances and with this witness that Ms Proulx addresses it, but if we look back a
9 little bit, is this really contested by somebody, the crimes by the Seleka?

10 MR VANDERPUYE: [11:45:35] If I may respond.

11 PRESIDING JUDGE SCHMITT: [11:45:38] Actually, I expected you first to speak.

12 MR VANDERPUYE: [11:45:42] Okay. First, I think the witness referred to
13 17 September, not December.

14 PRESIDING JUDGE SCHMITT: [11:45:48] We understood that, of course.

15 MR VANDERPUYE: [11:45:50] Aside from that, yes, I think we proposed it early on
16 in 2020, if I'm not mistaken, something like this, after the initial conference. We can
17 certainly revisit the matter again with the Defence, but we proposed -- I can't
18 remember how many facts there were, but certainly the fact of the Seleka crimes
19 committed in the lead-up to the -- to the charged incidents and all of that stuff is
20 something that we have -- I think we even opened on this. So it's certainly
21 something that we're prepared to stipulate to, if that would facilitate the proceedings.

22 PRESIDING JUDGE SCHMITT: [11:46:31] Yeah, thank you. You know, we have
23 now had quite some witnesses and the situation might have changed. And, actually,
24 I don't recall huge contradictions with regard to such crimes having heard of. So my
25 question would be - and the next I would have asked Mr Knoops - do you see any

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1 chance there? But, of course, in a -- as specific as possible, of course. Otherwise, it
2 doesn't make sense.

3 MR KNOOPS: [11:46:59] Mr President -- sorry, Mr President, I would like to address
4 the Chamber, but what I'm going to say might have impact on the testimony of this
5 witness. Could the witness be asked to remove his headphone for a minute.

6 PRESIDING JUDGE SCHMITT: [11:47:21] Mr Witness, may I kindly ask you to just
7 remove your headphones for a minute. We are discussing a procedural matter, and
8 it would be kind. And I tell you when you can put it on again. That would be very
9 nice of you. Thank you.

10 Please, Mr Knoops.

11 MR KNOOPS: [11:47:40] Mr President, I think we should differentiate between two
12 topics here. Indeed, as the Chamber right fully pointed out, it's possible that the
13 Defence agrees with Prosecution on certain crimes committed or attributed to the
14 Seleka. That's I think beyond dispute.

15 Second issue, and that's different from the element the Chamber pointed out, is of
16 course that, sometimes in our examination, we put these crimes to a witness, and it
17 has to do with the testing of the credibility. That means that we are not reiterating
18 what has been agreed upon, if agreed facts has been stipulated on that very subject.
19 But, for instance, we have now a witness - and that's why I asked the witness to put
20 off his headphone - whereby the Defence has a reason to test the veracity and
21 credibility of witness. And that's why the Defence is putting some of those issues to
22 the witness and see how he responds. And the Chamber -- I hope the Chamber will
23 give us some leniency on the second topic.

24 PRESIDING JUDGE SCHMITT: [11:49:13] It's perfectly clear that when you agree on
25 facts that this does not mean that perhaps you put these facts to a witness to test the

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1 credibility. I fully -- of course, we fully understand what Ms Proulx is doing here.

2 But, nevertheless, there should be -- there should be a possibility to really shorten this
3 a little bit.

4 I don't assume that Mr Vanderpuye or the OTP does contest certain things. We
5 would appreciate it if you perhaps would start a new attempt to agree on -- on facts
6 that would enable us to perhaps skip some of the questions that are put to witnesses.

7 So even -- what is fine, even Prosecution has put to their witnesses often questions
8 about the exactions of the Seleka. So at some point in time -- and, also, we should
9 not forget that we have many Rule 68(3) witnesses. So all this material -- we will
10 have Rule 68(2)(b) witnesses. All this material is on the record. So this is -- and we
11 should not do this exercise too long because the witness is waiting. But shortly,
12 Mr Knoops.

13 MR KNOOPS: [11:50:28] Yes, we are happy to agree on those elements, but I don't
14 think that the Prosecution will agree on any credibility of a witness beforehand.

15 PRESIDING JUDGE SCHMITT: [11:50:42] Of course not.

16 MR KNOOPS: [11:50:43] That's obvious. So that's why we sometimes go through
17 those alleged crimes attributed to the Seleka, like with this witness, so that the
18 Chamber can assess also the credibility of the witness before the Chamber.

19 PRESIDING JUDGE SCHMITT: [11:50:58] Absolutely. And I think Mr Vanderpuye
20 would not expect that.

21 So, I don't know, but I wanted to induce a process, so to speak, and perhaps we can
22 do that, and we would appreciate that. And I think everybody in the end would
23 benefit from it.

24 So perhaps we can -- Registry can tell the witness I try to put -- I'm not good in sign
25 language. But perhaps we can tell the witness that he can put his earphones on

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1 again.

2 Thank you very much, Mr Witness, for your patience and your indulgence. We
3 continue with the examination now. Thank you.

4 Ms Proulx.

5 MS PROULX: [11:51:59](Interpretation)

6 Q. [11:52:00] Mr Witness, I will come back once again to the video that we watched
7 together. You saw the man who said that he had been living before in the Arabe
8 neighbourhood. You said that you knew him, and in the report he says that he was
9 forced to leave the Arabe neighbourhood because he was constantly threatened.
10 Now, the Arabe neighbourhood is a neighbourhood where certain members of the
11 population were living. I will not tell you who in particular because we are in open
12 session.

13 Now, Mr Witness, did you observe any similar events? Did you see any Christians
14 harassed by Muslim civilians?

15 A. [11:53:02] Thank you for your question.

16 I think that the brother who made that statement, I told you that I know him and I'm
17 not aware of anything that might have been happened to him and his family. He is a
18 human being. If someone threatened him, if someone harassed him, I couldn't have
19 been aware. I was not a witness to any physical attack against him. I'm not aware
20 of what happened to him. I do not know whether he was attacked in the dark or not,
21 but it was not in my presence. So I cannot state here whether he was threatened or
22 whether he was not threatened. I do not know. I was not aware.

23 Q. [11:54:13] Mr Witness, you did not answer my question. I asked you -- I didn't
24 ask you whether you saw him specifically threatened. I simply asked you whether
25 you observed any Muslim civilians harassed by the Christians.

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1 A. [11:54:43] I was not a witness, so I cannot tell you lies. If I had been a witness,
2 I would have told you, but I didn't observe any such things, so I cannot come and lie
3 to you about it.

4 Q. [11:55:07] Mr Witness, did you listen to the Central African radio during that
5 time in 2013?

6 A. [11:55:25] During the wars, we have attacks and events before or after the events.
7 I think that in Bossangoa, sometimes we received the Central African radio station.
8 We were able to monitor. Sometimes we couldn't receive it. In Bossangoa, I was in
9 the habit of listening to Radio France Internationale, RFI.

10 Q. [11:56:08] I would like to refer you to a broadcast over the Central African radio
11 station, and you will tell me whether you already heard about it. It is in tab 51 of the
12 Defence list, CAR-OTP-2127-7383. It is on page 7387. There is a short extract, lines
13 50 to 54.

14 And to give you a little context, Mr Witness, it is an interview of early October 2013
15 with President Djotodia. And Djotodia said over the Central African radio:

16 "In Yaloke, the inhabitants killed 12 Anti-Balaka yesterday. The inhabitants of
17 Yaloke are continuing to hunt them down. We are asking the Central African
18 population to remain on the alert. I ask them to react like our brothers and sisters of
19 Yaloke and Bouca. Did you understand, in Bouca, the inhabitants rose up against
20 the Anti-Balaka and that the same thing happened in Yaloke? And so, in Bossangoa,
21 we are asking our brothers and sisters in Bossangoa to rise up against the
22 Anti-Balaka."

23 Now, when Djotodia asks the brothers and sisters to rise up against the Anti-Balaka,
24 would you agree with me that he was, in fact, asking civilians to hunt down and kill
25 the Anti-Balaka?

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1 A. [11:58:27] Thank you. You have said that this information was broadcast over
2 the Central African radio station. I told you that we had difficulties monitoring the
3 Central African radio in Bossangoa because of the transmitters. I personally was in
4 the habit of listening to Radio France Internationale. Personally, I did not hear that
5 statement. I confirm that I did not hear what Djotodia said.

6 He made a statement, he made a coup and he took over power. So what is my
7 concern in a statement of Djotodia?

8 I have told you that I was not aware. And even before you put your question to me
9 on that statement of Djotodia, I told you that I did not follow the Central African
10 radio station. I told you that even before you asked me the question. This is the
11 first time that I am listening to the statement of President Djotodia.

12 Q. [11:59:57] In the fall of 2013, did you observe that the Seleka elements lumped
13 together the Christian civilians to the -- with the Anti-Balaka?

14 A. [12:00:17] I think that the -- your question is casting doubt in my mind. You
15 are asking questions about the Seleka. I have the impression that you are
16 considering me as someone who is defending the Seleka. No.

17 If I was a member of the Seleka, if I was a leader of the Seleka, I would be able to
18 answer these type of questions. I am not holding brief for the Seleka. I am not a
19 member of Seleka. So why are you insisting on putting questions to me on the
20 Seleka?

21 Q. [12:01:08] Mr Witness, last Friday you told me that you were aware of
22 everything that was happening in light of your position alongside somebody. I'm
23 not going to mention him in open session, but you know who I'm talking about. You
24 were in the town centre, you were moving about quite a bit and you knew many
25 people. That is why I am asking you that question, as to whether you were aware of

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1 certain acts of the Seleka.

2 Now I will give you an extract of CAR-OTP-2008-1289. It is dated 19 November 2013,
3 and it is stated there that the Seleka of Bossangoa directly threatened to attack the
4 Catholic mission site and the refugees, more than 4,000 people, because they
5 suspected everybody at the site of being militias or their accomplices.

6 Were you aware of that, Mr Witness?

7 A. [12:02:45] Thank you. In order to help you in your work, I am ready to answer
8 your questions. But I don't like it when you regard me as the defender or lawyer of
9 the Seleka. No.

10 If you receive information, regard or consider the possibility that information could
11 be erroneous. Why am I saying this? Let me give you an example. When you talk
12 about the month of November, if I understand correctly, at that movement FOMAC,
13 the FOMAC troops guaranteed the protection at the bishop's house. If you ask the
14 question to the leaders of the FOMAC, those who deployed the elements there at the
15 bishop's house to protect the people, you would have had the truth.

16 At the entrance of the bishop's house compound, at the entrance of the cathedral,
17 there were the CEMAC forces. If you would have asked FOMAC, you would have
18 had credible and reliable information.

19 In the month of November, the FOMAC forces guaranteed the safety of the bishop
20 house. I don't understand how the Seleka could have attacked that site. FOMAC
21 was there to protect the civilian population. FOMAC could not allow that assailants
22 attacked civilians on such a site. That's all I can say to you.

23 I was not there at the bishop's house. I don't know what happened. But if you
24 would like to have true and reliable information, I suggest you contact the leaders of
25 FOMAC.

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1 Q. [12:05:30] Thank you for your detailed response. I know you have a lot to say,
2 but we want to finish your deposition today. I'd be really grateful if you could be as
3 precise and brief as possible.

4 A. [12:05:59] Madam, I understand you're concerned, but you are asking all these
5 questions. I will do my best to be as brief as possible.

6 Q. [12:06:15] Thank you, Mr Witness.

7 In autumn of 2013, a large percentage of the civilian Muslim population were armed.
8 Am I correct in that?

9 A. [12:06:34] I think that on Friday I said that when the Seleka arrived, some
10 Muslims of Bossangoa joined up with the Seleka. I saw that with my own eyes.
11 And I confirmed that when the Prosecution put questions to me.

12 But for civilians who joined the Seleka, I wasn't aware of that, but I did see some
13 people join the Seleka. I've already said that on Friday.

14 Q. [12:07:38] And I look at tab 41, CAR-OTP-2110-1010, page 1011. This is a note
15 which was taken by the United Nations reporter during meetings which they had in
16 Bossangoa, and they noted that before 5 December 2013, the Seleka armed the Muslim
17 population and the Peuhl.

18 So I wasn't talking about people who joined the Seleka. I said that there were
19 civilian and Peuhl Muslims which were armed in Bossangoa.

20 A. [12:08:42] Are you commenting, or are you asking me a question?

21 Q. [12:08:55] Do you agree with me that a large percentage of the Muslim civilian
22 population were armed in autumn 2013 in Bossangoa?

23 A. [12:09:18] Thank you. As I've already said, if I was a witness, I would have
24 confirmed that. If I affirm something, then I should be in a position to give the
25 details. If I said I did not witness this and I did not see it, then you have to believe

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1 me. I said that when the Seleka arrived, some people which I knew joined up with
2 the Seleka.

3 As regards the Peuhl or Muslim civilians who received weapons, I was not a witness
4 to that. All I know, under the protection of judges, if there is information, then
5 I would have asked closed or private session and I would have given you that
6 information. But I was not witness to what you are saying.

7 Q. [12:10:29] This is document 34 in the Defence binder, CAR-OTP-2101-5003, page
8 5009, 5010 as well. This is a note taken by a journalist which is based on an interview
9 done with the cardinal Nzapalainga, and the cardinal said that he went to Bossangoa
10 with imam and pastor. He mediated in October, and Chief Abdallah distributed
11 arms to the Muslims.

12 Did you hear any talk of this distribution of weapons, Mr Witness?

13 A. [12:11:38] I never received such information. When the cardinal arrived in
14 Bossangoa, I already said, there were many persons who came to Bossangoa; the
15 imam of Bangui, the cardinal and the representatives of the protestants. Those who
16 represent the religious community of Central African Republic, when they arrived,
17 we took them to the bishop's house and they -- they stayed in the reception centre.
18 Then they went to the imam. The imam and the bishop, they are servants of God.
19 Would they lie? I don't know.

20 All that they said -- all they were doing was centring and focussing on bringing about
21 peace. Even during the meetings, the bishop or the vicar would start with a prayer.
22 Either they start the meeting with a prayer and afterwards the imam concluded with
23 a prayer as well.

24 So you speak about Abdallah. You say that he distributed weapons, but I suppose
25 the cardinal is a servant of God. If he held such a speech, if he gave you that

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1 information, well, then I can't confirm or affirm. But why didn't you check the
2 credibility of that information?

3 During these events, these servants of God, the cardinal, the imam and others -- I'd
4 like to talk about the cardinal. The cardinal is a very public person who everybody
5 respects. When they set up the committee responsible for dialogue and
6 reconciliation, the prefect of Ouham was there. There were representatives of the
7 Anti-Balaka. They attended the meeting in the town hall.

8 Let me repeat, the cardinal was an individual who was very prominent. If you say
9 that's what he said, I don't know. But you can check the veracity of that speech with
10 the imam and other individuals. This is the answer that I can give you to your
11 question.

12 Q. [12:14:36] To save a bit of time, I just want to put to two -- three references on
13 the record as regards *arming the population. 31 of the Defence binder,
14 CAR-OTP-2090-0446, at page 25; the second reference, 29, CAR-OTP-2088-1673, page
15 *1705; and, finally, the document 42, CAR-OTP-2110-1015, page 1017.

16 PRESIDING JUDGE SCHMITT: [12:15:33] Thank you. I think this is -- this makes
17 really sense. You also recognise of course the answers of the witness. He says he
18 has not witnessed certain things. He is not there to defend the Seleka. I think the
19 answers will be on that line.

20 By the way, with regard to your last question, there was also this CAR-OTP-2110-1010,
21 at page 1011, and so on and so forth. This will be then on evidence, everything. In
22 evidence, not on evidence.

23 MS PROULX: [12:16:21](Interpretation)

24 Q. [12:16:23] Mr Witness, I understand that you maintain that, as far as you're
25 aware, that the Muslims were not armed. I would like to -- Defence document 10,

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1 CAR-OTP-2001-4118, and I'm going to read an extract on page 4119. It is an extract
2 which is in English. The article comes from the BBC news and is dated
3 4 November 2013.

4 So the extract is as follows: (Speaks English) "At the Muslim Friday payers, some
5 people came into the mosque leaving their shoes outside, but not their kalashnikovs."

6 (Interpretation) Mr Witness, there were armed people in the mosque; is that correct?

7 A. [12:17:54] Thank you. I'd like to say the following: You know that a mosque
8 is a religious site. All Muslims can freely go into the mosque.

9 When we were over there for our Friday prayers, I know there were Seleka who were
10 also there to pray. No one was there to stop anyone to go and pray. You know,
11 these were persons who were armed. You couldn't prevent them from going to
12 pray.

13 If somebody says to you that they've seen Seleka or armed Seleka enter the mosque to
14 pray, then it must be true. The mosque is along the roadside. There's no prayer.
15 Everyone could enter freely. Neither the imam or anyone else could stop anyone
16 from praying.

17 Furthermore, the imam couldn't even stop the Seleka. He didn't have that power,
18 that strength. They were armed. There was no law. Who could stop them to
19 prevent them from entering with their arms to prayer? The mosque is along the
20 road and the mosque had four doors or entrances. The doors were always open to
21 everyone who wanted to come inside and prayer. The imam did not have the power
22 to ban anyone from entering to prayer. And, you know, the majority of the Seleka
23 are Muslims, so it's normal that they would come every Friday to the mosque to pray.
24 So I confirm that this is the truth.

25 That's just like at the church. Everybody can go there freely to the church to prayer.

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1 If you're Protestant, if you're Catholic, you can go freely to the church to prayer. It's
2 the same way and the same thing for the Muslims. Everyone can go to the mosque
3 to prayer. Imam hasn't got the power to prevent anyone from going there to pray.
4 This is what I can tell you. As regards what the journalist of the BBC said, where he
5 saw the shoes outside the mosque, well, that's normal. No one can enter the mosque
6 with their shoes. Firstly, you have to take your shoes off before entering the mosque.
7 So if the journalist saw the shoes outside, that's completely normal.

8 I remember a situation where there were two journalists before the mosque. They
9 arrived on a Friday to take a photo of events. I saw two journalists with my own
10 eyes. They were men. Were they special men from the BBC? I don't know. But I
11 saw two journalists before standing in front of the mosque. I can't lie to you. I am
12 here to tell you what I saw and experienced.

13 PRESIDING JUDGE SCHMITT: [12:21:32] Thank you.

14 MS PROULX: [12:21:41](Interpretation)

15 Q. [12:21:43] Mr Witness, could there have been arms hidden in the mosque?

16 A. [12:21:59] It's true. It's just like the humanitarian vehicles, they were forbidden
17 to enter the vehicles of relief workers. It's the same. Usually, you can't enter the
18 mosque with arms.

19 But let me tell you, let me give you an example. We are in a room like this one.

20 Imam enters through his own entrance, and when he enters, everybody bows down.

21 But if in the meantime a Seleka enters with his weapon into the mosque, of course, it's
22 not allowed. But if a commander of the Seleka enters with his weapons in the
23 mosque, what can the imam do to stop it, to chase him? It's true, the rule is that the
24 Muslims cannot enter with weapons and knives in the mosque. Even telephones
25 aren't allowed, even mobiles aren't allowed.

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1 At that moment, the Seleka officials, the commanders came into the mosque to pray
2 with their arms. They didn't do a lot. But for those who did go freely with their
3 weapons, who has the power to prevent them from entering into the mosque? Imam
4 can say that no one should enter the mosque with a weapon, but who could carry that
5 out? They didn't have that power.

6 Q. [12:23:57] Did you hear it said, Mr Witness, that the traders gave money to the
7 Seleka to be left in peace?

8 A. [12:24:19] No, I cannot lie to you. I've never had such information. To say
9 that traders paid so that the Seleka would leave them alone, no, I've never had that
10 information. I never saw money that you're talking about.

11 For example, I saw them enter into the mosque with their weapons, and I've
12 confirmed that here. But as regards money to support them, no, I've never received
13 such information.

14 Q. [12:25:01] I'm referring to the document 35, CAR-OTP-2104-0458, page 0466,
15 paragraph 32. I'm going to refer to another document, which is document number 7,
16 CAR-OTP-2001-2043, page 2059. This is a report of Human Rights Watch, an NGO,
17 where they look at the attacks carried out by the Seleka in Ouham Bac, and they said,
18 according to the inhabitants, Muslim traders helped the Seleka by indicating which
19 houses they should burn down.

20 Mr Witness, did you hear it said that Muslim traders pointed out or helped the Seleka
21 in such a fashion?

22 A. [12:26:35] I think we're going around and around. We're going around the
23 same subject.

24 I have told you that I can only tell you what I saw and what I heard. But what I
25 haven't seen or heard, then I cannot come here and tell you lies. If I haven't seen the

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1 events that you're talking about, what do you want me to do?

2 If you've received information relating to these events, well, let me know. But I
3 personally haven't seen or heard about them.

4 Q. [12:27:20] So you have no information about the complicity of the Muslim
5 traders with the Seleka; is that what you're saying?

6 A. [12:27:34] That is correct.

7 Q. [12:27:40] Mr Witness, Boro was very close to the Seleka; is that correct?

8 A. [12:27:56] You are asking me to go fast. Okay. As you've asked me the
9 question, I'm going to answer directly. You're not a native or local of Bossangoa, so
10 let me give you the information. Bossangoa has four arrondissement. Boro is part
11 of the 15th neighbourhood in the 2nd arrondissement. There's another one who is
12 called Boro as well, which is -- is part of Bornou but is separated by a road. Boro is
13 the neighbourhood where you have the mosque.

14 Yesterday you asked me to indicate the various Seleka sites, and I did that. I circled
15 a point in Boro neighbourhood -- no, no, no. Let me start again.

16 In Boro, there were no Seleka there. Let me start again. I pointed out the different
17 Seleka sites yesterday, so I don't know why you're asking me the question again
18 today.

19 Q. [12:29:22] I'm referring to the document 5, CAR-OTP-D30-0008-0092, in
20 particular page 0095.

21 Mr Witness, it is an article which was written after the events of 5 December, when
22 the Muslim community were living at the *École de Liberté* school. And in this article,
23 there's an interview with the imam. And imam Naffi says in this article: "Yes,
24 perhaps we were too closely associated with the Seleka."

25 So do you agree with his view, that the -- those around the imam were maybe too

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1 tightly associated with the Seleka?

2 A. [12:30:31] If it's the imam who made that statement, well, then it has nothing to
3 do with me. You are talking about the dialogue and reconciliation and the
4 community linked to that where you had Seleka and Anti-Balaka, you had the
5 prefects, everyone was in that committee. In the committee, everybody worked with
6 the imam.

7 Apart from that, perhaps the imam wanted to talk to you about that committee. In
8 that committee, there was not only the imam and the Seleka. There was the imam,
9 the Seleka, the bishop, and many other persons.

10 PRESIDING JUDGE SCHMITT: [12:31:33] It should also be made clear that this is
11 not a witness statement by the imam. This is a newspaper article which quotes the
12 imam. So that's a difference. And screening notes are another thing and witness
13 statements are another things, and witness statements before a judge are again
14 another thing, and the witnesses sitting in a courtroom are again another thing.
15 Ms Proulx.

16 MS PROULX: [12:32:21](Interpretation)

17 Q. [12:32:22] Mr Witness, my question was this: Do you agree that the Muslim
18 community associated itself very closely with the Seleka?

19 A. [12:32:45] I have no idea, and I do not wish to come and tell lies here. Each
20 person is at their place and they know what they are doing.

21 If there are things happening in fenced compounds, that does not concern me. There
22 are people who may have members of their family who are Seleka. Others may have
23 or know people who are Seleka. But one should not generalise. You cannot say
24 that all the Muslims had relationships with the Seleka. No.

25 I think that there are people, for example, who currently are in the country. There is

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1 a government in power, and there are rebels in the bush. But I, I cannot know which
2 person is in connivance with another person. So, you see, there are differences in life
3 and there are people who can love you, others may not love you.

4 Q. [12:34:08] Mr Witness, I am going to show you an extract of a video, a report,
5 document number 26, CAR-OTP-2081-0973. And the transcript is document 48,
6 CAR-OTP-2122-9226, lines 44 to 51. And the video is from 1 minute, 57, up to 2:26.

7 THE INTERPRETER: [12:34:57] If that excerpt can be displayed on the screen for the
8 interpreters. Thank you.

9 (Viewing of the video excerpt)

10 THE INTERPRETER: [12:35:24] (Interpretation of the video excerpt)

11 "The Muslims of Bossangoa are accomplices of the Seleka. It is true that the new
12 leaders of the country are Muslims themselves. Most of them. It is also true that
13 this is towards them that the imam is turning to look for protection.

14 They attacked us. When they were discovered, the rebels attacked us.

15 Look at what is happening.

16 We have only one thing to say. Those who attack us, we are going to deal with
17 them.

18 We have only one thing to say."

19 MS PROULX: [12:36:06](Interpretation)

20 Q. [12:36:07] Mr Witness, the imam and his entourage benefited from the
21 protection of the Seleka; is that correct?

22 A. [12:36:27] I am telling you that the Seleka did not set up a base at the residence
23 of the imam to ensure his protection. No, I did not say that. The video was shot in
24 front of the town hall.

25 If I am not mistaken, in that report, they were talking about an attack and how to

1 defend oneself. Maybe the people talking heard about a possible attack, and they
2 went there and informed the authorities. I do not know.
3 I know that, effectively, the imam appears on the video clip, and I can confirm to you
4 that even the bishop also went to see the Seleka leaders talk about problems and
5 discuss solutions. The imam could also go to meet with the Seleka and talk about
6 the problems and try to seek solutions. He has the right to do so.

7 Q. [12:37:50] To your knowledge, how frequently did the imam meet with the
8 Seleka?

9 A. [12:38:12] No. If I tell you that the imam went regularly to the Seleka or that
10 the Seleka came regularly to see the imam, it would be a lie. I am telling you that the
11 imam went to see the Seleka when there was a problem, just like the bishop also went
12 to see the Seleka. And, as you know, during that period, when Djotodia was in
13 power, the Seleka represented the authorities. There were no other authorities apart
14 from the Seleka. So, in case of problems, it was normal for the population to go to
15 the authorities of the period, who were the Seleka, in order to report those problems
16 and discuss them.

17 As you can see, there were people on this video. The imam went to see them, but it
18 was not every day. Even the bishop went to see the Seleka, but it was not every day.
19 So each person could go and see the authorities at the time, who were the Seleka,
20 whenever there was a problem.

21 Q. [12:39:31] Mr Witness, were you aware that in the autumn of 2013 the Seleka
22 had separated the town into the north, reserved for the Muslims, and the south,
23 reserved for the Catholic mission and the Christians -- or, rather, the non-Muslims?

24 A. [12:40:07] As you can see, what we have been discussing since Friday and this
25 morning, I told you that the Christians had taken refuge at the bishopric, while

1 Muslims took refuge at the *École Liberté*. I have told you that the Christians were at
2 the bishopric. So Christians at the bishopric, Muslims at the *École Liberté*.

3 Q. [12:40:46] Mr Witness, that was not my question. Were you aware that the
4 Seleka had split up the town into two parts?

5 A. [12:41:09] I do not know how I can answer that question. To divide the town
6 into two parts, I really do not fully understand your question, and I don't know how
7 to answer it. I don't understand your question. I don't have any answer to give
8 you to that.

9 Q. [12:41:37] Thank you, Mr Witness.

10 In that case, I will simply give some references for the record. And it is document 12,
11 CAR-OTP-2008-1289, page 1290; document 35, CAR-OTP-2104-0458, page 0478,
12 paragraph 86; document 31, CAR-OTP-2090-0446, paragraph 26; document 32,
13 CAR-OTP-2093-0267, page 0277; and lastly, document number 36,
14 CAR-OTP-2105-0028, page 0031.

15 Now I will move on to the attack of 5 December, and I would like to start in private
16 session, please.

17 PRESIDING JUDGE SCHMITT: [12:43:17] Private session.

18 (Private session at 12.43 p.m.)

19 THE COURT OFFICER: [12:43:21] We are in private session, Mr President.

20 MS PROULX: [12:43:41](Interpretation)

21 Q. [12:43:44] Mr Witness, in your statement, paragraph 75, you explained that on
22 the morning of 5 December, you were at work, and that is when you received a call
23 informing you of the attack in Bangui. Who called you?

24 A. [12:44:08] Thank you. As you know, there are (Redacted),
25 (Redacted). There were (Redacted).

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1 I also had many friends in Bangui.

2 While I was at work, I received a call from someone in Bangui informing me that

3 Bangui was being attacked at that very moment and that there was fighting between

4 the Balaka and the Seleka. Everyone in the town had relatives or acquaintances in

5 Bangui. People were receiving calls. So it was (Redacted) who called me to

6 provide information to me.

7 Q. [12:45:11] Mr Witness, I'm referring to Defence document number 42,

8 CAR-OTP-2110-1015, page 1019. It is a document from the High Commissioner's

9 Office for Human Rights of the United Nations, and it states that, according to several

10 sources, the Seleka, who had been informed of the attack that took place in Bangui,

11 had attacked the non-Muslim population of Bossangoa as from 5 a.m. that morning.

12 Were you aware of that attack by the Seleka? Did you hear any gunshots?

13 A. [12:46:14] You are talking about 5 December?

14 Q. [12:46:27] Yes, that is correct.

15 A. [12:46:31] Thank you. If someone tells you that the attack of 5 December in

16 Bossangoa took place at 5 a.m., 6 a.m. or 10 a.m., it would be a pure lie.

17 You are in contact with the bishop, that is why he sent you information. You can

18 contact all those who are in Bossangoa, and they would tell you that the attack of

19 5 December in Bossangoa took place in the afternoon, after the 1 p.m. prayer, maybe

20 at 2 p.m., 3 p.m., and so on. I'm not sure. But after the 1 p.m. prayer.

21 If someone tells you that the attack took place in 5 a.m. or 6 a.m., even someone from

22 the United Nations who tells you that that attack took place in the morning, that

23 would be a white lie.

24 Q. [12:47:54] For the record, I would like to refer to document 40,

25 CAR-OTP-2110-0915, and page 0918. As well as document 41, CAR-OTP-2110-1010,

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1 page 1012.

2 Mr Witness, if I understand well, to begin with, after you left (Redacted), you
3 returned to your home, that is, to your compound; is that correct?

4 A. [12:48:47] Yes.

5 Q. [12:48:58] You stated that you took back your brother and sister to the house.

6 I believe that you are referring there to your sister and your brother, you took them to
7 the house, if I'm not mistaken; is that correct?

8 A. [12:49:29] Yes.

9 Q. [12:49:31] And what was the name of your brother?

10 A. [12:49:37] My brother's name was (Redacted).

11 Q. [12:49:53] And when you came from (Redacted), where did you drop them off?

12 A. [12:50:00] I left (Redacted) at his home because his house was located before
13 mine. And (Redacted), my sister, (Redacted), was living with my uncles. But since
14 this was the (Redacted), amongst the Muslims, this is known as the (Redacted).

15 So a few people had to come and (Redacted).

16 That is why (Redacted) went to my mother's house to be able to assist her within the
17 context of (Redacted).

18 Q. [12:51:24] What was the name of (Redacted) husband?

19 A. [12:51:36] I didn't quite understand the question. Are you talking about
20 (Redacted)? (Redacted) does not have a husband. Or are you talking about my
21 sister (Redacted)? I think you should verify the information before putting the
22 question to me.

23 Q. [12:52:11] Maybe this is a problem of interpretation, Mr Witness. I thought I
24 heard you say that you had a sister, (Redacted), (Redacted).

25 Is that correct?

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1 * A. [12:52:33] No, no. Maybe it is you who misunderstood me. I told you about
2 my younger sister whose husband was (Redacted)
3 (Redacted).

4 So there was -- in our culture, (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 I don't know whether you understand me now.

9 Q. [12:53:33] Thank you. Yes, that is much clearer.

10 I will have more questions on that. But before the lunch break, I would like to send
11 you to the lunch break with a little homework. Please look at the Bossangoa sketch,
12 which you annotated yesterday, and it is CAR-REG-0001-0003. That is the annotated
13 version of the sketch.

14 Do you have it with you, Mr Witness?

15 A. [12:54:17] Yes, I have it here with me. Yesterday I annotated it. But regarding
16 that document, please, there are defects on the map. The exit of Bossangoa, the Kaba
17 exit, is not on the map. That is where the Seleka base was located. So if you don't
18 see that base on the map, it's not my fault. It is because it does not even exist on the
19 map. That is what I wanted to clarify.

20 PRESIDING JUDGE SCHMITT: [12:55:04] It's, of course, not your fault, Mr Witness.
21 On the contrary, everyone here in the room appreciates a lot your effort that you took
22 to annotate this map. And, obviously, there is more to annotate. And I give
23 Defence counsel -- she obviously wants to do you more work on that. So I have to
24 apologise for that in advance.

25 Ms Proulx.

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1 I think you can ...

2 MS PROULX: [12:55:45](Interpretation)

3 Q. [12:55:50] Thank you, Mr Witness, for the annotations. I can see that in the
4 centre, in the middle, you made three circles; the police office, the town hall and the
5 residence of the prefect. There is another annotation slightly to the right, and
6 I would like you to point out or clarify to me, does that represent FNEC?

7 A. [12:56:28] Thank you. It is not FNEC. Since FNEC is not on the map, I cannot
8 include it there.

9 There is a location there. Yesterday you talked about UNICEF. Obviously, they
10 have a base near UNICEF. It is true that the names do not appear here, but I simply
11 included them in an approximative manner. And towards -- below, it is towards
12 Katanga, which is in the 4th arrondissement. There was also a roadblock at that
13 location. If you do not know some of the bases, I can point them out to you.

14 Q. [12:57:27] Thank you very much. It is much clearer. So that was UNICEF,
15 and I can see Katanga. And I thank you.

16 I think you forgot SODECA. During the lunch break, can you indicate SODECA,
17 please.

18 And regarding the checkpoint at the exit of the town, I don't think it can be seen on
19 the map, but if you can put an arrow in that direction, it may provide some
20 information.

21 A. [12:58:21] Are you talking about SODECA? SODECA is a water distribution
22 company. Are you talking about SOCOCA? SOCOCA is a container corporation.
23 SODECA is located in the direction of the stadium. It is a company responsible for
24 water distribution. So are you talking about SODECA or SOCOCA?

25 Q. [12:58:56] Maybe it is my mistake. Maybe I am making a mistake. Yesterday

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1 I think they said it was a cotton company, so please indicate it.

2 Now, you cannot see the other base on the map, but if you can indicate an arrow
3 towards that base, that would be nice. So please indicate FNEC, the cotton company,
4 and the checkpoint at the exit of the town. So those are three annotations that I want
5 you to make during the lunch break. Can you do that, Mr Witness?

6 A. [12:59:55] I can do so, but the problem relates to SOCOCA. Even on the map,
7 I can see Sodecoton and the Sangaris base. Here it is the Sangaris base.

8 But if you ask me to mark the Seleka base -- now, is it possible for the Sangaris and
9 the Seleka can cohabit at the same site? I do not know. That is the cotton location.

10 Do you think the Seleka and Sangaris can share the same site? You have to
11 crosscheck that at the cotton company location.

12 PRESIDING JUDGE SCHMITT: [13:00:47] Mr Witness, of course, you are only
13 encircling where, according to your information, there was a Seleka base. We are not
14 encircling some -- if it is SODECA or SOCOCA -- if there wasn't -- or FNEC or
15 whatsoever. If there wasn't a Seleka base, there's nothing to annotate. I think you
16 understand that perfectly well. Thank you.

17 So we have now the lunch break until 2.30.

18 THE COURT USHER: [13:01:15] All rise.

19 (Recess taken in open session at 1.01 p.m.)

20 (Upon resuming in private session at 2.32 p.m.)

21 THE COURT USHER: [14:32:19] All rise.

22 Please be seated.

23 PRESIDING JUDGE SCHMITT: [14:32:45] Good afternoon, Mr Witness. I think
24 I can say that we finish with this session, and I think you will be very relieved then.
25 So we are in private session now, for your information, that you know how the

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1 situation is.

2 Ms Proulx is continuing with her examination.

3 MS PROULX: [14:33:19] (Interpretation)

4 Q. [14:33:20] Good afternoon, Mr Witness. Can you hear me?

5 A. [14:33:34] Thank you very much. I can hear you clearly and good afternoon to
6 you to.

7 Q. [14:33:43] Mr Witness, you heard the Presiding Judge saying that we really need
8 to end your testimony today, so I urge you please to make efforts to shorten your
9 answers. And on my end, I have revised my questions, taken a few out, and I will
10 also try as much as possible to not have to keep you for too long.

11 Do we agree?

12 A. [14:34:20] Thank you. We agree and I hope as well that we can end today. I
13 don't feel very well myself and if I -- if we were to conclude today, I would be really
14 relieved.

15 Q. [14:34:39] Okay. Before the break, we were talking about the attack of
16 5 December and you were talking about your sister (Redacted).

17 Can you remind us what your sister's name was or is?

18 A. [14:34:59] Her name is (Redacted).

19 Q. [14:35:21] Thank you. Mr Witness, you say that you were at work, then you
20 went back home, then you went to the imam's (Redacted) and then later on around
21 *1 p.m. you went to the central mosque for prayer. Was it imam Naffi who
22 conducted the prayer or someone else?

23 A. [14:36:08] Thank you for the question. In all mosques which pray on Friday,
24 the central imam of the mosque, well, things are programmed in such a way that the
25 five prayers of the mosque -- of the day are taken care of by the deputy imams. So if

1 the imam were to be present, no one else would lead the prayers. So he only leads
2 the Friday prayers or prayers on special feast days like the Tabaski. But as for the
3 five prayers of the day, it is others persons who lead those prayers. And on that day,
4 he was not the one who led the prayers at the mosque. (Redacted).

5 Q. [14:37:21] Witness, it is not ordinarily that Muslims go to the mosque on
6 Thursdays, it's usually on Fridays; is that correct?

7 A. [14:37:35] Thank you. All Muslims, should I say most Muslims, pray at the
8 mosque, but the major prayer generally holds on Friday. The mosque is never
9 closed. Actually, it closes at 7 p.m. and opens at 4 a.m. That is when the *meuzzin*
10 issues the call to prayer. So since the mosque is near the market, most traders who
11 are in the market usually do their five prayers at the mosque, that is those who wish
12 to do so. Because you see, in our country it is believed that those who pray at the
13 mosque receive more blessings than at home. So the major Friday prayers bring
14 together all Muslims because on that day the imam preaches and then people pray.
15 As for the other days, the other days of the week, people only go there to -- to pray
16 the five prayers, but it is on Fridays that the imam actually preaches.

17 Q. [14:39:15] Mr Witness, let me show you Defence document number 4,
18 CAR-D30-0008-0090.

19 One Muslim member of our team, Mr Witness, was able to find this document for us
20 which indicates the prayer times in Bossangoa in December 2013. It would seem
21 that on that day, Mr Witness, prayers took place at 11.40 in the morning. So can you
22 explain to the Court why you went to the mosque at 1 p.m., whereas you knew that
23 there was an impending or an imminent attack?

24 A. [14:40:36] Thank you. I think that if the member of your team is a Muslim,
25 then there is only one way of praying in Islam and that is five prayers, 5 a.m. in the

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1 morning, at noon and in the afternoon at 1 p.m. and there is no time whatsoever that
2 Muslims pray. Well, there's a prayer at 3 p.m. and 6 or 7. Then there comes the
3 time for the Ramadan fasting prayers after 9 p.m. and then early in the morning. But
4 to say that there was a prayer session at 11 a.m., well, if that is the information that
5 was provided to you by someone, I believe that such a person is not a Muslim, not a
6 Muslim at all. So you might even want to put this question to anyone else. All
7 Muslims do pray five times and you can ask them at what times those prayers take
8 place.

9 Q. [14:41:47] Mr Witness, on that day, did you meet any Seleka elements or any
10 armed persons at the mosque on that day? Yes or no?

11 A. [14:42:09] No. I did not meet any. Well, you may want to know that on the
12 days during the five prayer sessions, you don't have as many people as on Friday
13 during the major prayers. Fridays the mosque is so full that some people have to
14 pray outside. But during weekdays we don't have that many people such as to fill
15 up the mosque.

16 Q. [14:42:52] I want to clarify some aspects of your narrative of the attacks. Last
17 Friday, page 81 in the French transcript, T-100, you testified that you told (Redacted)
18 (Redacted)

19 and then (Redacted) went to the imam's residence; is that correct? Yes or no.

20 A. [14:43:26] Well, if you ask for a yes or no answer, that's not possible. I cannot
21 answer by yes or no because that's -- it's a closed question.

22 THE INTERPRETER: [14:43:45] Says the witness.

23 PRESIDING JUDGE SCHMITT: [14:43:47] Yeah, but then answer how you want to
24 answer the question, please.

25 THE WITNESS: [14:44:07](Interpretation) Thank you. I think that in neither in my

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1 statement nor on Friday did I say that (Redacted). No.

2 (Redacted) was at home at that time. There was no need to go fetch her.

3 I told her to go meet up with (Redacted) and then maybe to go to the -- to the imam's.

4 That's what I said.

5 I never said and I never asked that (Redacted) should be fetched.

6 PRESIDING JUDGE SCHMITT: [14:44:43] Thank you.

7 MS PROULX: [14:44:48] (Interpretation)

8 Q. [14:44:51] Do I understand, therefore, that (Redacted), according to what you've
9 just said?

10 A. [14:45:10] What I believe I told you is that at that time I had (Redacted) children.
11 And since Friday I have been telling you that in my compound, at my home,
12 (Redacted).

13 So I told her to take (Redacted) place and then for them to go together to
14 the imam's.

15 Q. [14:45:47] So (Redacted);
16 is that correct?

17 A. [14:46:02] When I left, she was in the compound. Now, whether she went with
18 the children or not, I am not in a position to know because I left the house well ahead
19 of her.

20 Q. [14:46:24] Last Friday you told us and -- you told us that after that (Redacted)
21 went to the imam's residence, (Redacted) met him outside and suggested to him to
22 seek refuge somewhere. Is that correct, Mr Witness?

23 A. [14:46:55] No. (Redacted) did not ask the imam to go seek refuge somewhere.
24 During the attack of 17 December, everybody was at the imam's place seeking refuge.
25 (Redacted) told the imam with reference to the attack of 5 December to not accept

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1 people to seek refuge at his residence because during the first attack everybody knew
2 that the Muslims had sought refuge at the imam's residence. So if the Muslim
3 community were to return to his place again, that would not be a good thing. So I
4 don't know whether you read my statement. Please, I urge you to read it carefully
5 so that you can clearly understand what I was saying.

6 Q. [14:47:50] At page 81 of transcript T-100, you say "(Redacted) met the imam outside
7 and (Redacted) told him be careful today, people should not gather here." And then later
8 (Redacted), while speaking to the imam, "You have an interest to displace yourself and seek
9 refuge elsewhere and then (Redacted) went (Redacted) separate ways."

10 This is what you said last Friday. Can you confirm that this is correct?

11 A. [14:48:27] Well, I am a human being. If you say that this is the language that I
12 spoke on Friday, well, I don't know whether this is what appears in my statement.
13 But if you say this is what I said on Friday, how can I deny it? I am also now about
14 to realise that we are spinning around in circles, and if you were in my place you
15 would be somewhat confused. I have done my level best to answer your questions.
16 So right now I -- I have high blood pressure, yet I am doing my level best to answer
17 your questions, you see? Well, if I weren't strong enough, I would already have
18 taken off the headphones and then walked out of this -- this room. But I am trying,
19 I'm trying to hang on.

20 PRESIDING JUDGE SCHMITT: [14:49:36] Well, Mr Witness, let me give it a try.
21 Counsel has read to you what is in the transcript on Friday. Is that correct to your
22 recollection? It's very difficult, I understand that also, too, after all these years. So
23 perhaps I repeat it again to you, what is in the transcript. "(Redacted) met the imam
24 outside and (Redacted) told him be careful today, people should not gather here."
25 And (Redacted) "you have an interest to displace yourself and seek refuge elsewhere

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1 and then (Redacted) went (Redacted) separate ways."

2 Does that accord with your memory? And if not, please tell us.

3 THE WITNESS: [14:50:44](Interpretation) That is correct. That is what happened,
4 Mr President.

5 PRESIDING JUDGE SCHMITT: [14:50:48] Thank you for your answer.

6 MS PROULX: [14:50:54](Interpretation)

7 Q. [14:50:57] In that case, therefore, Mr Witness, how -- can you explain to me why
8 in your 2018 statement to the Prosecutor you said that it is the imam who (Redacted)
9 told (Redacted) that FOMAC had come to warn him about the attack and then told
10 him to seek refuge at the school?

11 A. [14:51:27] Thank you. If this is what is contained in my statement and today
12 I am not saying the same thing, you see, I am a human being. And, again, these
13 events happened a long time ago. I am not able to remember everything. It is true
14 that at the time the security of the displaced persons at the school was taken care of by
15 the FOMAC elements, so it is possible, it is true that they might have gone to his place,
16 maybe 10, 11, and, you know, from time to time the FOMAC troops visited him at his
17 home and provided him with some information. So I don't know. Was it during
18 one of those visits? They usually patrolled the area, they went outside of Bossangoa,
19 they met up with the Anti-Balaka outside of Bossangoa. So I really -- I really don't
20 know. It might be possible that during their discussions they might have talked
21 about that or they might have said that to the imam.

22 Now, was the imam advised to go to the *École Liberté* in case of trouble because they
23 were providing security at that school? It is possible. It is quite possible that this is
24 how it happened.

25 Q. [14:53:17] Witness, (Redacted),

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1 did you go directly to the school?

2 A. [14:53:29] Well, please, read my statement again. I -- I -- I no longer remember.
3 I am somewhat lost now, and please could you refer to my statement.

4 Q. [14:53:54] Mr Witness, it's not clear in your statement and that's why I'm putting
5 the question to you. Did you go directly to the school or did you go somewhere else
6 before going to the school?

7 A. [14:54:18] No. I did not go anywhere else. When I left (Redacted), as I
8 explained to you on Friday when I was talking to you about my children, please read
9 my statement, please. Read it again. Well, you have said that at the time of my
10 statement it wasn't clear, but I think Friday it must have been clear. So, please, I
11 refer you to my statement. Read it again, please.

12 Q. [14:54:54] Mr Witness, I have your statement clearly in my mind. You said that
13 you left your children with your wife, so your children were not with you. Were
14 you alone or were you with somebody? Did you go directly to the school or did you
15 go somewhere else before seeking refuge at the school?

16 A. [14:55:25] Please, Counsel, I was not the only one rushing to the school. There
17 were many people. So if I said something in my statement, well, it might have been
18 a mistake, but on that day everybody was rushing, men and women and children
19 alike, all confused and many of us were rushing on the road in the midst of the
20 gunfire. So it was a very difficult day.

21 Q. [14:56:09] So I understand that you rushed along with other people towards the
22 school. How much time did you -- did it take you to get to the school? And an
23 estimate would be a good enough answer for me.

24 A. [14:56:31] Well, if I were to provide an estimation, it might not be true. But in
25 any event, let me estimate that the distance, although I might not be exact, but the

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1 distance would have been about 2 kilometres, although I am not sure about it. But
2 please understand that at the time there were detonations here and there and so
3 people were not just walking, people were rushing and running in all directions in
4 order to seek refuge. That's what I can say.

5 Q. [14:57:14] Mr Witness, to refresh your memory on the Bossangoa map, it is very
6 clear that the distance between the mosque or the residence of the imam and the
7 school is about half a kilometre, 5 to 600 metres. I believe that it wouldn't have taken
8 you five or six minutes to run all the way to the school. Do you agree with that?

9 A. [14:57:45] It has to be more. Even from the mosque to the school, it's
10 quite -- quite a distance. A little more than five minutes. I say so because when
11 you leave the mosque all the way to the stream, which is known at Dam, where there
12 is a bridge, then there is a hill to go up and that is after you cross the bridge. The
13 school is still further on, on the hill. So from the mosque to the school *École Liberté*
14 on foot is quite a distance. But if you are running you might get there a little faster,
15 but for someone who was walking, normally, it would take some time.

16 PRESIDING JUDGE SCHMITT: [14:58:43] You know, fortunately I think nobody in
17 this room has been exposed to such a situation, but I think everybody in this room has
18 enough imagination to imagine that perhaps our feeling for time and for distances
19 might not be the same as sitting here calmly and silently in this peaceful room.
20 Please proceed with your question.

21 MS PROULX: [14:59:13] (Interpretation) Mr President, can we revert to open session
22 now? Thank you.

23 PRESIDING JUDGE SCHMITT: [14:59:22] Yes, yes. Open session.

24 (Open session at 2.59 p.m.)

25 THE COURT OFFICER: [14:59:27] We are in open session, Mr President.

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1 MS PROULX: [14:59:49](Interpretation)

2 Q. [14:59:50] Mr Witness, since you left running with other civilians to the direction
3 of the school and you arrived there quickly, am I to understand that you didn't see
4 any Anti-Balaka on that day, that's to say, 5 December?

5 A. [15:00:13] Each time I want you to understand that I'm not against the Seleka or
6 the Anti-Balaka. I took an oath before your Court.

7 Q. [15:00:42] My question is, did you see any Anti-Balaka, yes or no?

8 A. [15:00:54] Without lying, when I was at the school on that day, I did not see any
9 Anti-Balaka.

10 Q. [15:01:07] Thank you. There's evidence who said that the Anti-Balaka first
11 attacked the checkpoint of the entrance and exit, and this was checkpoints that were
12 operated by the Seleka at first. Did you hear anything about that?

13 A. [15:01:37] Thank you for that question. We heard explosions, as I said. On
14 the map where you asked me to annotate, I said that the Seleka were at the exit of
15 Bossangoa to go to Bakassa and Lere. The first explosions were heard coming from
16 the checkpoint at the school level. But the first explosions came from the checkpoint,
17 that's true.

18 Q. [15:02:24] Thank you. You told us that you heard the explosions who came
19 from the north. And when you look at the map, which you annotated, all the posts
20 are in the centre of the town, the ones occupied by the Seleka. Do you agree with me,
21 Mr Witness, since the Anti-Balaka arrived from the north they had to go through via
22 the 2nd arrondissement, Boro, to obtain the Seleka positions in the centre?

23 A. [15:02:58] Thank you. All the points that I indicated on the map as regards the
24 entrance of the Seleka, when we heard the explosions from the northern part, the
25 north in Kaba where the checkpoint was situated, that was near the Yole, at the level

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1 of the imam in the Arabe quarter Fulbe, a group that came from that area at the level
2 of the market. So all those posts didn't have Seleka, Arabe, Fulbe going towards
3 Dam to the market. Those who were attacked there, there were no Seleka there.
4 The Seleka were at the checkpoints where the fights took place. They tried to
5 neutralise the Seleka and they arrived at the Fulbe and Arabe quarters. I think the
6 points you asked me to point out on the map are more at the town hall near FNEC,
7 but the last incidents were no longer there. They were -- they were at the former
8 bases where they were, but in the meantime, they moved some of the bases. The
9 Arabe and Fulbe neighbourhood, all that zone didn't have Seleka. There were no
10 Seleka bases in those areas.

11 Q. [15:04:52] There's no base, Mr Witness. But according to the information that
12 we have, at the beginning of the attack a Seleka group heavily armed went to the
13 imam's compound. Were you aware of that?

14 A. [15:05:17] Are you talking about 5 December? No, I didn't see them. As I said,
15 the Balaka entered through the checkpoint. There was clashes, there was
16 progression until our zone. Why am I saying this? Because there were individuals,
17 survivors who bore witness to this. And even when they killed some people, there
18 were people could witness this. But if they came with the imam with heavy arms,
19 was it to fight with -- against the Anti-Balaka? It's possible, but I don't know. To
20 say that it's true or not true, you're asking me the question whether I was present or
21 not. No, I don't know, madam.

22 Q. [15:06:13] For the records, I want to have two references on the presence of a
23 Seleka group who were going towards imam's compound, 27 of the Defence binder,
24 CAR-OTP-2081-0769, on page 0785. And the other document even, from the source
25 27, CAR-OTP-2084-2296, page 2296.

1 Mr Witness, we have information that according to which the Seleka also blocked the
2 route along the road to the central mosque. Are you aware of that?

3 THE INTERPRETER: [15:07:24] Sorry, there is no Sango interpretation.

4 PRESIDING JUDGE SCHMITT: [15:07:33] Mr Witness, please, please, stop. I have
5 to apologise to you, but there was no Sango interpretation. So I really have to
6 apologise at this late stage of your examination. Could you please repeat your
7 answer? Thank you very much. And I would really ask everybody after all these
8 days the witness has testified that we are close to the end, that we -- although it's late,
9 that we still concentrate and try to finish this as soon as possible. Everyone.
10 So, Mr Witness, please be so kind to repeat your answer. We didn't -- simply didn't
11 get interpretation at the moment. I think it was about the blocking of the main road,
12 if I understood the question correctly. Were you aware of this or did you have any
13 information, have you even perhaps seen it that the main road was blocked by Seleka,
14 I think. So please, please answer that question.

15 THE WITNESS: [15:09:10](Interpretation) Yes, I heard the question. I think that at
16 the market or the mosque I didn't see any barrier. I didn't see a barrier.

17 MS PROULX: [15:09:29] (Interpretation)

18 Q. [15:09:31] Did you hear about this barrier around the mosque erected by the
19 Seleka?

20 A. [15:09:50] No. I have no information about such a barrier.

21 Q. [15:10:05] Do you agree with me, according to the information, if that is correct,
22 if a Seleka group heavily armed went towards the imam's compound and if other
23 Seleka made a barrier at the mosque area, then the Anti-Balaka crossed them at a
24 specific point and the battle started? Can you agree with that?

25 A. [15:10:34] I didn't hear this version being said that the Seleka, that they went to

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1 the imam with heavy arms and that there was confrontation with the Anti-Balaka. I
2 never got such information.

3 Q. [15:11:07] Mr Witness, do you have any information according to which the
4 Boro Muslims were armed and ready to defend their neighbourhood vis-à-vis the
5 Seleka?

6 A. [15:11:32] Excuse me. Since this morning you have asked me the very same
7 question. I didn't get such information. I think I told you that it's true that there
8 were some individuals who joined the group in the beginning of the events, but to say
9 that on that day there were armed civilians who fought alongside, I didn't see it. I
10 don't want to lie to you.

11 Q. [15:12:06] No problems. My documents comes from the document 49,
12 CAR-OTP-2126-0175, page 0186 and 0187.

13 Mr Witness, on Monday you said - this is page 23 of the transcript - that (Redacted)
14 was attacked by the Anti-Balaka and that she *died a few days later. But in your
15 statement you said that she survived and that she walked with crutches. It is on
16 page 91. So which version is correct?

17 A. [15:13:19] I think there's a confusion here. I never said that she was dead. I
18 didn't say that she received a bullet wound or bullet, was hit by a bullet. I think
19 when we found her, she had a wound on her leg. She had a wound at her head.
20 She didn't die after these events. She arrived at Chad and died a few years later.
21 Please check the statement. She died about a year ago. She died here a year later.
22 She didn't die during these events.

23 Q. [15:14:13] On page 23 of your transcript, T-101, where you say
24 "(Redacted) was transferred to the hospital, (Redacted)
25 died a few days later."

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1 PRESIDING JUDGE SCHMITT: [15:14:47] The witness has now clarified that this is
2 not correct. Please move on.

3 THE WITNESS: [15:14:55](Interpretation) No, if I said she died, it might be a
4 mistake. It is a mistake. Either the person who did the transcript made a mistake.
5 She was not dead. She received -- she had a wound in her leg and also in her head
6 and she used crutches and last year she died in Chad. If this appears in my records,
7 my statement, I'm telling you the truth right now, I'm telling you the truth today.
8 Perhaps it's a mistake on my part. Maybe I made several statements and I made a
9 mistakes in one of my statements, but the reality is what I'm telling you today.

10 MS PROULX: [15:15:45](Interpretation)

11 Q. [15:15:46] Mr Witness, I suggest that amongst the victims on 5 *December that
12 you listed you said they were civilians. I am suggesting that some of those
13 individuals were carrying weapons at the moment when they lost their lives.

14 PRESIDING JUDGE SCHMITT: [15:16:09] Perhaps you can be more specific.
15 I think that would accelerate the procedure. Because he has provided us, I think,
16 with names and perhaps you have information, obviously, with regard to certain
17 persons. Perhaps put it directly to him, that this might really shorten the procedure
18 a little bit.

19 MS PROULX: [15:16:40](Interpretation)

20 Q. [15:16:43] I'll be more specific, Mr Witness. I'm talking about *C-17 Moussa
21 was armed and was fighting alongside the Seleka on that day.

22 A. [15:17:11] C-17 was not my son nor a member of my family so I don't know
23 whether he was armed or not. He was killed with a weapon in his hand. I don't
24 know. I wasn't there to confirm it. But if you have information of that nature,
25 I don't know, what is the basis, what is your source of information? I don't know.

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1 Did you have the opportunity to see this directly? I don't know. I can only tell you
2 about (Redacted). But for the others, I really can't say with certainty.

3 Q. [15:17:59] I have two subjects which I'd like to deal with and then it comes to an
4 end. Now, I'd like to say something about what happened after -- the days after the
5 attack of 5 December. You said in your statement, and also in the transcript of
6 Monday, that the houses, the shops of the Muslims were destroyed by the
7 Anti-Balaka and that the Anti-Balaka also destroyed the mosques. Do you maintain
8 that position, Mr Witness?

9 PRESIDING JUDGE SCHMITT: [15:18:44] Until proved to the contrary, I said that
10 several times, we have a transcript from the events and we don't ask the witness if he
11 says the same like two days ago normally, so simply put to him what you want to put
12 to him. We have heard what he said. We have his former statement and we went
13 through this statement with him, too, so please, please put the information that you
14 have to him.

15 MS PROULX: [15:19:21](Interpretation)

16 Q. [15:19:27] I'm going to read an extract of a document. It's document 27 in the
17 Defence binder, CAR-OTP-2084-2286, page 2229. I'm going to read it out to you.
18 "The Colonel Saleh collected his men and took them to the entrance of the camp,
19 which is situated near the Catholic camps, where about 35,000 Christians were
20 seeking refuge. These men shot with guns and grenades in this overpopulated camp
21 and threatened repeatedly to wipe them out if the Anti-Balaka didn't leave Bossangoa.
22 In the hope of avoiding a massacre, the African forces tried to obtain a fact that the
23 Anti-Balaka ceded. Colonel Saleh did not -- would not have hesitated to launch
24 attack against 35,000 civilians."

25 I have some questions, Mr Witness. Firstly, were you aware that the Seleka attacked

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1 the bishop's house after the 5 December attack?

2 A. [15:21:07] I think this type of question where you say that the CEMAC
3 forces -- the FOMAC forces, you're talking about Colonel Saleh. What can I say
4 about that? I have nothing to say about it. I have no opinion on it. I don't know
5 what he said. He went there, he attacked, there was a discussion with FOMAC
6 elements. What has it got to do with me? Did he threaten? Did he fight? Did he
7 kill people there? Since it was in the bishop's house there was a lot of people. You
8 said he went there to talk, to negotiate with the CEMAC elements -- sorry, with the
9 FOMAC elements. I don't know what to say about that.

10 Q. [15:22:15] The extract I've just read out suggests that Colonel Saleh demanded
11 that the Anti-Balaka withdraw from Bossangoa and that the Anti-Balaka should cede,
12 so they withdraw from Bossangoa on 6 December. Do you agree?

13 A. [15:22:39] Well, where they met the Anti-Balaka to discuss and to negotiate that
14 the Anti-Balaka leave the town, I wasn't present.

15 Q. [15:23:08] I am suggesting that the looting which took place in the days
16 following 5 December and the destruction of the mosques were committed by the
17 civilian population as a revenge for what had happened to them. Do you agree with
18 that? For the revenge and complicity of the Muslims with the Seleka.

19 A. [15:23:52] It's difficult to understand what you're trying to say. You're a lawyer,
20 of course. You're doing your job. But just imagine if you lose (Redacted).
21 It's not because that they went to take other's goods that it wouldn't have a follow-up.
22 But to say they took the goods and that they reacted, did the women, were they also
23 armed? The women weren't armed in this way. That's how I think I'm going to
24 answer your question.

25 PRESIDING JUDGE SCHMITT: [15:24:44] Please, please move on.

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1 MS PROULX: [15:24:49](Interpretation)

2 Q. [15:24:51] I'm going to show you another document, 38, CAR-OTP-2109-0407.

3 It's a tweet of a social media, a representative of a Human Rights Watch, who

4 indicates that Colonel Saleh of Seleka burnt the houses in Bossangoa on

5 7 December 2013. And there's another tweet, document 39 on the same day,

6 CAR-OTP-2109-0408, where it is indicated that on the morning of 7 December the

7 Seleka killed a woman and leaving her body close to her two young children. Did

8 you hear anything about these incidents, Mr Witness?

9 A. [15:26:02] No, I've never heard anything about this incident.

10 Q. [15:26:14] Thank you. Now, I'm going to refer to document 40,

11 CAR-OTP-2110-0915, page 0919. It is a note taken by a representative of the United

12 Nations which says that they have sources which indicate that in the days or weeks

13 following 5 December, weapons were found in an attic which belonged to the imam's

14 deputy. So the imam deputy (Redacted);

15 is that correct?

16 A. [15:27:14] Thank you. That's a lie. Why am I saying this? He is a servant of

17 God. Together with the church and the vicar, they worked together. Even on the

18 video carried out by France 24, you can see that. I don't know where that

19 information comes from. If it comes from a witness, {ICR: (Redacted)}.

20 I never heard something like that, so I would suggest that you go to the Bossangoa

21 inhabitants of good faith so that you can collect correct information.

22 I think this is pure fabrication, if I can put it that way. This is completely erroneous

23 information.

24 Q. [15:28:23] There's information according to which arms were found under the

25 carpets in the prayer hall. Have you ever heard that being said?

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1 A. [15:28:49] Never, I've never heard that being said, madam. They have just said
2 to tarnish the image of the community. It's the first time that I've heard this being
3 said, that arms were found by the FOMAC elements. I don't know who found that
4 out. Those information come from FOMAC elements, I suppose, because those
5 elements who guaranteed our safety at that moment.

6 Q. [15:29:31] Mr Witness, when you were at the *École Liberté*, were you aware that
7 the imam met representatives of the United Nations who came to him to ask for the
8 name of all the Muslim victims since 17 September 2013? Does that mean anything
9 to you?

10 A. [15:30:07] Some humanitarian workers were present everywhere across the city
11 and I don't know whether those representatives asked for that kind of information.
12 I'm not able to confirm this. And these things happened a long time ago and I may
13 have forgotten some of them.

14 Q. [15:30:38] No problem, Mr Witness. I was simply asking you this because let
15 me display document number 40, CAR-OTP-2110-0915 at page 0922 at the bottom of
16 the page, paragraph 42. I'll wait for the document to be displayed before putting my
17 question.

18 Well, you can see it now. It's in English, Mr Witness. The word in the caption is
19 redacted, but it's quite short. But one might think that it's imam under the redacted
20 part. However, the notes on that meeting provide that the imam or the interlocutor,
21 I don't know who it was, asserted that 506 Muslims had been killed by the
22 Anti-Balaka since 6 September 2013. The report later indicates that the UN
23 representatives asked that person whom they met to provide the name, age, village,
24 location of all the victims. And then a few hours later when the representatives
25 came back, the interlocutor, who may have been the imam, was not able to provide

1 any list other than *33 names.

2 Now, as suggested in this document, Mr Witness, would the number of

3 Muslims -- Muslim victims have been grossly overrepresented as mentioned by the

4 Muslim -- by the imam or the Muslim community at large?

5 A. [15:32:48] Thank you for that question. What I can tell you is what I know,

6 what I experienced and what I heard. So the names of the victims I have provided

7 came from different localities. I gave you names, I gave you figures and I did not see

8 some things, but what I got as information from the survivors is the information I

9 have provided you by way of figures.

10 Now, there are things that I may have not seen or experiences that I didn't have, but

11 the information I've provided you is about Bossangoa centre. And so if the UN

12 representatives are providing a contradictory figure, what I have told you right from

13 the beginning of my testimony is that I am only testifying as to what I knew, what I

14 heard. For example, you have put a number of questions to me about Seleka.

15 Colonel Saleh is still alive. I know that he -- he's in an alliance with Bozize. If there

16 are any questions concerning him, maybe when he will come before the courts you

17 can put questions to him.

18 Now, you are asking me questions about the Seleka as if I were appearing here as a

19 representative of the Seleka, so I don't know what answer to provide you.

20 Now, the President has asked that we should conclude quickly and I think that it is

21 also my prayer that we finish quickly.

22 PRESIDING JUDGE SCHMITT: [15:34:26] A short remark by the President. You

23 know, normally if something is black and redacted it is for reason, so we don't know

24 if it's the imam. I've also read the document, but nevertheless, so we can't be sure.

25 There was obviously a person, an interlocutor whom they had contact with.

1 Please, Ms Proulx.

2 MS PROULX: [15:34:52](Interpretation)

3 Q. [15:34:54] Mr Witness, I now turn to my last topic and it's not going to be very
4 long. I want to reassure you. You have been testifying for four days, Mr Witness,
5 and I just realise that no one has asked you to describe the appearance of the
6 Anti-Balaka. Can you tell us what they looked like, what they wore, did they have
7 any distinctive signs, did they have any head gear? What did they look like?
8 Please describe that to the Court.

9 A. [15:35:36] Thank you very much, Counsel. Since this is the last topic, I am
10 happy that we are drawing to an end.

11 Well, I think that the Anti-Balaka -- well, yesterday or was it the day before you asked
12 me a question about the attire of the Seleka and whether they had *gris-gris* and what
13 have you. Now, let me point out to you the difference between the Anti-Balaka and
14 the Seleka. When it came to the Balaka, some of them did not have any military
15 uniform. The majority of them did not. Some of them did. Secondly, virtually all
16 of them were wearing *gris-gris*. Although the Seleka were wearing *gris-gris* as well,
17 there was a difference between the *gris-gris*. The *gris-gris* of the Anti-Balaka was in a
18 blue material which is what the Anti-Balaka used. As for the Seleka, they used what
19 in Arabic is called *farwa*, which is some kind of skin, some kind of skin. So that is
20 one of the distinctions between the two. While the Balaka had *gris-gris* in tarpaulin,
21 the Seleka had their in skin. some of the Balaka had red *head bands and -- red in
22 colour. Most of the Balaka whom I saw were non-Muslims, as you know. So when
23 someone is a Muslim, you are able to distinguish between a Muslim and a Christian
24 even in their attire. So this is the description I can provide for your -- your attention.

25 Q. [15:37:40] Thank you. Can you explain to me how it was possible to

1 distinguish between a civilian Christian and an Anti-Balaka?

2 A. [15:38:02] Well, thank you. I think the description I have provided is that the
3 Balaka had *gris-gris* and some used to take portions of concoctions that they would
4 take. Now, but if you went to a locality and there were civilians, you would find
5 that some did not wear any *gris-gris* while others did. So there is, therefore, a clear
6 difference between those.

7 As for the Balaka, many of them would somehow have weaves on their hair, on their
8 heads and initially when they are recruited and are going through the initiation
9 process, they are required to shave.

10 Q. [15:39:12] Mr Witness, you have described how to identify an Anti-Balaka, but
11 you have not answered how to distinguish between a Christian civilian and an
12 Anti-Balaka.

13 A. [15:39:37] Thank you. A civilian is a civilian. And as a civilian, he doesn't
14 carry any weapons and has no *gris-gris*. So that would be the main distinctive
15 feature. So if someone were not in the Balaka movement, it would be easy to know
16 because we live in the same area. In my neighbourhood, for example, I did not
17 see -- or if I knew somebody who was in the movement, I would know them. And if
18 that -- if someone were not, I would -- I would also know. But there were some who
19 wore *gris-gris* but were part of the movement and others were not. But come to
20 think of it, it is difficult to distinguish.

21 Now, when it comes to the Seleka, once you saw a Seleka, you would know
22 immediately because all the Seleka wore some kind of uniform. But when it comes
23 to the Balaka, it's difficult to make that distinction.

24 Q. [15:40:50] Mr Witness, I want to show you a few images from Defence document
25 40, CAR-OTP-2112-1385, from the beginning up to the 31st second, there is a

1 transcription. And that's at document 50, CAR-OTP-2127-7120, although not much
2 is said on this excerpt. And after the video I will have a few questions for you.

3 (Viewing of the video excerpt)

4 MS PROULX: [15:42:05] (Interpretation)

5 Q. [15:42:07] Witness, are you able to tell me which group the people we have seen
6 on this video belong to?

7 A. [15:42:23] No. I didn't see anything on my screen here. I didn't see the video.
8 I did not see any image at my end.

9 Q. [15:42:38] Mr Witness, we will play it again, be patient.

10 PRESIDING JUDGE SCHMITT: [15:42:43] Yes, I suggest -- it was a short video. We
11 play it again.

12 (Viewing of the video excerpt)

13 MS PROULX: [15:43:40] (Interpretation)

14 Q. [15:43:41] Mr Witness, are you able to identify the group to which these men on
15 the images belong?

16 A. [15:43:55] I thank you. The video was not very clear. I heard a few Sango
17 words and it was difficult to understand, but I think they spoke some Sango.

18 Now, asking me to identify which group they belong to, I am not able to do that
19 based on this video. If you have a much clearer video, I might be able to answer
20 your question. It's a bit blurry and I do not see clearly what shows on it. So it is
21 very difficult for me going by this video to tell you whether it is a Balaka or someone
22 else. I see, for example, that there are people in military uniforms and others are not
23 in uniform and the sound itself is not very clear. So based on this video, I am not
24 able to provide an answer to your question.

25 Q. [15:44:54] Mr Witness, it is not very easy to distinguish an Anti-Balaka from a

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1 Seleka element, is that what I should understand from what you're saying?

2 A. [15:45:12] Well, I told you that the video is not clear, so it's difficult for me to
3 distinguish on the screen. And the sound is not good. If you had another video, it
4 might help me answer your question.

5 Q. [15:45:37] Let me now show you a picture at document number 16,
6 CAR-OTP-2073-0097.

7 Can you see the picture, Mr Witness?

8 A. [15:46:22] No. I don't see it. Well, these are Anti-Balaka. Yes, I can see it.

9 Q. [15:46:48] Why do you say they are Anti-Balaka?

10 A. [15:47:00] As you can see on the image, there is someone holding a knife in his
11 hand and next to him there's someone in a dark outfit wearing some *gris-gris*. The
12 only one enabling me to identify him as Anti-Balaka is that individual because that's
13 the typical attire of the Anti-Balaka. That is the person standing next to the word
14 Diaspora. As for the others, they are children, maybe his family members, I don't
15 know, but he is Anti-Balaka. He is typically dressed as an Anti-Balaka with the
16 *gris-gris* and such things.

17 Q. [15:47:56] So you are able to recognise one Anti-Balaka and the others are all
18 civilian?

19 A. [15:48:11] Well, I don't know. When somebody is bearing a weapon like this,
20 maybe they are Anti-Balaka. It's not because he's holding a weapon that one could
21 say they are Anti-Balaka, but the others are children. The only thing I can say for
22 sure is that the Anti-Balaka, I can identify, is the one with a black shirt or something
23 of that nature.

24 Q. [15:48:52] Let me show you one photograph and that will be my last photograph.
25 Document 19, CAR-OTP-2073-0107.

1 Do you see the picture?

2 A. [15:49:29] Yes, I can see it.

3 Q. [15:49:41] The people you see, are they civilians or Anti-Balaka?

4 A. [15:49:49] Thank you. These are Anti-Balaka. Those who are standing behind
5 the vicar general are Anti-Balaka and the others are women. And then those who
6 are seated, I see the vicar general, the imam and the cardinal who came from Bangui.
7 So I think that these people are in Zere, if I'm not mistaken.

8 Q. [15:50:32] Mr Witness, there are no weapons, most of them don't have *gris-gris*,
9 they don't have any uniforms and they don't have any red head bands. Do you
10 agree?

11 A. [15:51:00] No. That is not correct. I say so because if you look carefully at the
12 photographs, you will see that those who are standing behind the vicar are wearing
13 some kind of headgear and they have knives. Now, those who are seated are men of
14 God and they cannot dare come to such a place with their weapons. So let us also
15 acknowledge that most of the Anti-Balaka are -- in most cases have knives and so
16 from my position here, I am able to distinguish between a Seleka and a Balaka. I am
17 able to make that distinction if I see them.

18 Q. Mr Witness, you will be happy to learn that I have no further questions for you.
19 All I have to do is to thank you for your great patience over the last few days. And
20 that's it. Thank you. Have a good afternoon.

21 MS PROULX: [15:52:17] Mr President, I have no further questions for this witness.

22 PRESIDING JUDGE SCHMITT: [15:52:19] Thank you, Ms Proulx. This concludes
23 the hearing for today.

24 Mr Witness, on behalf of the Chamber, I would like to address you at the end of your
25 testimony. We, as a Court, put the witnesses like you through a lot. We know that.

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1 It is, therefore, all the more commendable that you made yourself available as a
2 witness in these proceedings and that you answered all the questions of the parties
3 and the judges over the course of so many days and hours. However, this
4 willingness to testify and exposing yourself to this procedure is necessary to assist the
5 Court to establish the truth. On behalf of the Chamber, I would like to thank you for
6 making yourself available as a witness. The Chamber wishes you and your family
7 well for the future.

8 THE WITNESS: [15:54:02](Interpretation) Thank you very much, Mr President.
9 You see, I have experienced many things and my country has gone through difficult
10 times, so it is my duty to appear before your Court to speak the truth so that justice
11 may be done. And I would like to crave your indulgence and ask you to excuse me
12 for pleading that the Court should recognise (Redacted). I think if you -- with your
13 leave, those who are near me can help me in this context. I may have lost my calm
14 during part of my testimony, and so I tender all my apologies to the Presiding Judge
15 of this Court. I would like to thank {ICR: Redacted}} and all those who are around
16 me for the warm welcome they extended to me. We worked well together. They
17 didn't shout at me. So I want to thank them very much for that. May God protect
18 and bless them in everything that they undertake.

19 PRESIDING JUDGE SCHMITT: [15:55:23] Thank you very much, Mr Witness.
20 And I take it since nobody from the Yekatom Defence stood up and shouted we want
21 to put questions to the witness that there is no urge to do that. So I take that simply.
22 Yeah, okay.

23 Thank you very much. Then we conclude for today, as I already said, and we
24 continue tomorrow morning at 9.30 with the next witness.

25 (The witness is excused)

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- 1 THE COURT USHER: [15:55:56] All rise.
- 2 (The hearing ends in open session at 3.55 p.m.)